

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 12, 2014

11 3:30 p.m.

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13
14 REGULAR SESSION

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18 SENATOR DAVID CARLUCCI, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

8 ACTING PRESIDENT CARLUCCI: In the
9 absence of clergy, may we please bow our heads
10 for a moment of silence.

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

13 ACTING PRESIDENT CARLUCCI: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Friday,
16 May 9th, the Senate met pursuant to adjournment.
17 The Journal of Thursday, May 8th, was read and
18 approved. On motion, Senate adjourned.

19 ACTING PRESIDENT CARLUCCI: Without
20 objection, the Journal stands approved as read.

21 Presentation of petitions.

22 Messages from the Assembly.

23 The Secretary will read.

24 THE SECRETARY: On page 19, Senator
25 Martins moves to discharge, from the Committee on

1 Local Government, Assembly Bill Number 8320B and
2 substitute it for the identical Senate Bill Number
3 6424B, Third Reading Calendar 125.

4 On page 28, Senator Martins moves to
5 discharge, from the Committee on Local Government,
6 Assembly Bill Number 9001 and substitute it for the
7 identical Senate Bill Number 6744A, Third Reading
8 Calendar 316.

9 On page 32, Senator Flanagan moves to
10 discharge, from the Committee on Education,
11 Assembly Bill Number 9062A and substitute it for
12 the identical Senate Bill Number 6955, Third
13 Reading Calendar 399.

14 On page 34, Senator Bonacic moves to
15 discharge, from the Committee on Judiciary,
16 Assembly Bill Number 9075 and substitute it for the
17 identical Senate Bill Number 5073, Third Reading
18 Calendar 423.

19 On page 37, Senator Martins moves to
20 discharge, from the Committee on Local Government,
21 Assembly Bill Number 9032 and substitute it for the
22 identical Senate Bill Number 6989, Third Reading
23 Calendar 453.

24 ACTING PRESIDENT CARLUCCI:
25 Substitutions ordered.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from state
5 officers.

6 Motions and resolutions.

7 SENATOR LIBOUS: Mr. President.

8 ACTING PRESIDENT CARLUCCI: Senator
9 Libous.

10 SENATOR LIBOUS: Thank you.

11 On behalf of Senator Maziarz, I wish
12 to call up his bill, Senate Print 6231, recalled
13 from the Assembly, which is now at the desk.

14 ACTING PRESIDENT CARLUCCI: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number 200,
17 by Senator Maziarz, Senate Print 6231, an act to
18 amend the Correction Law.

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

22 ACTING PRESIDENT CARLUCCI: Call the
23 roll on reconsideration.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 48.

1 SENATOR LIBOUS: Mr. President, I now
2 offer the following amendments.

3 ACTING PRESIDENT CARLUCCI: The
4 amendments are accepted.

5 Senator Libous.

6 SENATOR LIBOUS: Mr. President, I
7 believe Senator LaValle has a previously adopted
8 resolution at the desk, Number 3974. Could we
9 please have that resolution read in its entirety.
10 And once it's read, if you could please call on
11 Senator LaValle.

12 ACTING PRESIDENT CARLUCCI: The
13 Secretary will read.

14 THE SECRETARY: Legislative
15 Resolution Number 3974, by Senator LaValle,
16 honoring the Rocky Point High School Varsity
17 Cheerleading Team upon the occasion of winning the
18 Universal Cheerleaders Association's 2014 National
19 Championship.

20 "WHEREAS, Athletic competition
21 enhances the moral and physical development of the
22 young people of this state, preparing them for the
23 future by instilling in them the value of
24 teamwork, encouraging a standard of healthy
25 living, imparting a desire for success, and

1 developing a sense of fair play and competition;
2 and

3 "WHEREAS, This Legislative Body is
4 moved to honor the Rocky Point High School Varsity
5 Cheerleading Team upon the occasion of winning the
6 Universal Cheerleaders Association's National
7 Championship in the Medium Varsity division in
8 Orlando, Florida, on February 12-13, 2014; and

9 "WHEREAS, The Rocky Point High School
10 Varsity Cheerleading Team has once again taken
11 first place against some of the best teams in the
12 country, winning their third national title in the
13 past four years; and

14 "WHEREAS, After securing the highest
15 score in the preliminaries, Rocky Point advanced
16 straight to the final round of competition, where
17 they earned a personal best score at the Universal
18 Cheerleaders Association competition; additionally,
19 the team was awarded perfect scores in a number of
20 other categories; and

21 "WHEREAS, The athletic talent
22 displayed by this team is due in great part to the
23 efforts of Coach Anna Spallina and Assistant
24 Coach, Amanda Lang, skilled and inspirational
25 tutors, respected for their ability to develop

1 potential into excellence; and

2 "WHEREAS, Loyally and
3 enthusiastically supported by family, fans,
4 friends and the community at large, Rocky Point
5 Varsity Cheerleading Team members have proven
6 themselves to be an unbeatable combination of
7 athletic and academic talents, reflecting
8 favorably on their community; and

9 "WHEREAS, It is the sense of this
10 Legislative Body that when young people who
11 represent their community with pride and
12 determination while participating in competitive
13 sports are brought to our attention, they should be
14 celebrated and recognized by all the citizens of
15 the great State of New York; now, therefore, be it

16 "RESOLVED, That this Legislative Body
17 pause in its deliberations to honor the Rocky Point
18 High School Varsity Cheerleading Team; its members:
19 Giordanna Campo, Caitlin Craig, Samantha Ferrara,
20 Courtney Flood, Ashley Goldstein, Jordan Gonzalas,
21 Claire Johannesen, Courtney Kelly, Jaclyn Lang,
22 Emily Lonigro, Cianna Maffei, Megan McCarthy,
23 Kaitlyn McDonald, Kelly Morgan, Nikki Nociforo,
24 Emily O'Connor, Danielle Ortolani, Athena
25 Papachristos, Brittany Reh, Dana Sanvitale,

1 Natalie Shapiro, and Korinne Utting; and Coaches
2 Anna Spallina and Amanda Lang upon the occasion
3 of winning the National Championship in the
4 Universal Cheerleaders Association's Medium
5 Varsity Division; and be it further

6 "RESOLVED, That copies of this
7 resolution, suitably engrossed, be transmitted to
8 the Rocky Point High School Varsity Cheerleading
9 Team and to Coach Anna Spallina."

