NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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12:11 p.m.

REGULAR SESSION

SENATOR DAVID CARLUCCI, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

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

THE SECRETARY: In Senate, Tuesday, June 10th, the Senate met pursuant to adjournment. The Journal of Monday, June 9th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 5, Senator Maziarz moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 8486 and substitute it for the identical Senate Bill Number 3721A, Third Reading Calendar 66.

On page 12, Senator Seward moves to discharge, from the Committee on Insurance, Assembly Bill Number 9175A and substitute it for the identical Senate Bill Number 6505B, Third Reading Calendar 240.

On page 17, Senator Marchione moves to discharge, from the Committee on Higher Education, Assembly Bill Number 2089B and substitute it for the identical Senate Bill Number 2753B, Third Reading Calendar 436.

On page 17, Senator Martins moves to discharge, from the Committee on Local Government, Assembly Bill Number 7187 and substitute it for the identical Senate Bill Number 5647, Third Reading Calendar 442.

On page 19, Senator Golden moves to discharge, from the Committee on Aging, Assembly Bill Number 9067 and substitute it for the

identical Senate Bill Number 6858, Third Reading Calendar 487.

On page 21, Senator Golden moves to discharge, from the Committee on Judiciary, Assembly Bill Number 1582A and substitute it for the identical Senate Bill Number 3479A, Third Reading Calendar 520.

On page 25, Senator Carlucci moves to discharge, from the Committee on Codes, Assembly Bill Number 9330 and substitute it for the identical Senate Bill Number 6994, Third Reading Calendar 587.

On page 35, Senator Golden moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 9540A and substitute it for the identical Senate Bill Number 7226A, Third Reading Calendar 802.

On page 38, Senator Little moves to discharge, from the Committee on Finance, Assembly Bill Number 8703 and substitute it for the identical Senate Bill Number 6333, Third Reading Calendar 857.

On page 38, Senator Little moves to discharge, from the Committee on Local Government, Assembly Bill Number 9242 and

substitute it for the identical Senate Bill Number 6888, Third Reading Calendar 860.

On page 39, Senator Seward moves to discharge, from the Committee on Local Government, Assembly Bill Number 8324A and substitute it for the identical Senate Bill Number 5991A, Third Reading Calendar 885.

On page 50, Senator Griffo moves to discharge, from the Committee on Education, Assembly Bill Number 9472 and substitute it for the identical Senate Bill Number 7193, Third Reading Calendar 1033.

On page 54, Senator Avella moves to discharge, from the Committee on Social Services, Assembly Bill Number 8921 and substitute it for the identical Senate Bill Number 6961, Third Reading Calendar 1084.

On page 55, Senator Ritchie moves to discharge, from the Committee on Social Services, Assembly Bill Number 8924A and substitute it for the identical Senate Bill Number 7192, Third Reading Calendar 1088.

On page 58, Senator Griffo moves to discharge, from the Committee on Local Government, Assembly Bill Number 8991 and

substitute it for the identical Senate Bill Number 7084, Third Reading Calendar 1164.

On page 60, Senator DeFrancisco moves to discharge, from the Committee on Transportation, Assembly Bill Number 8021A and substitute it for the identical Senate Bill Number 7108, Third Reading Calendar 1185.

On page 61, Senator Savino moves to discharge, from the Committee on Labor, Assembly Bill Number 9115 and substitute it for the identical Senate Bill Number 7440, Third Reading Calendar 1193.

On page 64, Senator Boyle moves to discharge, from the Committee on Local Government, Assembly Bill Number 8033A and substitute it for the identical Senate Bill Number 5857, Third Reading Calendar 1253.

On page 64, Senator Golden moves to discharge, from the Committee on Local Government, Assembly Bill Number 8484A and substitute it for the identical Senate Bill Number 6467A, Third Reading Calendar 1257.

On page 66, Senator Ritchie moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number

1627A and substitute it for the identical Senate Bill Number 6574, Third Reading Calendar 1259.

On page 66, Senator Golden moves to discharge, from the Committee on Local Government, Assembly Bill Number 9564 and substitute it for the identical Senate Bill Number 6726, Third Reading Calendar 1262.

On page 67, Senator Gallivan moves to discharge, from the Committee on Local Government, Assembly Bill Number 9504 and substitute it for the identical Senate Bill Number 7109, Third Reading Calendar 1268.

On page 67, Senator Martins moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 9003C and substitute it for the identical Senate Bill Number 7325A, Third Reading Calendar 1272.

ACTING PRESIDENT CARLUCCI: Substitutions ordered.

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: Thank you, Mr. President.

Could you please call on Senator Valesky, then Senator Gianaris, and then come back to me, please.

ACTING PRESIDENT CARLUCCI: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

First of all, on your behalf, on page 41 I offer the following amendments to Calendar Number 916, Senate Print 7232, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR VALESKY: And also, on behalf of Senator Avella, I wish to call up his bill, Senate Print Number 6903B, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number

625, by Senator Avella, Senate Print 6903B, an act to amend the Environmental Conservation Law.

SENATOR VALESKY: I now move to reconsider the vote by which this bill passed.

ACTING PRESIDENT CARLUCCI: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

SENATOR VALESKY: I now offer the following amendments.

