NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 21, 2014

10:12 a.m.

REGULAR SESSION

SENATOR TONY AVELLA, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AVELLA: The Senate will come to order.

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

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

ACTING PRESIDENT AVELLA: In the absence of clergy, may we please bow our heads in a moment of silence.

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

ACTING PRESIDENT AVELLA: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 20th, the Senate met pursuant to adjournment. The Journal of Monday, May 19th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT AVELLA: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Motions and resolutions, Mr. President?

ACTING PRESIDENT AVELLA: Yes.

SENATOR LIBOUS: I do have a motion by Senator Young. On page 48, I offer the following amendments to Calendar Number 622, Senate Print 5855A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: Thank you, Mr. President.

Oh, I have another one, by Senator Hannon. On page 42, Calendar Number 561, Senate Print 6562, and I ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: I believe there's

a resolution at the desk that was previously adopted, by Senator Bonacic, Number 5025. Could I ask that you read it in its entirety and then call on Senator Bonacic for a few words.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5025, by Senator Bonacic, commending the Valedictorians, Salutatorians and Honored Students of the 42nd Senate District, in recognition of their outstanding accomplishments, at a celebration to be held at the State Capitol on May 21, 2014.

"WHEREAS, It is the sense of this Legislative Body to act in accord with its long-standing traditions, to honor the youth of today -- the leaders of tomorrow -- whose character and achievements exemplify the ideals and values cherished by this great state and nation; and

"WHEREAS, This Legislative Body is justly proud to recognize and commend the high achievements of these dedicated students in the 42nd Senate District on the occasion of a special celebratory visit to the State Capitol in Albany,

New York, on Wednesday, May 21, 2014; at this time the Valedictorians, Salutatorians and Honored Students who have been selected by their school leadership for outstanding community service will receive special recognition from the Senate in the Senate Chamber; lunch will be served on the 3rd Floor Terrace of the Legislative Office Building, followed by a tour of the State Capitol; and

"WHEREAS, These Valedictorians, Salutatorians and Honored Students represent the best of developed potential inherent in our most precious resource, our youth; their achievements have brought enduring honor to their families and communities and should be recognized and saluted; and

"WHEREAS, The Valedictorians who are being commended today for their outstanding academic performances and exemplary achievements include: Tyler Dugan, Cassandra Orr, Dayna Herling, David Lonstein, Rafael Olan, Jr., Daniel Collins, Charles Cerillo, Margaret Conley, Nicole Irace, Nikolas Vanderhoof, Michael Wolek, Nicholas Whittel, Katarina Manzi, Farrah Mills, Megan Wells, Allison Davis, Jonathan Harned,

John Fullam, Alex Moliterno, Tara Fitzgerald, Bradley Dreher, Travis Roeder, Alexandria Brooks, Kristin Ott, Kelly Markisello, Heather Ogden, Hannah Tucker; and

"WHEREAS, The Salutatorians who are being commended today for their outstanding academic performances and exemplary achievements include: Sierra Bedient, Tiffany Leone, Koty Kurtz, Asiyah Rahman, Adam Hurwitz, Alyssa Kamrowski, Melissa Symanski, Brandon Sparkman, Dulari Patel, Vanessa Santos, Megan Owens, Tal Schwartz, Alexander Smith, Emma Spiegler, Kimberlie Dusseldorp, Elliott Moran, Hauk Boyes, Kristylynn Marina, David Baker, Joy Trimbell, Nicholas Ruggeri; and

"WHEREAS, The Honored Students who are being commended today and who have been selected by their school leadership for outstanding school or community service include: Heleena Hilson, Julian Gottlieb, Nicholas Vollano, Danielle Stratton, Beau Ressa, Nery Campos, Rachel Barnhart, Lilly McCausland, Megan Keating, Ryan Lamastro, Liam Fogarty, Cody Franskevicc, Michael Murphy, Bridget McKeever, William Farrell; and

"WHEREAS, These Valedictorians, Salutatorians and Honored Students may now stand with pride as they assess their achievements, experience the satisfaction of their labors and the joy of their accomplishments, eager to face the new experiences of a challenging world; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commend the Valedictorians, Salutatorians and Honored Students of the 42nd Senate District, in recognition of their outstanding accomplishments, at a celebration to be held at the State Capitol on May 21, 2014; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the aforementioned Valedictorians, Salutatorians and Honored Students."

ACTING PRESIDENT AVELLA: Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

I rise with great pride today to welcome our honored guests that are on both sides of the gallery. We in the Senate, all of the

Senators, are very proud of what these distinguished students have achieved.