10 ACTING PRESIDENT CARLUCCI: Senator
11 LaValle.

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

14 Some of you may have remembered,
15 because as the resolution indicated, the Rocky
16 Point Cheerleaders have won this national
17 recognition three out of the last four years.
18 National champions three out of four years. That's
19 incredible.

20 Obviously, great skill and inspiration
21 was given to each of the young women by Coach
22 Spallina and Coach Lang. And so we are very
23 proud of you, certainly all the folks in Rocky
24 Point. It's a very close community. And
25 certainly Rocky Point and all the people in the

1 1st Senatorial District are very, very proud of
2 your accomplishments three out of the last four
3 years. Congratulations.

4 (Applause.)

5 ACTING PRESIDENT CARLUCCI: This
6 resolution was previously adopted on March 18th of
7 2014.

8 Congratulations, Rocky Point
9 cheerleaders. Thank you for being here, and
10 congratulations.

11 Senator Libous.

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

14 I believe Senator LaValle has another
15 previously adopted resolution, Number 3975. If we
16 could please read that in its entirety and call on
17 Senator LaValle.

18 ACTING PRESIDENT CARLUCCI: The
19 Secretary will read.

20 THE SECRETARY: Legislative
21 Resolution Number 3975, by Senator LaValle,
22 honoring the Mount Sinai High School Varsity
23 Cheerleading Team upon the occasion of winning
24 the Universal Cheerleaders Association's 2014
25 National Championship.

1 "WHEREAS, Athletic competition
2 enhances the moral and physical development of the
3 young people of this state, preparing them for the
4 future by instilling in them the value of teamwork,
5 encouraging a standard of healthy living, imparting
6 a desire for success and developing a sense of fair
7 play and competition; and

8 "WHEREAS, This Legislative Body is
9 moved to honor the Mount Sinai High School Varsity
10 Cheerleading Team upon the occasion of winning the
11 Universal Cheerleaders Association's National
12 Championship in the Large Varsity Division 2 in
13 Orlando, Florida, on February 12-13, 2014; and

14 "WHEREAS, The Mount Sinai Varsity
15 Cheerleading Team took first place against some of
16 the best teams in the country and won the first
17 cheerleading national title in school history; and

18 "WHEREAS, The athletic talent
19 displayed by this team is due in great part to
20 the efforts of Coach Samantha Melella, a skilled
21 and inspirational tutor, respected for her
22 ability to develop potential into excellence;
23 and

24 "WHEREAS, Loyally and
25 enthusiastically supported by family, fans,

1 friends and the community at large, the Mount
2 Sinai Varsity Cheerleading Team have proven
3 themselves to be an unbeatable combination of
4 athletic and academic talents, reflecting
5 favorably on their community; and

6 "WHEREAS, It is the sense of this
7 Legislative Body that when young people who
8 represent their community with pride and
9 determination while participating in competitive
10 sports are brought to our attention, they should be
11 celebrated and recognized by all the citizens of
12 the great State of New York; now, therefore, be it

13 "RESOLVED, That this Legislative Body
14 pause in its deliberations to honor the Mount Sinai
15 High School Varsity Cheerleading Team; its members:
16 Brittney Ankelman, Kristen Friia, Chloe Shields,
17 Stephaney Ankelman, Victoria Harman, Alexa
18 Signorile, Tina Batinovic, Samantha Kollmer, Emily
19 Spagnolo, Taylor Cauchi-Gerace, Arden LoRe,
20 Amanda Spoletti, Gabriela Custodio, Jourdan
21 Masullo, Catherine Tawfik, Alexa Diamond, Kaylee
22 Orlando, Casey Wesolowski, Samantha Feeney,
23 Amanda Rose, Cassidy Wesolowski, Charlotte
24 Fiordalisi, Danielle Runfola, and Cassandra
25 Wilson; and Coach Samantha Melella upon the

1 occasion of winning the National Championship in
2 the Universal Cheerleaders Association's Large
3 Varsity Division 2; and be it further

4 "RESOLVED, That copies of this
5 resolution, suitably engrossed, be transmitted to
6 the Mount Sinai High School Varsity Cheerleading
7 Team and to Coach Samantha Melella."

8 ACTING PRESIDENT CARLUCCI: Senator
9 LaValle.

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

12 Certainly I'm equally as proud of the
13 Mount Sinai Cheerleading Team. There is a state
14 highway, Route 25A, and the two high schools are
15 about two miles away from one another. So within a
16 two-mile distance we have national cheerleading
17 champions.

18 Coach Melella, this is your first
19 championship. And you can keep going. You can
20 win a second and a third and keep going on.

21 It is a great, great achievement
22 for the Mount Sinai High School and the Mount
23 Sinai community. My district office is in Mount
24 Sinai, so I am very proud of Mount Sinai winning
25 this championship.

1 And having two high schools,
2 Rocky Point and Mount Sinai, is great, great
3 pride. I would say my buttons are popping, but
4 it would be inappropriate on the Senate floor to
5 have buttons popping.

6 So once again, congratulations.
7 Coach Melella, building a good skill set and
8 inspiration also got you and your team to the
9 national championship. Congratulations.

10 (Applause.)

11 ACTING PRESIDENT CARLUCCI:
12 Congratulations, Mount Sinai cheerleaders.

13 This resolution was previously adopted
14 on March 18, 2014.

15 Senator Libous.

16 SENATOR LIBOUS: Mr. President, could
17 you call on Senator Gallivan for the purposes of
18 an announcement.

19 ACTING PRESIDENT
20 CARLUCCI: Senator Gallivan.

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

23 I rise to welcome several
24 individuals to the chamber: Austin Wadsworth,
25 Dawn Schaible, and Elaina Mancuso. They're from

1 the National Warplane Museum, which is located
2 in Geneseo, New York, of course in the 59th
3 Senate District.

4 The National Warplane Museum is
5 dedicated to the restoration, preservation, display
6 and flight of aircraft of the World War II and
7 Korean War eras, as well as the recognition of all
8 the United States military personnel for their
9 service and sacrifice.

10 At the invitation of the French
11 government, the National Warplane Museum in Geneseo
12 was invited to participate in the 70th anniversary
13 of the commemoration of D-Day, which many of you
14 remember took place June 6, 1944. It began the
15 start of the battle of Normandy and resulted in the
16 Allied liberation of Western Europe from Nazi
17 Germany's control.