ACTING PRESIDENT CARLUCCI: The amendments are accepted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

On behalf of Senator Espaillat, on page number 6 I offer the following amendments to Calendar Number 107, Senate Print 1728B, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR GIANARIS: And on behalf of Senator Stewart-Cousins, please place a sponsor star on Calendar Number 993.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR GIANARIS: Thank you.

ACTING PRESIDENT CARLUCCI: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator Young, on page 9 I offer the following amendments to Calendar Number 174, Senate Print 4072, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR LIBOUS: And, Mr. President, on behalf of Senator Marcellino, on page 45 I offer the following amendments to Calendar Number 970, Senate Print 3812B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time I would call an immediate meeting of

the Rules Committee in Room 332. There will be an immediate meeting of the Rules Committee in Room 332.

And while the Rules Committee is meeting, I would ask that the Senate stand at ease.

ACTING PRESIDENT CARLUCCI: There will be an immediate meeting of the Rules Committee in Room 332 of the Capitol.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:19 p.m.)

(Whereupon, the Senate reconvened at 12:42 p.m.)

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator LaValle.

SENATOR LaVALLE: Mr. President, can we call on Senator Ranzenhofer for an introduction of some students, please.

ACTING PRESIDENT CARLUCCI: Senator Ranzenhofer.

SENATOR RANZENHOFER: Thank you, Mr. President.

I'd like to welcome some very

important people to the chamber today as we celebrate Yogurt Day in the state's Capitol.

We have with us today Mr. Schroth's fourth-grade class from Byron-Bergen Elementary School, and with us is their principal, Brian Meister; teacher Craig Schroth; teachers Erin Varley and Heather Young. We have parents. And of course we have the most important people, which are the fourth-graders. And they have gotten up very early this morning and joined us here today as we celebrate yogurt.

Colleagues, this is democracy in action. We all go to schools throughout our district and explain to classrooms how a bill becomes a law. And this class took on a class project on how to make yogurt the official state snack, and the bills have been introduced. We had a very memorable discussion here several weeks ago on that bill. And they are here to show how the best ideas don't always come from these hallowed chambers but how in our communities, our schools, our farms, our factories, great ideas are in the minds of our constituency.

So I'd like to give a very warm

welcome to the Byron-Bergen Elementary School fourth-grade class. Welcome.

(Applause.)

ACTING PRESIDENT CARLUCCI: Senator Gallivan.

SENATOR GALLIVAN: Thank you, Mr. President.

I too rise to welcome the fourth-grade class from Byron-Bergen, which was, as you heard during the yogurt debate, my alma mater. I am very proud to be an alumni of Byron-Bergen. One of the young ladies in our class, Maddy Burke, I was very proud to coach her father in 8th grade to an undefeated basketball season, last time it was done there.

But I'm proud of you guys. I'm proud of the school, proud of you guys for standing up and coming up with an idea and advancing something that is soon to be state law.

Congratulations.

ACTING PRESIDENT CARLUCCI: Congratulations to the fourth-grade class from Byron-Bergen. Keep up the good work.

Senator LaValle.

SENATOR LaVALLE: Mr. President, can we accept the report of the Rules Committee.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

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

Senate Print 109, by Senator Gallivan, an act to amend the Civil Service Law;

Senate 1146, by Senator Breslin, an act to amend the Education Law;

Senate 1481, by Senator Marcellino, an act to amend the Executive Law;

Senate 2088A, by Senator Martins, an act to amend the Public Authorities Law;

Senate 2459, by Senator Lanza, an act to amend the Executive Law;

Senate 2486A, by Senator LaValle, an act to amend the Executive Law;

Senate 2612, by Senator Young, an act to amend the Executive Law;

Senate 3382A, by Senator Hassell-Thompson, an act to amend the Tax Law;

Senate 3582, by Senator Robach, an act to amend the Correction Law;

Senate 3697, by Senator Ritchie, an act to amend the Correction Law;

Senate 4165, by Senator Lanza, an act to amend the Correction Law;

Senate 4229, by Senator Golden, an act to amend the Civil Service Law;

Senate 5423, by Senator Ritchie, an act to amend the Correction Law;

Senate 5542, by Senator Griffo, an act to amend the Executive Law;

Senate 5935A, by Senator Maziarz, an act to amend the Retirement and Social Security Law;

Senate 6765, by Senator Marchione, an act to amend the Executive Law;

Senate 6877B, by Senator Grisanti, an act to amend the Penal Law;

Senate 6951, by Senator Griffo, an act to amend the Public Health Law;

Senate 7120, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 7410, by Senator Sanders, an act to amend the Vehicle and Traffic Law;

Senate 7418, by Senator Sanders, an

act to amend the Penal Law;

Senate 7541, by Senator Hoylman, an act to amend the Penal Law;

Senate 7581, by Senator Espaillat, an act to amend the Executive Law;

Senate 7616, by Senator Larkin, an act to authorize;

Senate 7623, by Senator Breslin, an act to amend the Real Property Tax Law;

Senate 7628A, by Senator Golden, an act to amend the Retirement and Social Security Law;

And Senate 7683, by Senator O'Brien, an act to authorize.