This is the best of the best in our Senate district. They are here today, about 125 people strong, with teachers, superintendents, proud parents, and of course our honored guests.

And what we have planned, we've honored them with this Senate resolution so their names will always be in the Senate minutes. We have a program when we leave here, in one of the hearing rooms, where we have distinguished speakers from the University of New Paltz and Sullivan County Community College, and our own counsel Jessica Cherry, who had been a valedictorian back in 2005 and now she serves as counsel for the Judiciary Committee.

And what I would say to our honored students is that we would hope that when you continue your journey in life and you go on in higher education in whatever profession you choose, that you come back to New York, you come back here to live, get married, raise your children and work here. We still are the greatest state in the country, and we need your

talent to keep us strong and to keep this nation strong.

Congratulations, and thank you all for being here.

Thank you, Mr. President.

(Standing ovation.)

ACTING PRESIDENT AVELLA: On behalf of the Senate, I wish you well in your academic achievements, welcome you to the Senate chamber, and I know Senator Bonacic has a great day planned for you. Congratulations.

This resolution was previously adopted on 5/13/14.

Senator Libous.

SENATOR LIBOUS: Mr. President, we're going to go to the noncontroversial list, but I would ask members -- there's still one other resolution that we need to do, but we need to make sure that we can get that group into the gallery. So we're going to do that after the noncontroversial reading of the calendar.

So I would ask members, if they could, to please stay for that resolution by Senator DeFrancisco.

At this time we will take up the

reading of the noncontroversial calendar.

ACTING PRESIDENT AVELLA: The Secretary will read.

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

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 52. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 297, by Senator Grisanti, Senate Print 6393, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AVELLA: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 52. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 322, by Senator Martins, Senate Print 899A, an act to amend the Election Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 323, by Senator Carlucci, Senate Print 3553A --

SENATOR SERRANO: Lay it aside.

ACTING PRESIDENT AVELLA: The bill is laid aside.

THE SECRETARY: Calendar Number 451, by Senator Zeldin, Senate Print 6919A, an act authorizing.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 52. Nays, 1. Senator Bonacic recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Also Senator Larkin recorded in the negative.

Ayes, 51. Nays, 2.

ACTING PRESIDENT AVELLA: The bill

is passed.

THE SECRETARY: Calendar Number 455, by Senator Maziarz, Senate Print 6592, an act to amend the State Technology Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 493, by Senator Seward, Senate Print 6960, an act to amend the Insurance Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 532, by Senator DeFrancisco, Senate Print 2314, an act to amend the Education Law.

ACTING PRESIDENT AVELLA: Read the last section.

THE SECRETARY: Section 4. This act shall take effect in six months.

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 546, by Senator Golden, Senate Print 5593 --

SENATOR SERRANO: Lay it aside.

ACTING PRESIDENT AVELLA: The bill

is laid aside.

THE SECRETARY: Calendar Number 556, substituted earlier by Member of the Assembly Rosenthal, Assembly Print 746A, an act to amend the Public Health Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 52. Nays, 1. Senator Ritchie recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 570, by Senator DeFrancisco, Senate Print 340A, an act to amend the Penal Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 573, by Senator Grisanti, Senate Print 1721B, an act to amend the Penal Law.

ACTING PRESIDENT AVELLA: Read the last section.

THE SECRETARY: Section 25. This act shall take effect on the 60th day.

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Senator Grisanti to explain his vote.

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

My fellow colleagues, what you have before you is a piece of legislation known as the Protect Our Children Act. And basically it

addresses the problems of serious forms of child abuse that are not adequately covered under existing law. This legislation actually fills and takes care of some of those gaps.

Many existing statutes are so overly complicated as to be practically useless or carry such disproportionately low punishments that it actually permits serious child abuse cases to go essentially having no meaningful consequences whatsoever.

Current misdemeanors and nonviolent felonies with probationary sentences do not do enough to save or protect our children from the cruel or repeated maltreatment of individuals. This bill fixes these problems in a measured, concise way. It creates new felonies, increases penalties for existing crimes that include aggravated manslaughter of a child, aggravated abuse of a child, aggravated murder of a child, obstructing the location of a child who is missing, concealment of the death of a child, and aggravated endangerment of a child.

These are all, believe it or not, throughout many, many decades, laws that have been lacking to protect our children or that have

absolutely little consequences when somebody is charged with these crimes. It seals up these loopholes and protects our children.

I urge all my colleagues to vote in the affirmative, and I actually ask you to contact your Assemblymembers to pass this bill to protect our children.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT AVELLA: Senator Grisanti to be recorded in the affirmative.