18 Over 156,000 American, British and
19 Canadian forces landed on five beaches along a
20 50-mile stretch of the heavily fortified coast
21 of France's Normandy region. By late August of
22 that year, all of northern France had been
23 liberated. By the following spring, the Allies
24 had defeated the Germans.

25 The National Warplane Museum houses

1 and owns a 1943 Douglas C-47A Dakota. It's
2 known as "Whiskey 7." This was the lead ship
3 back in 1944 of the 37th Troop Carrier Squadron,
4 which dropped elements of the 82nd Airborne
5 Division near St. Mere Eglise, France, in the
6 early hours of June 6th. The National Warplane
7 Museum will be flying an original mission; they
8 will participate in the commemoration by
9 dropping members of the Liberty Jump Team over
10 the original D-Day drop zones in France.

11 Now, unfortunately, those that
12 jumped out of the plane will not be jumping
13 again. I believe that there is only one
14 survivor of that original team that landed in
15 France back in 1944. That's a gentleman named
16 Leslie Cruise from Pennsylvania, one of the
17 original 21 members, who will participate in the
18 celebration in Normandy. He raised the American
19 flag in France in 1944. Once again this June,
20 on the 70th commemoration, he'll proudly raise
21 the Stars and Stripes during the observance
22 ceremony at the Iron Mike Monument in France.

23 This occasion presents a unique
24 opportunity for our body to remember, honor and
25 pay tribute to the men and women who so

1 courageously and heroically served in the armed
2 forces of the United States during the D-Day
3 invasion.

4 You might be thinking to yourself, why
5 are we not doing this on June 6th -- or why am I
6 not doing this on June 6th? Whiskey 7 will be
7 taking off this Thursday on its mission to head to
8 numerous areas, but ultimately landing in France as
9 part of the commemoration ceremony. At that time I
10 will be making several presentations as I see them
11 off.

12 I'd like to thank my colleague Senator
13 Zeldin, who has helped out with this, helped to
14 secure a New York State flag that has flown over
15 the State Capitol this session, which we will be
16 presenting on Thursday. They ultimately will be
17 presenting that flag on our behalf to the
18 appropriate officials in France.

19 And I would ask everybody just to
20 remember all those who had served.

21 I would like to recognize Austin
22 Wadsworth, the president of the National
23 Warplane Museum, whose family is very unique in
24 that a member of the Wadsworth family has served
25 in every single conflict that the United States

1 has been in, dating back to the
2 pre-Revolutionary War. So everyone from the
3 Revolutionary War all the way up to the
4 conflicts that we are in today, the Wadsworth
5 family has been representing and standing up for
6 the United States of America.

7 So I thank you, Austin, I thank you,
8 Dawn and Elaina, for giving us the honor of being
9 here today and being able to thank you for what you
10 do and wish you the best of luck on your mission.

11 Thank you, Mr. President.

12 ACTING PRESIDENT CARLUCCI: Thank
13 you, Senator Gallivan.

14 Senator Zeldin.

15 SENATOR ZELDIN: Whiskey 7 may be
16 based in Geneseo, but it was housed in the 3rd
17 Senate District, Islip-MacArthur Airport,
18 getting all the tools it needs to make this
19 flight overseas.

20 And when we said goodbye, we had a
21 ceremony at Islip-MacArthur Airport and had an
22 opportunity to take a walk onto the plane and
23 think of all the memories, the service.

24 And I think the spirit of New
25 Yorkers and certainly Long Islanders and our

1 veterans community will be with Whiskey 7 during
2 its flight overseas. The great sacrifice of
3 those 82nd Airborne division paratroopers in
4 World War II with an unknown fate as they
5 traveled over the skies of Normandy --
6 everything that they were willing to sacrifice
7 in defense of everything that makes our nation
8 great. Some paid the ultimate sacrifice. And
9 one, Leslie, is still alive today.

10 But we want to say thank you to
11 everyone who flew on Whiskey 7 to protect
12 everything that makes our nation great. And we
13 want to present you with a flag, as Senator
14 Gallivan mentioned, which flew over the
15 State Capitol, so you can bring us with you on your
16 journey.

17 Thank you.

18 ACTING PRESIDENT CARLUCCI: Thank
19 you, Senator Zeldin.

20 (Standing ovation.)

21 ACTING PRESIDENT

22 CARLUCCI: Senator Young.

23 SENATOR YOUNG: Thank you,
24 Mr. President. I too wish to speak on this
25 resolution.

1 Right now, every two minutes we
2 lose a World War II veteran who passes away.
3 That totals about 555 people per day. And every
4 time one of those courageous veterans passes
5 away, we lose a piece of history. We lose
6 someone who could tell about the sights and the
7 sounds, the horrors and the victories of World
8 War II.

9 And that's why it's so incredibly
10 important that we preserve that history. And this
11 journey of Whiskey 7 that is being embarked upon is
12 an incredibly important time as far as
13 preservation.

14 I want to commend Austin Wadsworth,
15 who is here today. And I echo Senator Gallivan's
16 comments, because I have known the Wadsworth
17 family really since I've been born. And they
18 are a family that is part of the fabric of
19 Livingston County. But at the same time that
20 family has had a profound impact on the history
21 of New York State and the history of the United
22 States, and we're grateful for that.

23 So I want to thank Austin for
24 coming. Thank you for taking on this challenge.
25 He has a passion for aircraft, and he has a

1 passion for history. And combining those
2 together is a unique experience that many people
3 will learn from as we go forward.

4 So thank you very much.

5 ACTING PRESIDENT CARLUCCI: Thank
6 you, Senator Young.

7 Senator Gianaris for an announcement.

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

10 On another subject, while we're doing
11 announcements, I thought it was important to note
12 that we have a new grandfather in our midst today.
13 And for anyone who wants to see a picture, granddad
14 is proudly showing it to all who want.

15 That's Senator Libous, Deputy
16 Majority Leader and Floor Leader here. I
17 believe the baby's name is Campbell.
18 Congratulations to him.

19 (Applause.)

20 ACTING PRESIDENT CARLUCCI:
21 Congratulations, Senator Libous.

22 Senator Libous.

23 SENATOR LIBOUS: And I'm still
24 smiling, Mr. President, from ear to ear.

25 Can we go back to motions.

1 ACTING PRESIDENT

2 CARLUCCI: Motions and resolutions.

3 Senator Libous.

4 SENATOR LIBOUS: On behalf of Senator
5 Zeldin, on page 37 I offer the following amendments
6 to Calendar Number 451, Senate Print 6919, and ask
7 that said bill retain its place on the Third
8 Reading Calendar.