All bills reported direct to third reading.

ACTING PRESIDENT CARLUCCI: Senator LaValle.

SENATOR LaVALLE: Mr. President, I move that we accept the report of the Rules Committee.

ACTING PRESIDENT CARLUCCI: All in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The report is accepted.

Senator LaValle.

SENATOR LaVALLE: Mr. President, can we move to the noncontroversial reading of the calendar.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number 21, by Senator Griffo, Senate Print 3008, an act to amend the Public Officers Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date as a concurrent resolution.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 53. Nays,

4. Senators Hoylman, Krueger, Latimer and Squadron recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 66, substituted earlier by Member of the Assembly Ryan, Assembly Print 8486, an act in relation to service credit.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 79, by Senator Young, Senate Print 4336, an act to amend the Uniform Justice Court Act.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 94, by Senator Ranzenhofer, Senate Print 3483, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 142, by Senator Maziarz, Senate Print 3646B, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 178, by Senator Ranzenhofer, Senate Print 4320, an act to amend the Not-for-Profit Corporation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 180, by Senator Lanza, Senate Print 3606A, an act to amend the General Business Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 2. Senators Krueger and Montgomery recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 184, by Senator Lanza, Senate Print 4751B, an act to amend the Social Services Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 240, substituted earlier by Member of the Assembly Braunstein, Assembly Print 9175A, an act to amend the Insurance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 248, by Senator Ranzenhofer, Senate Print 5111A, an act to amend the Not-for-Profit Corporation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 276, by Senator Avella, Senate Print 725A, Concurrent Resolution of the Senate and

Assembly.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Avella to explain his vote.

SENATOR AVELLA: Thank you, Mr. President.

You know, for the past four years we have worked in this chamber to make government more responsible for the people of this state. The bill before us now would change the term of office for Senators and Assemblymembers from two to four years. This is a bill that's supported by Common Cause, by Reinvent New York, Reinvent Albany as a good government measure.

You know, we're elected and we immediately start running for office again. This bill, changing the term of office, would give us more time to deliberate on the issues on behalf of all New Yorkers, and at the same time reduce the influence of big money on campaigns. It is, again, supported by Common Cause and Reinvent New York.

Thirty-eight states across the country have four-year terms. Of the 10 largest states in terms of population, only three do not have four-year terms, New York included. Of the top five states in the country in terms of population, only New York has a two-year term as opposed to the other top four.

And it was interesting, in doing the research on this bill, I came across a comment bill by a former Governor of this state, sort of -- and I'm paraphrasing -- saying exactly what I'm saying about the fact that we need more time other than the two years to really work on all the issues that we need to in this state. That Governor mentioned that in his annual report in 1926, and it was Alfred E. Smith.

So I want to thank the Majority Co-Leaders of the Senate, Senator Klein, Senator Skelos, for bringing this vote to the floor, and I also want to thank my colleagues for voting for this bill.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Senator LaValle to explain his vote.

SENATOR LaVALLE: Thank you, Mr. President.

In my I believe second term, I sponsored the same bill as Senator Avella is presenting today. And I congratulate you, and I concur with everything that you said.

This is a good-government bill. It will allow people to concentrate for a longer period of time on doing the people's business. And it will, in terms of being out there all the time raising money, it will cut down on that.

So I congratulate you, Senator Avella, on this bill. And again, it's a good-government bill. I vote aye.

ACTING PRESIDENT CARLUCCI: Thank you, Senator LaValle.

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise to oppose this bill. While I appreciate the sentiments of the sponsor that we need more time to legislate, I think we should be looking at campaign finance reform in a comprehensive way, making certain that we lower spending limits, having public matching

funds, addressing issues before we actually get to office, before we start talking about padding our terms and extending our terms here in this Legislature.

So I'll be voting nay.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Hoylman.

Senator Boyle to explain his vote.

SENATOR BOYLE: Mr. President, to explain my vote.

I congratulate Senator Avella for this piece of legislation to increase our number of years in a term. However, I think there needs to be term limits as part of that. My bill would give four-year terms but limit us to three terms. I'll have to vote against this, but I support the idea of four years.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Boyle.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: I voted no because I agreed with a number of my colleagues. What is needed here is campaign finance reform,

reform of our system of government.

And if people talk about term limits, I say that a two-year term is the best example, because the people come to the voters every two years and ask for their contract to be renewed, in a sense.

So in the interest of I think reform, government reform, the answer is campaign finance reform and not helping people stay in office longer.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Stavisky.

Announce the result.

THE SECRETARY: In relation to Calendar Number 276, those recorded in the negative are Senators Avella, Boyle --

(Laughter.)

ACTING PRESIDENT CARLUCCI: The Secretary will --

THE SECRETARY: In relation to Calendar Number 276, those recorded in the negative are Senators Ball, Boyle, Gallivan, Gianaris, Gipson, Hannon, Hoylman, Latimer, Maziarz, O'Brien, Perkins, Ranzenhofer, Ritchie,

Robach, Sanders, Squadron, Stavisky and Tkaczyk.

Ayes, 39. Nays, 18.

ACTING PRESIDENT CARLUCCI: The resolution is passed.