Announce the result.

THE SECRETARY: Ayes, 54. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 616, by Senator Bonacic, Senate Print 7098, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 632, by Senator Grisanti, Senate Print 6986, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AVELLA: Read the last section.

SENATOR SERRANO: Lay it aside, please.

ACTING PRESIDENT AVELLA: The bill is laid aside.

THE SECRETARY: Calendar Number 636, by Senator Boyle, Senate Print 7013A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 54. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 649, by Senator Rivera, Senate Print 2226B, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AVELLA: Read the last section.

THE SECRETARY: Section 7. This act shall take effect one year after it shall have become law.

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 652, by Senator Savino, Senate Print 2963, an act

directing.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 708, by Senator Parker, Senate Print 844B, an act to amend the Domestic Relations Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 54. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 711, by Senator Carlucci, Senate Print 1210, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 54. Nays, 1. Senator Hassell-Thompson recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 729, by Senator Ranzenhofer, Senate Print 5947A, an act authorizing.

ACTING PRESIDENT AVELLA: There is

a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 732, by Senator Larkin, Senate Print 271, an act to remove from the Albert Wisner Memorial Public Library.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 747, by Senator Peralta, Senate Print 40 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT AVELLA: The bill is laid aside.

THE SECRETARY: Calendar Number 777, by Senator Ritchie, Senate Print 7138, an act to amend the Correction Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT AVELLA: The bill is passed.

Senator Libous, that concludes the noncontroversial reading of the calendar.

SENATOR LIBOUS: Mr. President, we're going to go back to motions. But if you'd give us a second, I want to make sure that everything is in order.

Mr. President, everything is in order. And at this time there's a previously adopted resolution by Senator DeFrancisco. Could you have the title read, it's Resolution 4438, and then call on Senator DeFrancisco.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4438, by Senator DeFrancisco, congratulating the Onondaga Thunder Bantam Travel Tier III 14U Boys Hockey Team upon the occasion of capturing the New York State Championship.

ACTING PRESIDENT AVELLA: Senator DeFrancisco.

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

The team is here in the gallery, and they should know that this resolution was actually adopted on April 29th in the Senate. It was also adopted in the Assembly.

And I'm sure that not only Senator

Valesky and I, who are bringing you here, but I'm sure Assemblymen Magnarelli, Barclay, Finch, Roberts and Stirpe all would have loved to have the opportunity, but there's no session in the Assembly today.

So congratulations to the 14 and under hockey team. This is the second time this team -- maybe not all the individual members -- have had the privilege of winning and the honor of winning a statewide championship. I played a lot of sports, and I don't think I've -- I'm not even close to a statewide championship in anything, except maybe talking.

Other than that, but as far as sports are concerned, that's a great honor. And what I tell all the champions that come from our community is that you're going to remember this situation for the rest of your lives. The people sitting next to you to the left and the right will be your friends forever.

And I'm going to prove it. So this is more than just a championship. Tomorrow night we're having a dinner in honor of an 80-year-old priest who used to be our baseball coach when we were about 12 years old and beyond. And we have

33 people coming to honor him on his 80th birthday, all young kids that he coached. But we've stayed together over all of these years with great friendships, and the experience helped us to succeed in other things in life.

So this championship is a wonderful thing. We congratulate you. But remember the long-term benefits you're getting from working together and also winning. Because winning is a good thing. And being successful is a good thing. And that's what you've done and you will continue to do.

So thank you for being here, and again congratulations.

ACTING PRESIDENT AVELLA: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

I'm happy to join Senator DeFrancisco in sponsoring and moving the resolution through the legislative process a couple of weeks to congratulate all of you.

And I certainly agree with everything that Senator DeFrancisco has said. You are certainly champions. You've proved it on

the ice rink, and I'm sure you prove it every day in your class. You've learned a lot of important lessons.

The only thing I would add, I know that many of your coaches are here and your parents are here. So if you haven't already thanked them for all that they do for you, I would certainly recommend that you do that. Because I know there's a lot of time and commitment on not only your part, but your entire family. And a lot of sacrifices certainly have been made, and it's a family affair and a team effort that has brought home this championship.

So congratulations. Enjoy your day here in the State Capitol.

ACTING PRESIDENT AVELLA: On behalf of the Senate, let me offer congratulations. Welcome to the chamber, and all the best.

(Applause.)

ACTING PRESIDENT AVELLA: Senator Libous.