9 ACTING PRESIDENT CARLUCCI: The
10 amendments are received, and the bill will retain
11 its place on the Third Reading Calendar.

12 Senator Libous.

13 SENATOR LIBOUS: At this time could
14 we have the noncontroversial reading of the
15 calendar, please.

16 ACTING PRESIDENT CARLUCCI: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 125, substituted earlier by Member of the
20 Assembly Magnarelli, Assembly Print 8320B, an
21 act to amend the Real Property Tax Law.

22 ACTING PRESIDENT CARLUCCI: Read
23 the last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect January 1, 2015.

1 ACTING PRESIDENT CARLUCCI: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT

5 CARLUCCI: Announce the result.

6 THE SECRETARY: Ayes, 57.

7 ACTING PRESIDENT CARLUCCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 140,
10 by Senator Ball, Senate Print 2655A, an act to
11 amend the Military Law.

12 ACTING PRESIDENT CARLUCCI: Read the
13 last section.

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

16 ACTING PRESIDENT CARLUCCI: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT

20 CARLUCCI: Announce the result.

21 THE SECRETARY: In relation to
22 Calendar Number 140, those recorded in the
23 negative are Senators DeFrancisco, Gianaris,
24 Hassell-Thompson, Montgomery, Parker,
25 Ranzenhofer and Rivera.

1 Ayes, 50. Nays, 7.

2 ACTING PRESIDENT CARLUCCI: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 173, by Senator Golden, Senate Print 3584, an
6 act to amend the Multiple Dwellings Law.

7 ACTING PRESIDENT CARLUCCI: Read
8 the last section.

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

11 ACTING PRESIDENT CARLUCCI: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT
15 CARLUCCI: Announce the result.

16 THE SECRETARY: In relation to
17 Calendar Number 173, those recorded in the
18 negative are Senators Avella, DeFrancisco,
19 Hassell-Thompson, Hoylman, Montgomery, Perkins,
20 Rivera, Sanders, Serrano, Stavisky,
21 Stewart-Cousins and Tkaczyk.

22 Ayes, 46. Nays, 12.

23 ACTING PRESIDENT CARLUCCI: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 223, by Senator Stewart-Cousins, Senate Print
2 6313, an act to amend the Local Finance Law.

3 ACTING PRESIDENT

4 CARLUCCI: There's a home-rule message at the
5 desk.

6 Read the last section.

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

9 ACTING PRESIDENT CARLUCCI: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT CARLUCCI: Announce
13 the result.

14 THE SECRETARY: Ayes, 57. Nays,
15 1. Senator Ball recorded in the negative.

16 ACTING PRESIDENT CARLUCCI: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 227, by Senator Maziarz, Senate Print 6521, an
20 act authorizing.

21 ACTING PRESIDENT

22 CARLUCCI: There's a home-rule message at the
23 desk.

24 Read the last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CARLUCCI: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT

6 CARLUCCI: Announce the result.

7 THE SECRETARY: Ayes, 57. Nays,
8 1. Senator Ball recorded in the negative.

9 ACTING PRESIDENT CARLUCCI: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 229, by Senator Zeldin, Senate Print 6581, an
13 act granting.

14 ACTING PRESIDENT CARLUCCI: Read
15 the last section.

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

18 ACTING PRESIDENT CARLUCCI: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT

22 CARLUCCI: Announce the result.

23 THE SECRETARY: Ayes, 56. Nays,
24 2. Senators Bonacic and O'Mara recorded in the
25 negative.

1 ACTING PRESIDENT CARLUCCI: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 231, by Senator Little, Senate Print 6649, an
5 act to amend the Town Law.

6 ACTING PRESIDENT
7 CARLUCCI: There's a home-rule message at the
8 desk.

9 Read the last section.

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

12 ACTING PRESIDENT CARLUCCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT
16 CARLUCCI: Announce the result.

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT CARLUCCI: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 240, by Senator Seward, Senate Print 6505A, an
22 act to amend the Insurance Law.

23 ACTING PRESIDENT CARLUCCI: Read
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CARLUCCI: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT

6 CARLUCCI: Announce the result.

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT CARLUCCI: The bill
9 is passed.

10 THE SECRETARY: Calendar Number 252,
11 by Senator Ritchie, Senate Print 6693B, an act to
12 amend the Agriculture and Markets Law.

13 ACTING PRESIDENT CARLUCCI: Read
14 the last section.

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

17 ACTING PRESIDENT CARLUCCI: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT

21 CARLUCCI: Announce the results.

22 THE SECRETARY: Ayes, 58.

23 ACTING PRESIDENT CARLUCCI: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 316, substituted earlier by Member of the
2 Assembly Lavine, Assembly Print 9001, an act to
3 amend Chapter 405 of the Laws of 2013.

4 SENATOR GIANARIS: Lay it aside.

5 ACTING PRESIDENT CARLUCCI: The
6 bill is laid aside.

7 THE SECRETARY: Calendar Number
8 318, by Senator Martins, Senate Print 6754, an
9 act to authorize.

10 ACTING PRESIDENT CARLUCCI: Read
11 the last section.

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

14 ACTING PRESIDENT CARLUCCI: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT
18 CARLUCCI: Announce the result.

19 THE SECRETARY: Ayes, 56. Nays,
20 2. Senators Bonacic and O'Mara recorded in the
21 negative.

22 ACTING PRESIDENT CARLUCCI: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 344, by Senator Ranzenhofer, Senate Print 1862,

1 an act to amend the Elder Law.

2 ACTING PRESIDENT CARLUCCI: Read
3 the last section.

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

6 ACTING PRESIDENT CARLUCCI: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT CARLUCCI: Announce
10 the result.

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT CARLUCCI: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 353, by Senator Parker, Senate Print 951A, an
16 act to amend the Penal Law.

17 ACTING PRESIDENT CARLUCCI: Read
18 the last section.

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

21 ACTING PRESIDENT CARLUCCI: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT
25 CARLUCCI: Announce the result.

1 THE SECRETARY: Ayes, 58. Nays,
2 1. Senator Montgomery recorded in the negative.

3 ACTING PRESIDENT CARLUCCI: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 387, by Senator Larkin, Senate Print 274B, an
7 act to amend the Retirement and Social Security
8 Law.