THE SECRETARY: Calendar Number 290, by Senator Dilan, Senate Print 392, an act to amend the Highway Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 329, by Senator Libous, Senate Print 3785B, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 388, by Senator Golden, Senate Print 3867A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 390, by Senator Golden, Senate Print 6757A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 401, by Senator Gallivan, Senate Print 6869, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 4. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 416, by Senator Lanza, Senate Print 2142, an act too prohibit.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT CARLUCCI: The bill is laid aside.

THE SECRETARY: Calendar Number 436, substituted earlier by Member of the Assembly Braunstein, Assembly Print Number 2089B, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Marchione to explain her vote.

SENATOR MARCHIONE: Thank you, Mr. President.

You know, this legislation strengthens the Campus Safety Act of 1999 by requiring that all violent felons and missing persons be reported to law enforcement within a 24-hour period after being reported to the college.

You know, today in the Times Union, at a trial it supported this legislation because it says that we must end campus secrets.

By strengthening the Campus Safety Act, this bipartisan legislation ensures that felonies committed on a college campus are promptly and accurately reported to local law enforcement to ensure the perpetrators are punished, victims are protected, and that they see justice.

This bill is in memory of Suzanne Lyall and any individual who has been a victim of violent crime on a campus or gone missing on a campus.

I want to recognize today Suzanne Lyall's parents -- they're sitting in the front -- Doug and Mary, for their courageous and tireless advocacy on this issue. I'm honored that Doug and Mary are here with us today, and I want you to know that we who serve in this chamber, and all New Yorkers, thank you for your advocacy and courage in championing the critical cause of campus safety.

We can and we should -- we must -- do everything we can to make sure make our colleges and universities as safe as possible. This means ensuring violent crimes are reported swiftly to law enforcement. I was very proud to partner with Assemblyman Braunstein and work in a bipartisan process to pass this important legislation.

Again, I thank my colleagues for their support of this bill.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Marchione.

Senator Farley to explain his vote.

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

I rise in support of this, and I

want to pay tribute to the Lyalls, that are here with us in the chamber, who have devoted their life -- they lost their daughter, who was a student at the university where I taught for many, many years. But they have devoted their life to this cause of missing people. And the Lyall family, even though the heartache they've suffered over the years with the loss of their daughter, who has never been found -- it's one of the great mysteries of crime in our area and one of the saddest stories I think I could ever relate.

But I think it's remarkable that this family that is here, the Lyalls, have devoted their life to this cause. And I applaud them for it. They are my constituents now in the town of Milton.

And I applaud you for what you've done. And I know it's not easy, what you have tried to do, but you have been relentless in pursuing this cause, particularly for missing women that have been murdered and taken from our campuses throughout this state. Thank you for what you've done over the years.

ACTING PRESIDENT CARLUCCI: Thank

you, Senator Farley.

Senator Zeldin to explain his vote.

SENATOR ZELDIN: It's an honor to stand up today for this particular piece of legislation. As an intern, as a freshman working for Senator Ken LaValle attending the State University of New York at Albany, I had the opportunity to work with Doug and Mary Lyall organizing candlelight vigils on campus, and it was really quite an effort.

I remember Assemblyman Jim Tedisco working real hard to try to get Suzanne's Law passed in the Assembly. Fast-forwarding 16 years to today being with you here in the chamber, remembering my time with Senator LaValle working on this bill, working on Suzanne's Law many years ago, I still have Suzanne in my thoughts and prayers, your family. You've been through a lot. You really have led a movement nationally. And I proudly rise in support of this legislation today.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Zeldin.

Are there any other Senators wishing to explain their vote?

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. I rise to thank the sponsor for her leadership on this issue.

In my district very recently, a student in November fell between two buildings and was trapped for 36 hours. Thankfully, he survived. But there were questions as to whether the university, NYU, had reported the incident in a timely fashion to local police.

This bill will mandate that, and I'm very grateful to be supporting this bill and hoping that this body shall support it as well.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Hoylman.

Are there other Senators wishing to explain their vote?

Seeing none, the Secretary will announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 437, by Senator Ball, Senate Print 5205, an act

to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 441, by Senator Martins, Senate Print 5160B, an act to repeal certain provisions.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 39. This act shall take effect on the 60th day.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 442, substituted earlier by Member of the Assembly Hevesi, Assembly Print 7187, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 466, by Senator Ball, Senate Print 2578, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Also Senator Perkins. Ayes, 55. Nays, 2.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 467, by Senator Young, Senate Print 2599, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI:

Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 472, by Senator Boyle, Senate Print 5946A, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 487, substituted earlier by Member of the Assembly Millman, Assembly Print Number 9067, an act to amend the Elder Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 497, by Senator DeFrancisco, Senate Print 2789, an act to amend the Election Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 501, by Senator Grisanti, Senate Print 2129, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Grisanti to explain his vote.

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

You know, this bill was passed before. And with the increased penalties of aggravated cruelty on an animal, believe it or not, you get a lot of information when it comes to a piece of legislation like this.

My colleagues, you would not believe the correlation between those that are young that abuse animals and what happens down the road in their life, abusing a brother or sister, mother or father, boyfriend, girlfriend. It's amazing the correlation at such a young

age.