SENATOR LIBOUS: Mr. President, if we can stay on motions and resolutions for a minute, there's a little bit of housekeeping from yesterday. The Veterans Hall of Fame resolution

should have been opened up for all members to go on. And as our policy goes, if a member doesn't want to be on it, please let the desk know.

ACTING PRESIDENT AVELLA: Resolution 5165, by Senators Skelos and Klein, which was adopted yesterday, is open for cosponsorship. If anyone doesn't wish to be a cosponsor, please notify the desk.

Senator Libous.

SENATOR LIBOUS: And I have a motion on behalf of Senator Robach. On page 30, I offer the following amendments to Calendar Number 352, Senate Print 6841A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: And, Mr. President, if you'd just give me a second here, we'll proceed in a minute.

Could we have the reading of the controversial calendar, please.

ACTING PRESIDENT AVELLA: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 323, by Senator Carlucci, Senate Print 3553A, an act to amend Election Law.

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT AVELLA: An explanation has been requested by Senator Krueger.

Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

This bill is simply codifying into law regarding village elections and the requirement for receiving an absentee ballot.

Unfortunately, in New York we have the dubious distinction of being one of the worst states when it comes to voter participation. This bill will move in the appropriate direction of getting more people eligible to be able to vote via absentee ballot during village elections.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator

Carlucci, will you yield for a question?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT AVELLA: Senator Carlucci yields.

SENATOR KRUEGER: Thank you. Are there any organizations specifically opposed to this bill? And what are their reasons for opposing it?

SENATOR CARLUCCI: I've been made aware that NYCOM has put in a letter of opposition to this bill. It's my understanding that they're concerned that there will be too many people voting and it might be a burden on the municipality.

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT AVELLA: Senator Carlucci will yield.

SENATOR KRUEGER: Is it possible that they were concerned that there would be new additional costs for implementing these changes, not their concern for more people voting costs more?

SENATOR CARLUCCI: No, I don't see any additional cost on the municipality.

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

ACTING PRESIDENT AVELLA: Senator Carlucci, will you continue to yield?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: So it's my understanding, the way this bill is written, that the village election absentee ballot applications go to the village clerk, not the board of elections.

So then is the village clerk expected to transmit the folded-in absentee applications for primary and general elections to the absentee ballots that go to the county board of elections? And if I'm right, how and what is the timeline on this, and how will this get accomplished?

SENATOR CARLUCCI: Well, this bill, what it simply does is it brings the village election section up to the 21st century.

What we allow during the general elections is a process where people have the ability to get an absentee ballot if they're going to be out of the county. Unfortunately, with the village elections, there's a list of criteria that need to be followed in order for someone to be eligible to receive an absentee ballot. One of the examples would be that they're a patient in a VA hospital. So in that case, they could receive an absentee ballot. However, if they're a patient in a non-VA hospital, they would be ineligible to vote absentee in a village election.

And that's one of many examples of where we're really inhibiting the democratic process in village elections.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Carlucci, will you continue to yield?

SENATOR CARLUCCI: Yes.

SENATOR KRUEGER: So I agree that

modernization is a better answer.

Village elections take place at a different time of year than our primary and general elections for Congress, municipalities, the State Legislature. Can the sponsor help me understand when village elections take place?

SENATOR CARLUCCI: It depends -- to the Senator's question, village elections do vary. Many, or the majority of them, do occur in March. But some do happen on the same day as the general election in November and September in New York.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Carlucci, will you continue to yield for another question?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT AVELLA: The Senator yields.

SENATOR KRUEGER: Thank you.

So the new language in the bill

mandates that absentee ballot applications for village elections must also allow voters to apply for absentee ballots in any primary or general election as well; is that correct?

SENATOR CARLUCCI: Yes, that is correct.

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

ACTING PRESIDENT AVELLA: Senator Carlucci, will you continue to yield?

SENATOR CARLUCCI: Yes, I yield.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: So you're doing the application for multiple elections in multiple times a year at the same time.

What if your village election is in March and, as described I believe in the bill, you can file up to four months in advance of that election but your general election isn't till November. Are we actually proposing that pre-March you will actually know whether you would meet the standards for being eligible for an absentee ballot in November? That could be

six, seven, eight months later. Is that how this bill would be applied?

SENATOR CARLUCCI: Thank you for bringing up that point. And I think this is a very important point of the legislation.

When we talk about March elections, what we've seen, particularly in my district in the Lower Hudson Valley, we have many people that leave New York and spend the winters in Florida or in other places. This will allow people to prepare that know that they're going to be out of the county to be able to file and be able to still have their voice counted in these village elections that happen in March.