9 ACTING PRESIDENT CARLUCCI: Read
10 the last section.

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

13 ACTING PRESIDENT CARLUCCI: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT
17 CARLUCCI: Announce the result.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT CARLUCCI: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 392, by Senator Grisanti, Senate Print 292, an
23 act to amend the Environmental Conservation Law.

24 ACTING PRESIDENT CARLUCCI: Read
25 the last section.

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

3 ACTING PRESIDENT CARLUCCI: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT

7 CARLUCCI: Announce the result.

8 THE SECRETARY: Ayes, 57. Nays,
9 2. Senators Perkins and Serrano recorded in the
10 negative.

11 ACTING PRESIDENT CARLUCCI: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 393, by Senator Bonacic, Senate Print 2039, an
15 act to amend the Environmental Conservation Law.

16 ACTING PRESIDENT CARLUCCI: Read
17 the last section.

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

20 ACTING PRESIDENT CARLUCCI: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT

24 CARLUCCI: Announce the result.

25 THE SECRETARY: In relation to

1 Calendar Number 393, those recorded in the
2 negative are Senators Gipson, Hoylman, Kennedy,
3 Krueger, Perkins and Serrano.

4 Ayes, 53. Nays, 6.

5 ACTING PRESIDENT CARLUCCI: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 399, substituted earlier by Member of the
9 Assembly Nolan, Assembly Print 9062A, an act to
10 amend the Education Law.

11 ACTING PRESIDENT CARLUCCI: Read
12 the last section.

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

15 ACTING PRESIDENT CARLUCCI: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT
19 CARLUCCI: Announce the result.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT CARLUCCI: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 404, by Senator Bonacic, Senate Print 1888A, an
25 act to amend the Vehicle and Traffic Law.

1 ACTING PRESIDENT CARLUCCI: Read
2 the last section.

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

5 ACTING PRESIDENT CARLUCCI: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT
9 CARLUCCI: Announce the result.

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT CARLUCCI: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 406, by Senator DeFrancisco, Senate Print 2311,
15 an act to amend the Vehicle and Traffic Law.

16 ACTING PRESIDENT CARLUCCI: Read
17 the last section.

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

20 ACTING PRESIDENT CARLUCCI: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT
24 CARLUCCI: Announce the result.

25 THE SECRETARY: Ayes, 58. Nays,

1 1. Senator Ball recorded in the negative.

2 ACTING PRESIDENT CARLUCCI: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 409, by Senator Martins, Senate Print 4786A, an
6 act to amend the Vehicle and Traffic Law.

7 ACTING PRESIDENT CARLUCCI: Read
8 the last section.

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

11 ACTING PRESIDENT CARLUCCI: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT
15 CARLUCCI: Announce the result.

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT CARLUCCI: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 410, by Senator Gipson, Senate Print 6422, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT CARLUCCI: Read
23 the last section.

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

1 ACTING PRESIDENT CARLUCCI: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT

5 CARLUCCI: Senator Gipson to explain his vote.

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

8 I would like to thank Senator
9 Larkin for his partnership in moving this bill
10 forward. And I'd like to thank my colleagues
11 for supporting it as well.

12 This bill would dedicate a portion
13 of State Route 9 in the City of Poughkeepsie as
14 the Detective John M. Falcone Memorial Highway.
15 Detective Falcone was an 18-year veteran of the
16 City of Poughkeepsie, where he served with
17 distinction for nearly half of his life to
18 protect the people of the City of Poughkeepsie.

19 On February 18, 2011, Detective
20 Falcone lost his life in the line of duty while
21 freeing a 3-year-old girl from her armed father
22 after the man had killed his wife, the young
23 girl's mother, Jessica Welch.

24 This memorial should serve as a
25 constant reminder of Detective Falcone's legacy

1 of heroic service, inspiring courage and
2 commitment to justice. We should also be
3 reminded of the mother, Jessica, who lost her
4 life during this tragic incident, and those who
5 continue to fall victim to the vicious cycle of
6 domestic violence.

7 Let it serve as a reminder to this
8 body that we must do all in our power as
9 legislators and as a state to bring an end to
10 domestic violence and continue to support our
11 brave first responders who every day dedicate
12 their lives to keeping our community safe.

13 I will be voting yes.

14 ACTING PRESIDENT CARLUCCI: Thank
15 you, Senator Gipson.

16 Announce the result.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT CARLUCCI: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 414, by Senator Nozzolio, Senate Print 1850B, an
22 act to amend the Penal Law.

23 ACTING PRESIDENT CARLUCCI: Read
24 the last section.

25 SENATOR GIANARIS: Lay it aside.

1 ACTING PRESIDENT CARLUCCI: Lay
2 the bill aside.

3 THE SECRETARY: Calendar Number
4 417, by Senator DeFrancisco, Senate Print 4512A,
5 an act to amend the Real Property Tax Law.

6 ACTING PRESIDENT CARLUCCI: Read
7 the last section.

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

10 ACTING PRESIDENT CARLUCCI: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT
14 CARLUCCI: Announce the result.

15 THE SECRETARY: Ayes, 58. Nays,
16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT CARLUCCI: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 419, by Senator Marchione, Senate Print 6305, an
21 act to amend the Environmental Conservation Law.

22 ACTING PRESIDENT CARLUCCI: Read
23 the last section.

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

1 ACTING PRESIDENT CARLUCCI: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT

5 CARLUCCI: Announce the result.

6 THE SECRETARY: Ayes, 58. Nays,
7 1. Senator Ball recorded in the negative.

8 ACTING PRESIDENT CARLUCCI: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 423, substituted earlier by Member of the
12 Assembly Steck, Assembly Print 9075, an act to
13 amend the Civil Practice Law and Rules.

14 ACTING PRESIDENT CARLUCCI: Read
15 the last section.

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

18 ACTING PRESIDENT CARLUCCI: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT

22 CARLUCCI: Announce the result.

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT CARLUCCI: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 430, by Senator Carlucci, Senate Print 3866, an
3 act to amend the Civil Rights Law.

4 ACTING PRESIDENT CARLUCCI: Read
5 the last section.

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

8 ACTING PRESIDENT CARLUCCI: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT
12 CARLUCCI: Announce the result.

13 THE SECRETARY: Ayes, 59.

14 ACTING PRESIDENT CARLUCCI: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 435, by Senator Larkin, Senate Print 266A, an
18 act to amend the Education Law.