What this piece of legislation does -- and it's known as Phoenix's Law after a couple of teenagers decided it would be a kick to actually light a Jack Russell terrier on fire and watch him run around, and the penalty for doing something like that was a slap on the wrist. Slap on the wrist.

This bill not only increases the penalties, but it gets those individuals mandatory psychiatric help. Because if somebody does something like that, you need psychiatric help. You need to have an evaluation. And that evaluation may help them to understand to not do this crime again. And hopefully it does just that.

So we hope it gets passed in the Assembly and we fulfill this pledge to harmed animals. Believe me, there's a correlation; it will stop future crimes against persons and hopefully against animals in the future.

I vote aye, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Grisanti.

The Secretary will announce the

result.

THE SECRETARY: Ayes, 55. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 503, by Senator Young, Senate Print 2621, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: The Secretary will announce the result.

THE SECRETARY: In relation to Calendar 503, those recorded in the negative are Senators Avella, Ball, Carlucci, Dilan, Gianaris, Gipson, Hannon, Hoylman, Klein, Krueger, Latimer, LaValle, Marcellino, Perkins, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 36. Nays, 19.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Ayes, 38. Nays, 19.

ACTING PRESIDENT CARLUCCI: The Secretary will reannounce the result.

THE SECRETARY: In relation to Calendar 503, those recorded in the negative are Senators Avella, Ball, Carlucci, Dilan, Gianaris, Gipson, Hannon, Hoylman, Klein, Krueger, Latimer, LaValle, Marcellino, Martins, Perkins, Rivera, Sanders, Savino, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 35. Nays, 22.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 511, by Senator Ritchie, Senate Print 1948, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call

the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 513, by Senator Ball, Senate Print 5969A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

Reannounce the result.

THE SECRETARY: Ayes 56. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 520, substituted earlier by Member of the Assembly Lentol, Assembly Print 1582A, an act to amend the Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 548, by Senator Golden, Senate Print 7008A, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 569, by Senator Larkin, Senate Print 285A, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 569, those recorded in the negative are Senators Dilan, Krueger, Montgomery, Perkins and Rivera.

Ayes, 52. Nays, 5.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 578, by Senator Larkin, Senate Print 3530, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 578, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Montgomery, Perkins and Rivera.

Ayes, 51. Nays, 6.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 579, by Senator Lanza, Senate Print 3600, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 579, those recorded in the negative are Senators Dilan, Krueger, Montgomery, Perkins and Tkaczyk.

Ayes, 52. Nays, 5.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 582, by Senator LaValle, Senate Print 4580, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 582, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Montgomery, Perkins, Rivera and Tkaczyk.

Ayes, 50. Nays, 7.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 583, by Senator Gallivan, Senate Print 4985, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 583, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Montgomery,

Perkins, Rivera and Squadron.

Ayes, 50. Nays, 7.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 587, substituted earlier by Member of the Assembly Galef, Assembly Print 9330, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 587, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Montgomery and Perkins.

Ayes, 52. Nays, 5.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

691, by Senator Grisanti, Senate Print 868A, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3 --

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT CARLUCCI: The bill is laid aside.

THE SECRETARY: Calendar Number 710, by Senator Robach, Senate Print 1017A, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 744, by Senator Little, Senate Print 6948, an

act making certain findings.

ACTING PRESIDENT CARLUCCI: 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 CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 749, by Senator Flanagan, Senate Print 1456, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 761, by Senator Marchione, Senate Print 6474, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

762, by Senator Klein, Senate Print 6634C, an act to amend the Penal Law.

SENATOR VALESKY: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 763, by Senator Gallivan, Senate Print 7045, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 784, by Senator Libous, Senate Print 4096, an act to authorize.

ACTING PRESIDENT CARLUCCI: There

is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 787, by Senator Carlucci, Senate Print 5058B, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to

Calendar 787, those recorded in the negative are Senators Gipson, Krueger, Montgomery, O'Brien, Peralta, Perkins, Rivera, Sanders, Serrano and Stavisky.

Ayes, 47. Nays, 10.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 788, by Senator Flanagan, Senate Print 5153A, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 802, substituted earlier by Member of the Assembly Abbate, Assembly Print 9540A, an act to amend the Civil Service Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 803, by Senator Ball, Senate Print 2798, an act to amend the Agriculture and Markets Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT CARLUCCI: The bill is laid aside.

THE SECRETARY: Calendar Number 815, by Senator Marcellino, Senate Print 1503A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 819, by Senator Marcellino, Senate Print 3718A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays,

3. Senators Ball, Marchione and Zeldin recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 837, by Senator Young, Senate Print 2625B, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Krueger, Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 856, by Senator Little, Senate Print 6332A, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read

the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 857, substituted earlier by Member of the Assembly Stec, Assembly Print Number 8703, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 860, substituted earlier by Member of the Assembly Duprey, Assembly Print 9242, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 861, by Senator Farley, Senate Print 6905, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 885, substituted earlier by Member of the Assembly Magee, Assembly Print Number 8324A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

891, by Senator Maziarz, Senate Print 7026A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 896, by Senator Flanagan, Senate Print 1450, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI:

Announce the result.

THE SECRETARY: Ayes, 56. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 897, by Senator Marcellino, Senate Print 1508, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar Number 897, those recorded in the negative are Senators Gianaris, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Sanders, Serrano and Squadron.