So that's one example of many. But we wanted to expand the time frame to allow them -- to give them up to four months, in an effort to make sure that more people would be able to vote in these village elections.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Do we know how many villages in the state this would affect? Through you, Mr. President, excuse me.

ACTING PRESIDENT AVELLA: Senator

Carlucci, will you yield for another question?

SENATOR CARLUCCI: Yes, I would.

Yes, and the sponsor is asking how many villages this would impact? This would impact all of the villages in the State of New York, particularly the villages that have the March elections.

I believe that the majority of villages in the state -- I believe there's something around 500-and-something villages in the state, of which I would say probably 80 percent are in March. But I don't know. Maybe Senator Martins knows the answer to that.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: On the bill, Mr. President.

ACTING PRESIDENT AVELLA: Senator Krueger on the bill.

SENATOR KRUEGER: So on the one hand I agree that we should have modernization for the election process. This to some degree parallels changes we made for primaries for other types of elections, local elections.

And yet I'm still left with the

concern that we have specific reasons we put limits on who can apply for an absentee ballot and under what basis they are entitled to vote absentee.

And under the scenario as I now understand it, having gotten the answers from the sponsor, again, your village election could be in March, you can apply for the absentee up to four months before. So you could actually be applying January 1st for an absentee ballot for a March election, but technically you're applying at the same time for an absentee ballot for the following September primary and general in November.

So the concept that this bill would allow just for people who live in villages the right to an absentee ballot approval up to 11 months before a general election, when in fact that same right wouldn't be offered to anyone not living in a village, is a bit of a conflict for me.

And I do understand that the primary purpose of the bill was to address improving access to vote in village elections, and I support that. But I'm worried about the

unintended consequence from passing this bill where if you live in a village, you have the right to be approved for absentee voting up to 11 months before the general elections in larger elections, while those of us who don't live in a village would never have this opportunity or right.

And I think it sets up a new conflict of inequity in voting rights between people who happen to live in villages and people who don't live in villages. And the majority of people in the State of New York don't live in these 500 villages.

And so while I am actually empathetic with the purpose of the bill and appreciate the sponsor's efforts to address concerns for village elections, I'm in honesty not comfortable setting up a dual system where, if you live in a village, you can basically apply for absentee ballots for all elections up to as many as 11 months in advance -- and if you don't live in one of the 500 villages, you don't have equal rights under the law.

So I'm going to vote no, Mr. President. Thank you.

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

Senator Stavisky.

SENATOR STAVISKY: Would the sponsor yield for just one question?

ACTING PRESIDENT AVELLA: Senator Carlucci, will you yield for a question?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT AVELLA: Senator Carlucci yields.

SENATOR STAVISKY: There's obviously an expense involved. Who's going to pay for it? Is it going to be the county board of elections? Is it going to be the village?

SENATOR CARLUCCI: Maybe the Senator could enlighten me as to what the expense would be.

SENATOR STAVISKY: Maintaining the voter rolls, sending out, hiring the personnel to handle --

SENATOR CARLUCCI: These are rules that are currently required under state law. So there is an expense, yes. But that's an expense to hold an election. And that's currently under state law that they're currently required to do.

This legislation does not increase expenses on any village. What it does is exactly what the previous speaker was talking about, is to say, look, if we live in a village, we shouldn't have a different set of standards in terms of how we can be eligible to vote in an election.

And that's the problem with the current law, is that right now if you live in a village, you're basically being disenfranchised in voting in an absentee election. And that's the problem.

And I think in New York we need to be working together to erase the dubious distinction of having one of the lowest voting turnouts in the nation. And to say that we're going to not support legislation like this is a real problem in that regard. So I think we need to be working to increase voter turnout and not do the opposite of sticking with the status quo.

So yeah, there's no additional expense on the villages.

ACTING PRESIDENT AVELLA: Senator Stavisky, through the chair.

SENATOR STAVISKY: Through you,

Mr. President. On the bill.

ACTING PRESIDENT AVELLA: Senator Stavisky on the bill.

SENATOR STAVISKY: There's no additional expense incurred in improving this process?

Thank you.

ACTING PRESIDENT AVELLA: Seeing no one else wishing to speak, the Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

I rise in support of this bill, and I want to commend Senator Carlucci for taking this step, although it may not seem that important; it's village elections. I don't represent any villages, so I don't really have

any skin in this game. But as a voter in the State of New York, I think we all have some skin in this game.