19 ACTING PRESIDENT CARLUCCI: Read
20 the last section.

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

23 ACTING PRESIDENT CARLUCCI: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT

2 CARLUCCI: Announce the result.

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT CARLUCCI: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 445, by Senator Klein, Senate Print 6579A, an
8 act to amend the Local Finance Law.

9 ACTING PRESIDENT CARLUCCI: Read
10 the last section.

11 SENATOR GIANARIS: Lay it aside.

12 ACTING PRESIDENT CARLUCCI: Lay
13 the bill aside.

14 SENATOR VALESKY: Lay it aside for
15 the day.

16 ACTING PRESIDENT CARLUCCI: The
17 bill is laid aside for the day.

18 THE SECRETARY: Calendar Number
19 446, by Senator Gallivan, Senate Print 6687, an
20 act to amend the Local Finance Law.

21 ACTING PRESIDENT CARLUCCI: There
22 is a home-rule message at the desk.

23 The Secretary will read the last
24 section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CARLUCCI: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT

6 CARLUCCI: Announce the result.

7 THE SECRETARY: Ayes, 58. Nays,
8 1. Senator Ball recorded in the negative.

9 ACTING PRESIDENT CARLUCCI: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 452, by Senator Ranzenhofer, Senate Print 6977,
13 an act to amend Chapter 629 of the Laws of 2005.

14 ACTING PRESIDENT CARLUCCI: Read
15 the last section.

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

18 ACTING PRESIDENT CARLUCCI: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT CARLUCCI: Announce
22 the result.

23 THE SECRETARY: Ayes, 58. Nays, 1.
24 Senator Ball recorded in the negative.

25 ACTING PRESIDENT CARLUCCI: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 453, substituted earlier by Member of the
4 Assembly Magnarelli, Assembly Print 9032, an act
5 to amend Chapter 581 of the Laws of 2005.

6 ACTING PRESIDENT CARLUCCI: Read
7 the last section.

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

10 ACTING PRESIDENT CARLUCCI: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT CARLUCCI: Announce
14 the result.

15 THE SECRETARY: Ayes, 59.

16 ACTING PRESIDENT CARLUCCI: The bill
17 is passed.

18 THE SECRETARY: Calendar Number 454,
19 by Senator Gallivan, Senate Print 5403, an act to
20 amend the Public Service Law.

21 ACTING PRESIDENT CARLUCCI: Read the
22 last section.

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

25 ACTING PRESIDENT CARLUCCI: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT CARLUCCI: Announce
4 the result.

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT CARLUCCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number 457,
9 by Senator Maziarz, Senate Print 6969, an act to
10 amend the Public Authorities Law.

11 ACTING PRESIDENT CARLUCCI: Read the
12 last section.

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

15 ACTING PRESIDENT CARLUCCI: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT CARLUCCI: Announce
19 the result.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT CARLUCCI: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 463, by Senator Ball, Senate Print 2292, an act
25 to amend the Penal Law.

1 ACTING PRESIDENT CARLUCCI: Read
2 the last section.

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

5 ACTING PRESIDENT CARLUCCI: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT CARLUCCI: Announce
9 the result.

10 THE SECRETARY: Ayes, 58. Nays, 1.
11 Senator Montgomery recorded in the negative.

12 ACTING PRESIDENT CARLUCCI: The bill
13 is passed.

14 THE SECRETARY: Calendar Number 475,
15 by Senator DeFrancisco, Senate Print 339, an act to
16 amend the Navigation Law.

17 ACTING PRESIDENT CARLUCCI: Read the
18 last section.

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

21 ACTING PRESIDENT CARLUCCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT
25 CARLUCCI: Announce the result.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT CARLUCCI: The bill
3 is passed.

4 THE SECRETARY: Calendar Number 476,
5 by Senator Marcellino, Senate Print 1504, an act to
6 amend the Navigation Law.

7 ACTING PRESIDENT CARLUCCI: Read the
8 last section.

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

11 ACTING PRESIDENT CARLUCCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT CARLUCCI: Announce
15 the result.

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT CARLUCCI: The bill
18 is passed.

19 THE SECRETARY: Calendar Number 480,
20 by Senator Little, Senate Print 6654, an act to
21 amend Chapter 138 of the Laws of 1998.

22 ACTING PRESIDENT CARLUCCI: Read
23 the last section.

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

1 ACTING PRESIDENT CARLUCCI: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CARLUCCI: Announce
5 the result.

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT CARLUCCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 483,
10 by Senator Flanagan, Senate Print 1452, an act to
11 amend the Correction Law.

12 ACTING PRESIDENT CARLUCCI: Read the
13 last section.

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

16 ACTING PRESIDENT CARLUCCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT CARLUCCI: Announce
20 the result.

21 THE SECRETARY: Ayes, 58. Nays,
22 1. Senator Perkins recorded in the negative.

23 ACTING PRESIDENT CARLUCCI: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 484, by Senator Savino, Senate Print 5342, an
2 act to amend the Correction Law.

3 ACTING PRESIDENT CARLUCCI: Read
4 the last section.

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

7 ACTING PRESIDENT CARLUCCI: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CARLUCCI: Announce
11 the result.

12 THE SECRETARY: Ayes, 58. Nays, 1.
13 Senator Montgomery recorded in the negative.

14 ACTING PRESIDENT CARLUCCI: The bill
15 is passed.

16 THE SECRETARY: Calendar Number 485,
17 by Senator Gallivan, Senate Print 6954, an act to
18 amend Chapter 573 of the Laws of 2011.

19 ACTING PRESIDENT CARLUCCI: Read
20 the last section.

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

23 ACTING PRESIDENT CARLUCCI: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT

2 CARLUCCI: Senator Hoylman to explain his vote.

3 SENATOR HOYLMAN: Thank you,
4 Mr. President.

5 I rise to express my objection to this
6 bill, which as you know extends the provisions
7 authorizing local correctional facilities to enter
8 into agreements to take custody of out-of-state
9 inmates.

10 Now, I know we value tourism and
11 hospitality here in New York State, but I think
12 this goes too far and essentially you could say
13 creates what might be Airbnb for out-of-state
14 inmates.

15 Our criminal justice system,
16 Mr. President, shouldn't be mined for revenue. I
17 think our focus needs to be on prisoner
18 rehabilitation, addressing factors that lead to
19 recidivism, and taking care of our own first.

20 And at a time, Mr. President, when
21 our prison system, because of closings and
22 consolidation, is already becoming overcrowded,
23 I think we need to seriously reconsider a policy
24 that invites more out-of-state inmates in
25 New York.