Ayes, 48. Nays, 10.

ACTING PRESIDENT CARLUCCI: The

bill is passed.

THE SECRETARY: Calendar Number 899, by Senator Lanza, Senate Print 2298, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 900, by Senator Lanza, Senate Print 2468, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of November.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: In relation to Calendar 900, those recorded in the negative are Senators Krueger, Montgomery, Perkins and Squadron.

Ayes, 54. Nays, 4.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 910, by Senator Farley, Senate Print 4350A, an act to amend the Banking Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 911, by Senator Farley, Senate Print 7224, an act to amend the Banking Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 926, by Senator Gallivan, Senate Print 7442, an act to amend the Public Service Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

SENATOR LaVALLE: Can we lay that bill aside for the day.

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

THE SECRETARY: Calendar Number 964, by Senator Valesky, Senate Print 6847A, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Gipson recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 965, by Senator Farley, Senate Print 7329, an act to amend the Economic Development Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 987, by Senator Stewart-Cousins, Senate Print 4888A, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

999, by Senator Savino, Senate Print 7493, an act to amend the Civil Service Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Bonacic, Seward and Zeldin recorded in the negative. Also Senator Marchione.

Ayes, 54. Nays, 4.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1007, by Senator Felder, Senate Print 7213, an act to amend the Family Court Act.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1024, by Senator Young, Senate Print 6665, an act to amend the Social Services Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

SENATOR LaVALLE: Would you lay that bill aside for the day, please.

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

THE SECRETARY: Calendar Number 1033, substituted earlier by Member of the Assembly Brindisi, Assembly Print Number 9472, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1036, by Senator Grisanti, Senate Print 7347, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1069, by Senator Young, Senate Print 3848A, an act to amend the Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 53. Nays, 5. Senators Krueger, Libous, Montgomery, Perkins and Sanders recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1084, substituted earlier by Member of the Assembly Lupardo, Assembly Print Number 8921, an act to amend the Social Services Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Gipson recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1088, substituted earlier by Member of the Assembly Gunther, Assembly Print Number 8924A, an act to amend the Social Services Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1096, by Senator Griffo, Senate Print 7217A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Zeldin recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1164, substituted earlier by Member of the Assembly Magnarelli, Assembly Print 8991, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1184, by Senator Ranzenhofer, Senate Print 6891,

an act to amend Chapter 439 of the Laws of 2008.

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

Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1185, substituted earlier by Member of the Assembly Roberts, Assembly Print 8021A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1193, substituted earlier by Member of the Assembly Mayer, Assembly Print Number 9115, an act to amend Chapter 831 of the Laws of 1981.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1207, by Senator Robach, Senate Print 3770, an act --

SENATOR LIBOUS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1228, by Senator Grisanti, Senate Print 698, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1229, by Senator Martins, Senate Print 902, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1230, by Senator Maziarz, Senate Print 1187A, an act to amend the Public Authorities Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Zeldin recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1231, by Senator Carlucci, Senate Print 1205, an act to amend the Real Property Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1232, by Senator Grisanti, Senate Print 1593B, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1233, by Senator Bonacic, Senate Print 1876A, an act to amend the County Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 2. Senators Krueger and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1234, by Senator Parker, Senate Print 2838B, an act in relation to requiring.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Ball, Marcellino and O'Mara recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1235, by Senator Hannon, Senate Print 3054, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI:

Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Bonacic, O'Mara and Sanders recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1236, by Senator Carlucci, Senate Print 3246, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1237, by Senator DeFrancisco, Senate Print 3361, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1238, by Senator Hannon, Senate Print 3476A, an act authorizing.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays,

3. Senators Bonacic, O'Mara and Sanders recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1239, by Senator Seward, Senate Print 3563, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: The Secretary will announce the result.

THE SECRETARY: In relation to Calendar 1239, those recorded in the negative are Senators Gianaris, Gipson, Hoylman, Krueger, Montgomery, Perkins, Rivera, Sanders, Serrano, Squadron and Stavisky.

Ayes, 47. Nays, 11.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

1240, by Senator O'Mara, Senate Print 3592, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1241, by Senator Lanza, Senate Print 3981B, an act to amend the Not-for-Profit Corporation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI:

Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1242, by Senator Lanza, Senate Print 3983, an act to amend the Public Health Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Libous recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1243, by Senator DeFrancisco, Senate Print 4067, an act to amend the Social Services Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Gipson recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1244, by Senator Robach, Senate Print 4095, an act to amend the State Finance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1245, by Senator Young, Senate Print 4337B, an act to amend the Public Health Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1246, by Senator Klein, Senate Print 4461B, an act to amend the General Municipal Law.

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

The Secretary will read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1247, by Senator Larkin, Senate Print 4714A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1248, by Senator Latimer, Senate Print 4848, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1249, by Senator Lanza, Senate Print 4998, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1250, by Senator Zeldin, Senate Print 5133, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Serrano recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1251, by Senator Marcellino, Senate Print 5317, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read

the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1253, substituted earlier by Member of the Assembly Ramos, Assembly Print Number 8033A, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays,

3. Senators Bonacic, Krueger and Sanders recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1254, by Senator Golden, Senate Print 6142 --

SENATOR SERRANO: Lay that bill aside, please.