Recently a report was released reflecting on the continuing erosion of voter participation in every election in every part of the State of New York. We just went through a huge city election cycle where we had the mayor and all the citywide elections held, and City Council, and we had the lowest turnout in more than 25 years. One of the reasons that was cited in this report was barriers to voting access. One of them is absentee ballots.

I support this legislation because it's going to help close that gap. I think we could go even further. I think we should have duty-free absentee. People shouldn't have to jump through hoops to be able to vote by absentee ballot. We should removing barriers, not maintaining a system that is continuing to depress voter participation. I vote aye on this bill.

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

Announce the results.

THE SECRETARY: In relation to Calendar 323, those recorded in the negative are Senators Bonacic, Gipson, Krueger, Martins, Montgomery, O'Brien, Rivera, Sanders and Stavisky.

Absent from voting: Senators Ball, Díaz, Flanagan, Kennedy, Little, Parker, Perkins, Ranzenhofer and Sampson.

Ayes, 40. Nays, 9.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 546, by Senator Golden, Senate Print 5593, an act to amend the Real Property Tax Law.

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT AVELLA: Senator Krueger asked for an explanation.

Senator Golden.

SENATOR GOLDEN: Thank you, Mr. President.

This is an extension of the Green Roof tax credit bill that we did here two years ago. In the amendment that we did to it two years ago, it was voted unanimously.

It gives the action of greening the

city to improve the quality of living for the dwellers that enrich their communities with more oxygen, reducing the amount of climate changing, the pollutants in the area, and generally improving the city's aesthetic appeal. It also helps with the runoff water and creates vegetation, and it's also in line with the former mayor's commitment of a million new trees in the City of New York.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Golden, will you yield for a question?

SENATOR GOLDEN: Yes, Mr. President.

ACTING PRESIDENT AVELLA: Senator Golden yields.

SENATOR KRUEGER: Thank you.

In his explanation, Senator Golden said that this is an expansion of the Green Roofs legislation we passed. But my understanding is this bill has much less stringent requirements than the Green Roof tax abatement.

May I ask why he didn't use the same standards of what had to actually take place on the land that they explicitly put into the Green Roof tax abatement?

SENATOR GOLDEN: Mr. President, the question again?

ACTING PRESIDENT AVELLA: Senator Krueger, will you repeat the question?

SENATOR KRUEGER: Certainly.

Senator Golden referenced this is an expansion of the Green Roof tax abatement bill that passed several years ago. But my understanding is this bill has much less stringent requirements of what you would actually need to do in order to be eligible for the abatement.

I am wondering why there are not parallel requirements for this abatement compared to the Green Roofs abatement he referenced.

SENATOR GOLDEN: The requirements are somewhat different, but there are still significant requirements here, that you have to put down a cover and have drainage and have a drainage runoff.

This is quite stringent rules and

regulations to get a tax abatement of $450 per square foot for one year.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, did the sponsor misspeak when he said $450 per square foot per year?

ACTING PRESIDENT AVELLA: Are you asking that the sponsor yield for a question?

SENATOR KRUEGER: Yes, I am asking.

ACTING PRESIDENT AVELLA: Senator Golden, will you yield for another question?

SENATOR GOLDEN: Yes.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: The sponsor just said --

SENATOR GOLDEN: It's $4.50 per square foot, you're quite correct.

SENATOR KRUEGER: Thank you.

SENATOR GOLDEN: You're quite welcome, Mr. President.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: I was quite

concerned that the rate suddenly was $450 per square foot.

SENATOR GOLDEN: I thought you would think that was probably low.

SENATOR KRUEGER: I wanted to give the sponsor an opportunity to correct himself. Thank you.

Mr. President, if through you the sponsor would continue to yield.

ACTING PRESIDENT AVELLA: Senator Golden?

SENATOR GOLDEN: Yes, Mr. President.

ACTING PRESIDENT AVELLA: Senator Golden yields.

SENATOR KRUEGER: What is the estimated cost to the City of New York from this tax abatement?

SENATOR GOLDEN: It depends on the number of people that would apply for the tax abatement, of up to $100,000 per dwelling if that is -- in fact they're entitled to that $100,000 per dwelling, that would be entitled to any part of that concrete city that we live in.

ACTING PRESIDENT AVELLA: Senator

Krueger.

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

ACTING PRESIDENT AVELLA: Senator Golden, do you continue to yield?

SENATOR GOLDEN: I do, Mr. President.

ACTING PRESIDENT AVELLA: Senator Golden yields.

SENATOR KRUEGER: Why did the sponsor go down the road of a tax abatement as opposed to providing a tax credit or deduction to incentivize the installation of soil and vegetation on concrete-covered residential property?