1 Simply put, adding out-of-state
2 inmates in New York puts correctional officers
3 at risk, other inmates, and the citizens of
4 New York. I'll be voting no.

5 ACTING PRESIDENT CARLUCCI: Thank
6 you, Senator Hoylman.

7 Announce the result.

8 THE SECRETARY: In relation to
9 Calendar Number 485, those recorded in the negative
10 are Senators Hoylman, Krueger, Perkins, Rivera,
11 Sanders, Serrano and Squadron.

12 Ayes, 52. Nays, 7.

13 ACTING PRESIDENT CARLUCCI: The bill
14 is passed.

15 Senator Libous, that completes the
16 noncontroversial reading of the calendar.

17 SENATOR LIBOUS: Mr. President, if we
18 could now go to the controversial reading of the
19 calendar.

20 ACTING PRESIDENT CARLUCCI: The
21 Secretary will ring the bell.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 316, by Member of the Assembly Lavine, Assembly
25 Print 9001, an act to amend Chapter 405 of the

1 Laws of 2013.

2 ACTING PRESIDENT

3 CARLUCCI: Senator Squadron.

4 SENATOR SQUADRON: Explanation,
5 please.

6 ACTING PRESIDENT CARLUCCI: An
7 explanation is requested. Senator Martins to give
8 an explanation.

9 SENATOR MARTINS: Mr. President, last
10 year we received a request from the Village of
11 Roslyn that had purchased a parcel to use as a
12 street. They asked that we authorize the village
13 to seek an exemption from paying property taxes on
14 that property.

15 We passed that bill last year. This
16 passed this chamber 59 to 3. It passed the
17 Assembly, and it was chaptered as Chapter 405 of
18 2013.

19 Subsequently, we found that there
20 was a mistake made with respect to the year.
21 The village reached back to us and asked that we
22 make an amendment to include the 2012 and 2013
23 years. And we've introduced the bill once again
24 to make that amendment.

25 I am happy to say, Mr. President,

1 that it passed the Assembly almost unanimously
2 on April 30th of this year, carried by our
3 colleague Assemblyman Lavine. And I'm asking
4 this chamber to do the same today.

5 ACTING PRESIDENT

6 CARLUCCI: Senator Squadron.

7 SENATOR SQUADRON: If the sponsor
8 would yield.

9 SENATOR MARTINS: Of course.
10 Absolutely.

11 ACTING PRESIDENT CARLUCCI: The
12 sponsor yields.

13 SENATOR SQUADRON: Just to
14 understand, this is an additional year? This adds
15 a year onto the bill that was chaptered previously?

16 SENATOR MARTINS: Mr. President,
17 through you, it does add an additional year. It
18 actually changes the year from 2013-2014,
19 substituting 2012-2013 in its stead.

20 But to the extent that the village
21 owned the property for both fiscal years, this
22 would add that additional year, yes.

23 ACTING PRESIDENT

24 CARLUCCI: Senator Squadron.

25 SENATOR SQUADRON: And if the

1 sponsor would yield for a final question.

2 SENATOR MARTINS: Of course. Yes.

3 ACTING PRESIDENT CARLUCCI: The
4 Senator yields.

5 SENATOR SQUADRON: Thank you.

6 Was it a clerical error? What was the
7 error that led to the need for this cleanup?

8 ACTING PRESIDENT CARLUCCI: Senator
9 Martins.

10 SENATOR MARTINS: Mr. President, it
11 was purely a clerical error.

12 And I think everyone in the body would
13 agree, everyone here would agree that the last
14 thing we want to do is to have a municipality being
15 taxed on property it owns, thereby taxing its
16 own taxpayers in order to pay a tax to the
17 county. That's what we're avoiding here. And
18 it is an clerical error, and this bill would
19 clarify that.

20 ACTING PRESIDENT
21 CARLUCCI: Senator Squadron.

22 SENATOR SQUADRON: Thank you. On
23 the bill, Mr. President.

24 ACTING PRESIDENT

25 CARLUCCI: Senator Squadron on the bill.

1 SENATOR SQUADRON: I thank the
2 sponsor for the explanation. I plan to vote in
3 favor of the bill.

4 I do want to point out, though,
5 that I think it's ironic that we've had this
6 bill essentially appear before us twice -- in
7 the first instance with errors -- the sort of
8 bill that gets consideration in this house, when
9 a whole lot more critical issues never get
10 consideration, never get conversation in this
11 house.

12 I've spoken about my bill to ban many
13 .50-caliber weapons, which are incredibly dangerous
14 weapons, highly militarized. That is not getting a
15 vote. In fact, a whole bunch of parliamentary
16 jujitsu was done to avoid a vote on that issue.

17 I appreciate that the sponsor is
18 pushing this bill for his constituents and his
19 district, and I have a belief that we should
20 support those things. I also have a belief that
21 partisan membership or being a member of the
22 Majority or not should not be the only way by
23 which you can get a fair hearing on bills in
24 this house. I wish we had a chance to discuss
25 the .50-caliber bill directly.

1 I appreciate the sponsor for
2 describing this bill briefly, and I will vote in
3 the affirmative.

4 Thank you, Mr. President.

5 ACTING PRESIDENT CARLUCCI: Thank
6 you, Senator Squadron.

7 Are there any other Senators wishing
8 to be heard on the bill?

9 Seeing none, the debate is closed.

10 The Secretary will ring the bell.

11 ACTING PRESIDENT CARLUCCI: The
12 Secretary will read the last section.

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

15 ACTING PRESIDENT CARLUCCI: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT
19 CARLUCCI: Announce the result.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT CARLUCCI: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 414, by Senator Nozzolio, Senate Print 1850B, an
25 act to amend the Penal Law.

1 ACTING PRESIDENT

2 CARLUCCI: Senator Squadron.

3 SENATOR SQUADRON: On the bill,
4 Mr. President.

5 ACTING PRESIDENT

6 CARLUCCI: Senator Squadron on the bill.

7 SENATOR SQUADRON: Thank you. I
8 appreciate the opportunity to speak on this bill.

9 And certainly when this went through
10 the Codes Committee, my interest was piqued by this
11 bill. It claims in title to deal with an issue
12 that I think is one of the absolutely most
13 important issues we can deal with in this house,
14 which is cracking down on domestic violence.