ACTING PRESIDENT CARLUCCI: The bill is laid aside.

THE SECRETARY: Calendar Number 1255, by Senator Grisanti, Senate Print 6164, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1256, by Senator Valesky, Senate Print 6360A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1257, substituted earlier by Member of the Assembly Markey, Assembly Print Number 8484A, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3. This act shall take effect July 1, 2014.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1258, by Senator Ranzenhofer, Senate Print 6478A, an act to repeal Chapter 154 of the Laws of 1921.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 33. This act shall take effect upon the enactment into law.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1259, substituted earlier by Member of the Assembly Gunther, Assembly Print 1627A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1260, by Senator Ball, Senate Print 6629, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1262, substituted earlier by Member of the Assembly Lentol, Assembly Print Number 9564, an act to amend the General Municipal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1263, by Senator Marcellino, Senate Print 6848, an act to amend the Public Health Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Seward recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1264, by Senator Flanagan, Senate Print 6959A, an act in relation to extending.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number

1265, by Senator O'Mara, Senate Print 7047, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 2. Senators Ball and Hannon recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1266, by Senator Gallivan, Senate Print 7050A, an act in relation to the Town of Eagle.

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

The Secretary will read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1268, substituted earlier by Member of the Assembly Bronson, Assembly Print Number 9504, an act providing.

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

The Secretary will read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The

bill is passed.

THE SECRETARY: Calendar Number 1269, by Senator Grisanti, Senate Print 7111B, an act to amend the Labor Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Grisanti to explain his vote.

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

You know, this bill we passed last year. It passed the Assembly. Unfortunately, it was vetoed by the Governor. But some changes have been made, so anything that you read about as far as what the opposition is is actually incorrect.

This bill basically allows a leave of absence from a place of employment for volunteer firefighters and ambulance drivers who responded to Hurricane Sandy, Irene, Lee and

September 11th. Because believe it or not, when some of those volunteer firemen and ambulance drivers came back, they were fired. They didn't have a job to come back to.

All this bill does is protect them from being able to respond to emergencies and then coming back to their place of employment. And if it's deemed by their employer, which is what one of the changes were, that it places an undue hardship on the employer itself, then the employee is not able to go.

This is not something where somebody could take off for, you know, a month, two months at a time and they're going to get paid. It's somebody that has to respond immediately to help in assistance, moving equipment, do whatever needs to be done. So for somebody in Erie County going to Suffolk County and vice versa, they're protected.

So I vote aye, Mr. President. It's a bill that we need to protect the firefighters and the ambulance and the EMTs that actually go and help out in emergencies.

Thank you very much.

ACTING PRESIDENT CARLUCCI: Thank

you, Senator Grisanti.

Are there other members wishing to explain their vote?

Seeing none, the Secretary will announce the result.

THE SECRETARY: Ayes, 56. Nays, 2. Senators DeFrancisco and Savino recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1270, by Senator Nozzolio, Senate Print 7191, an act to amend Chapter 159 of the Laws of 1929.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The

bill is passed.

THE SECRETARY: Calendar Number 1271, by Senator LaValle, Senate Print 7229B, an act in relation to authorizing.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Bonacic recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1272, substituted earlier by Member of the Assembly Schimel, Assembly Print Number 9003C, an act to incorporate.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1273, by Senator Martins, Senate Print 7352, an act to amend the Local Finance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1274, by Senator Hannon, Senate Print 7480 --

SENATOR LIBOUS: Could you lay that bill aside for the day.

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

THE SECRETARY: Calendar Number 1275, by Senator LaValle, Senate Print 7485, an act to amend the Real Property Tax Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: On page 68, Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number 9801

and substitute it for the identical Senate Bill Number 7592, Third Reading Calendar 1276.

ACTING PRESIDENT CARLUCCI: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1276, by Member of the Assembly Gottfried, Assembly Print Number 9801, an act to amend the Public Health Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1277, by Senator Hannon, Senate Print 7601B, an act to amend the Public Health Law.

ACTING PRESIDENT CARLUCCI: Read

the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: the bill is passed.

THE SECRETARY: Calendar Number 1278, by Senator Marchione, Senate Print 7687, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Bonacic, Larkin and O'Mara recorded

in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1279, by Senator Marchione, Senate Print 7688, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Bonacic, Larkin and O'Mara recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1280, by Senator Marchione, Senate Print 7689, an act to authorize.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Bonacic, Larkin and O'Mara recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 1281, by Senator Farley, Senate Print 7711, an act relating to a certain agreement.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays,

2. Senators Krueger and Perkins recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

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

SENATOR LIBOUS: Mr. President, could we lay Calendar 803 aside for the day.

ACTING PRESIDENT CARLUCCI: Calendar Number 803 is laid aside for the day.

Senator Libous.

SENATOR LIBOUS: Mr. President, could we go back to motions and call on Senator Valesky and then come back to me, please.

ACTING PRESIDENT CARLUCCI: Senator Valesky.

SENATOR VALESKY: Mr. President, on behalf of Senator Klein, on page 11 I offer the following amendments to Calendar Number 232, Senate Bill 2257A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

Senator Libous.