SENATOR GOLDEN: We believe the tax abatement, the way we went, is the best way to go.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: How will --

ACTING PRESIDENT AVELLA: Do you want the sponsor to yield?

SENATOR KRUEGER: You know, I do,

thank you, Mr. President. I would like the sponsor to yield.

ACTING PRESIDENT AVELLA: Will the sponsor yield for another question?

SENATOR GOLDEN: Yes, Mr. President.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: So as described in the memo, this could be areas of concrete-covered land almost anywhere in the five boroughs -- behind buildings, empty lots, in front of buildings that are currently concrete.

How will the City of New York be able to track whether or not what was concrete is now vegetation? What model is assumed within this bill of how the city would inspect, enforce, and approve whether you're eligible for this abatement?

SENATOR GOLDEN: Mr. President, through you. The City of New York has no problem in finding out what you owe them, how much you owe them, what your property is, what you have in your backyard, whether you have a swimming pool in your backyard or no swimming pool in your

backyard, whether you have trees in your backyard or no trees in your backyard.

The City of New York uses -- what do they call this, this Cloud that we have that we go into the Internet. And they go into each one of our properties. It knows exactly what's in our backyards, and that's how they would know. This is not for empty lots, this is for new construction and old construction of dwellings, and you have to prove that you picked up the concrete and that you installed vegetation and a drainage system.

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

ACTING PRESIDENT AVELLA: Senator Golden, will you continue to yield for another question?

SENATOR GOLDEN: Certainly. All day, sir.

ACTING PRESIDENT AVELLA: Senator Golden yields.

SENATOR KRUEGER: As I read the bill, it's an abatement you can be eligible for simply because it's zoned residential. How would

we know it wasn't an empty lot or wasn't certain things? I don't see that section of the bill. Perhaps the sponsor could read the section of the bill he's referencing.

SENATOR GOLDEN: Mr. President, you have to go to the City of New York, you have the Department of Finance that will be running this operation on the abatement. You have the Department of Buildings that has a print of every one of our homes in New York City. They know exactly what's in our backyards. And if you live in the City of New York they know exactly in the condos and co-ops how much green space is behind your building and how much green space is not behind your building.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Golden, will you continue to yield?

SENATOR GOLDEN: I do, Mr. President.

ACTING PRESIDENT AVELLA: Senator

Golden yields, Senator Krueger.

SENATOR KRUEGER: If you are a building that is commercial and residential, as many if not most buildings in my district are, at least on the avenues, and you're talking about a section of concrete perhaps behind the building which is on usually the first floor where the retail is, would this be residential abatement-eligible or not residential abatement-eligible when the piece of land abated the commercial section of the building?

SENATOR GOLDEN: Yes, it would be. And it goes according to the same rules of the Green Roof tax credit on that particular issue.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Golden, do you continue to yield?

SENATOR GOLDEN: I do, Mr. President.

ACTING PRESIDENT AVELLA: Senator Golden yields, Senator Krueger.

SENATOR KRUEGER: Thank you.

Would this apply to all residential apartment buildings, large-scale, one and two family homes owned by individual homeowners?

SENATOR GOLDEN: Yes, Mr. President, the more the merrier. It will green the city to allow for vegetation to reduce the sewerage, the water that's pushed through our sewerage system on a regular basis. Yes, it would, Mr. President.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Can the sponsor please yield to an additional question.

ACTING PRESIDENT AVELLA: Senator Golden, will you yield for an additional question?

SENATOR GOLDEN: Whatever the good Madam Floor Leader wishes.

ACTING PRESIDENT AVELLA: Senator Golden yields.

SENATOR KRUEGER: Thank you. Could the sponsor help me understand what is meant by the installation of soil and vegetation? Is there some standard there for quantity of, depth

of, type of soil and vegetation?

SENATOR GOLDEN: No, there is not, Mr. President. Soil for vegetation to grow. It could be grass area is vegetation. As long as there is a soil and a runoff for water, rainwater, and there is vegetation that is maintained for three years, you would be entitled to that $4.50 a square foot tax abatement for one year.

ACTING PRESIDENT AVELLA: Senator Krueger.

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

ACTING PRESIDENT AVELLA: Senator Golden, do you continue to yield?

SENATOR GOLDEN: I thought there was only one question before. But gladly, yes.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Thank you.

So if I had a lot that was adjacent to my residential property that was currently concrete and it has drainage already, for whatever reason -- it might have once upon a time

been the base of a building -- and I sprinkle some dirt and dandelions start to grow, do I meet the standard for an abatement?