15 In fact, it's an issue on which I
16 carried legislation for a great deal of time to
17 crack down on repeat domestic violence
18 offenders, one of the absolutely most damaging
19 ways of acting, not just in your family but for
20 an entire community.

21 The bill that I carried said that
22 repeat domestic violence offenders wouldn't be
23 able to just cycle through the system until they
24 seriously injured or killed a victim, but that
25 you would actually have felonies after repeat

1 offenses in order to crack down on this and keep
2 these folks unable to do harm.

3 It is one of the rare issues -- I
4 think we also see it with driving under the
5 influence -- where Republicans and Democrats,
6 upstate and downstate, can come together to say
7 penalties are one of the critical parts of cracking
8 down on the issue.

9 In fact, that bill ended up becoming
10 law, thanks to the leadership of Governor Cuomo, as
11 part of a comprehensive domestic violence bill that
12 was sponsored by Senator Saland, a Republican in
13 this house, and Assemblymember Lentol, a
14 Democrat in the Assembly.

15 So cracking down on repeat domestic
16 violence is an issue that is near and dear to my
17 heart and critically important. Unfortunately,
18 that's not what this bill does.

19 ACTING PRESIDENT CARLUCCI: Excuse
20 me. Could we keep it down while Senator
21 Squadron has the floor. Thank you.

22 Senator Squadron, continue.

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

25 Unfortunately, that's not what this

1 bill does. What this bill does is it creates an
2 extensive and expensive database for a huge
3 number of offenses, many of which have no
4 connection at all to domestic violence, and
5 increases penalties around that list of
6 offenses.

7 It is a bill that is not targeted to
8 its intended goal. I don't think it would have a
9 particular impact on the intended goal because it
10 doesn't identify the domestic violence offender in
11 particular or the domestic violence offense as a
12 piece of being drawn into the more serious crime
13 and penalty.

14 I think it's disappointing and
15 unfortunate to see the bill do this when its
16 title and description suggests such an important
17 issue and one that I'm proud that we have helped
18 to crack down on in a bipartisan way with the
19 leadership of Republicans and Democrats in this
20 house and the other house, a Democratic Governor
21 downstairs.

22 And I just want to be clear, as I
23 vote in opposition to this bill, that if it did
24 what it said it was meant to do, it would be a
25 very different issue. Cracking down on repeat

1 domestic violence offenders is about as
2 important an issue as you can imagine.

3 This bill, on the other hand, goes
4 after anything that is categorized as a violent
5 felony offense: burglary, robbery, aggravated
6 unpermitted use of indoor pyrotechnics -- I guess
7 that's fireworks -- falsely reporting an incident,
8 all bad behaviors. Let's see, what else. Oh, and
9 criminal sale of a firearm.

10 So interestingly, this bill does touch
11 on cracking down on unsafe use of weapons and guns,
12 but it does it indirectly and of course doesn't do
13 it in the way that groups, community groups,
14 public safety groups across this state and
15 country have said is the most important or just
16 about the most important way we can do it this
17 year in this house, which is to crack down on
18 .50-caliber weapons, those weapons that can kill
19 at distances of nearly a mile, those weapons
20 that have no purpose for hunting, no purpose for
21 self-defense.

22 And it is a shame that yet again we
23 have a bill spraying a very broad array of
24 penalties with a stated goal of great value, but
25 an actual mechanics that just don't get there

1 and of course continue to do nothing about the
2 scourge of gun violence in communities across
3 the state.

4 So it is with a heavy heart that I
5 will vote no on this bill, in hopes of seeing a
6 bill that really does crack down on the kind of
7 horrible, heinous acts that the sponsor talks about
8 in the memo.

9 I'll vote no, Mr. President. Thank
10 you.

11 ACTING PRESIDENT CARLUCCI: Thank
12 you, Senator Squadron.

13 Are there other members wishing to be
14 heard on the bill? Seeing none, the debate is
15 closed.

16 The Secretary will ring the bell.
17 Read the last section.

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

20 ACTING PRESIDENT CARLUCCI: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT

24 CARLUCCI: Senator Nozzolio to explain his
25 vote.

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

3 Mr. President, earlier today we
4 celebrated a very joyous occasion for one of our
5 members, the birth of a grandchild.

6 The person whose name is attached to
7 this bill is Brittany Passalacqua, a granddaughter.
8 And the grandmother, Dale Driscoll, on one fateful
9 afternoon had her daughter and granddaughter
10 murdered by a perpetrator of domestic violence.
11 That perpetrator of domestic violence had no record
12 of domestic violence but had a record of violence a
13 mile long.

14 And that's what that this measure
15 is designed to prevent, domestic violence
16 victims. We all are certainly supportive of
17 issues that help domestic violence victims --
18 further orders of protection, trying to beef up
19 the criminal laws, trying to establish
20 additional sanctions against those who have
21 committed domestic violence. But there is not
22 enough done to prevent domestic violence in the
23 very first instance, Mr. President.

24 We believe this registry helps
25 those individuals understand the type of person

1 that they're associating with. If Brittany's
2 mom had only known that the person coming into
3 their home had a history, a long history, a sad
4 history of violent acts, this measure may not
5 have had to have been named after Brittany, in
6 the sense that she would still be alive today.

7 That's why, Mr. President, we've
8 established this legislation. That's why I
9 appreciate my colleagues who are voting in favor of
10 it. And certainly it's an effort that we need to
11 do as much as we can to prevent domestic violence
12 victims from happening in the first instance.

13 Thank you, Mr. President.

14 ACTING PRESIDENT

15 CARLUCCI: Senator Nozzolio to be recorded in
16 the affirmative.

17 Any other members wishing to
18 explain their vote?

19 Seeing none, the Secretary will
20 announce the result.

21 THE SECRETARY: In relation to
22 Calendar Number 414, those recorded in the
23 negative are Senators Krueger, Montgomery,
24 Perkins, Serrano and Squadron.

25 Ayes, 54. Nays, 5.

1 ACTING PRESIDENT CARLUCCI: The
2 bill is passed.

3 Senator Libous, that completes the
4 controversial reading of the calendar.

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

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

9 SENATOR LIBOUS: There being no
10 further business, I move that the Senate adjourn
11 until Tuesday, May 13th, at 3:00 p.m.

12 ACTING PRESIDENT CARLUCCI: On
13 motion, the Senate stands adjourned until Tuesday,
14 May 13th, at 3:00 p.m.

15 (Whereupon, at 4:29 p.m., the
16 Senate adjourned.)

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