SENATOR GOLDEN: Mr. President, two parts to that. It cannot be an empty lot. Again, it has to be part of the dwelling that the individual lives in, number one.

Number two, you cannot put it on top of the pavement, you have to rip the pavement up. You have to have bills, you have to show that you did that. And you have to show that you did a soil and vegetation to that property. And drainage.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, might I ask the sponsor an additional question?

SENATOR GOLDEN: Of course, Mr. President.

ACTING PRESIDENT AVELLA: Senator Golden yields for another question.

SENATOR KRUEGER: Thank you so much.

What's the position of the City of

New York, and do we have a home-rule message from the City Council?

SENATOR GOLDEN: There is no home rule required here that I'm aware of, Mr. President.

And I believe that the City -- that you called this morning to get a letter of opposition that you did not get. So I presume that this would be no problem for the City of New York, my dear Madam Floor Leader.

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

ACTING PRESIDENT AVELLA: Senator Krueger on the bill.

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

He is correct, I did ask the City of New York for a memo. I was curious what their position was. And unfortunately, they did not didn't have a memo.

But they did send me an email saying they had several concerns about the bill -- did not know how much it would cost the city, did not now how the city would actually be able to investigate and regulate without large cost to

itself. And despite the fact that the City of New York strongly supports more greening efforts in the environment of the five boroughs, that they find this bill problematic.

I also find this bill problematic, despite the fact that I appreciate the sponsor's answers. I think there's probably a way to get this bill to the place where I could support it. But right now what we know is it will cost the city something, but we don't know how much it will cost the city.

We do know that when there is some reduction in property taxes by somebody or bodies, that the City of New York, in their need to make up for that lost revenue, increases somebody else's property taxes instead.

I am concerned that the regulation is not parallel to the Green Roofs abatement and could open itself up to exploitation by those who actually aren't providing the kind of greening that is useful for environmental and open-land-use purposes.

There are some concerns that have also been raised about the possibility that City DEP would have issues with runoff and

potential flooding without planning for some of this.

It's just not workable, in my opinion, at this point. I will hope that before it passes the other house, the sponsor might want to work with the City of New York to see how the bill could be amended such that it could receive the support of the City and City Council.

And again, I generally stand by the position that if I'm going to be passing a bill or voting for a bill that reduces a locality's tax revenue, I want to know that that locality would like their tax revenue reduced. And as we know, property tax is the only kind of tax that localities get to control themselves. So I'm particularly sensitive to not making a change or a reduction in revenue for property tax for the City of New York without hearing that the City of New York is asking for it.

I recommend a no vote, and I'll be voting no. Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Seeing no one else wishing to speak, the Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: In relation to Calendar Number 546, those recorded in the negative are Senators Hoylman and Krueger.

Absent from voting: Senators Ball, Díaz, Flanagan, Kennedy, Little, Parker, Perkins, Ranzenhofer and Sampson.

Ayes, 47. Nays, 2.

ACTING PRESIDENT AVELLA: The bill is passed.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time, with unanimous consent, could we please remove the lay-aside on Senate 632 and 747 and take them to a noncontroversial reading, please.

ACTING PRESIDENT AVELLA: So ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 632, by Senator Grisanti, Senate Print 6986, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 747, by Senator Peralta, Senate Print 40, an act to amend the Penal Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AVELLA: The bill is passed.

Senator Libous, that completes the reading of the calendar.

SENATOR LIBOUS: We do have some housekeeping, so if we can go to motions.

ACTING PRESIDENT AVELLA: Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: On behalf of Senator Young, Mr. President, I wish to call up her bill, Senate Print 4396, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Calendar Number 168, by Senator Young, Senate Print 4396, an act to amend the Soil and Water Conservation Districts Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

SENATOR LIBOUS: I now offer up the following amendments.

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

Senator Libous.

SENATOR LIBOUS: Mr. President, again on behalf of Senator Young, I wish to call up her bill, Senate Print 4356, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Calendar Number 257, by Senator Young, Senate Print 4356, an act to amend the Soil and Water Conservation Districts Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

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

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

SENATOR LIBOUS: Thank you, Mr. President.

Mr. President, is there any further business at the desk?

ACTING PRESIDENT AVELLA: There is no further business at the desk.

SENATOR LIBOUS: Mr. President, I move, there being no further business, that the Senate will adjourn until Wednesday, May 28th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AVELLA: On motion, the Senate stands adjourned until Wednesday, May 28th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 11:15 a.m., the Senate adjourned.)