SENATOR LIBOUS: Thank you,

Mr. President.

On behalf of Senator Maziarz, on page 51 I offer the following amendments to Calendar Number 1043, Senate Print 1089A, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR LIBOUS: On behalf of Senator Lanza, on page 21 I offer the following amendments to Calendar Number 515, Senate Print 6623A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

SENATOR LIBOUS: And, Mr. President, on behalf of Senator Lanza, I move to amend Senate Bill Number 5705A by striking out the amendments made on June 2nd and restoring it to its original print number, 5705.

ACTING PRESIDENT CARLUCCI: So ordered.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Could we please have the controversial reading of the calendar. And I think I'd like to take up Calendar Number 416, by Senator Lanza.

ACTING PRESIDENT CARLUCCI: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 416, by Senator Lanza, Senate Print 2142, an act to prohibit.

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: Thank you, Mr. President.

Each time -- I won't ask the sponsor to explain the bill again but certainly will give him that opportunity if he'd like to. One can look back at the transcripts of at least three prior years if they're interested in a description of this bill.

In short, this bill would prohibit the state and any locality from spending any money on terror trials, on trials of enemy combatants.

It's of great concern to me in my

district because the Southern District Courthouse is in my district in Lower Manhattan, and it's in a neighborhood that is surrounded by a growing residential community, by elementary schools -- overcrowded elementary schools -- by a vibrant Chinatown community. And the idea that we would not be able to reimburse or spend dollars in order to protect that community when there are trials of terrorists in the Southern District Courthouse is of grave concern to me and my constituents.

In fact, over the course of the last year since our last debate on this bill, bin Laden's son-in-law Abu Ghaith, Sulaiman Abu Ghaith, was tried and convicted in the Southern District, Abu Hamza al-Masri was tried and convicted in the Southern District. And each of these cases, based on briefings that I've received from the top levels of the New York City Police Department, based on public information and knowledge around Lower Manhattan, required a great deal of local security. If this bill were to pass, that security couldn't be provided. The NYPD would be handcuffed from protecting my constituents.

Now I understand -- and as we get into a brief conversation, I understand that there are larger issues and questions about enemy combatants and who they are and the appropriate place to try them. I do think that we've seen some convictions on that issue. But, you know, this really can't and shouldn't be about those larger ideological political issues.

This is about a community in Lower Manhattan that's a residential community, a growing community, a community that has recovered from the attacks of September 11th, which for them were not a global event but a local event, are recovering from the effects of the Superstorm Sandy -- not as severe in that community as in others, including in the sponsor's district, but certainly significant. And now we're saying you know what, we're not going to let the NYPD protect you when the federal government tries people in your community.

I think that's dangerous and deeply problematic. And I don't think the larger politics of our view of President Obama and President Bush and Guantanamo and whatever other

hot-button issue we can think of should impact the protection of a community, especially a community that has been the victim of global terror. A community for whom this is not simply an assault on our country, which it is for all of us, but an assault on our homes and our neighborhoods. A community that, because of the air quality concerns after September 11th, still lives with legitimate fear that they may yet suffer consequences of those attacks not yet seen.

So the idea of preventing ourselves from protecting a community because we don't like Attorney General Holder or President Obama -- both of whom I actually do like -- is something that I just can't support. And I urge my colleagues to oppose this bill or to urge the sponsor to hold this bill on the basis of protecting every community in the district.

With that, if the sponsor would be willing to yield for a question. And obviously please correct anything that I've said that's incorrect; I'd appreciate it.

SENATOR LANZA: Yes, Mr. President.

SENATOR SQUADRON: Thank you. Through you, Mr. President.

Is the sponsor aware of the terror trials that have occurred in the Southern District over the course of the last year and prior, and of the security provided locally by the NYPD to make sure the communities were safe during those trials?

SENATOR LANZA: Through you, Mr. President, of course I am.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR LANZA: Yes.

SENATOR SQUADRON: And is it the sponsor's intent that the NYPD would not be able to provide security for the community when those trials occur?

SENATOR LANZA: Mr. President, through you.

ACTING PRESIDENT CARLUCCI: Senator Lanza.

SENATOR LANZA: And again, I welcome the discussion that Senator Squadron and I have had over this issue over the last several years. And I do understand and appreciate that

while the attacks of 9/11 and the ongoing war that is being waged against America by terrorists abroad is something that has affected each of us in a very unique way, and I understand that his district is the site of where these trials occur, I disagree with the notion that we should ignore the larger politics of the issue, as my colleague has suggested here.

This is personal to each and every one of us. Staten Island lost more of its citizens, disproportionate, than any other place in this country. More of my neighbors, as a percentage of the population of Staten Island, were lost in those attacks. A number of people that I grew up with, who I called friend my entire life, were lost in those attacks.

So this is personal to each of us, but there are larger politics and policy issues that are as important and perhaps more important than the local implications. Because what we're talking about in terms of the larger politics is that of national security.

And so I disagree with the notion that were this bill to become law, that somehow

we would be unable to protect ourselves in terms of the trials that are occurring. And here's what I mean by that.

The reason why I do not want New York taxpayer dollars to pay for civil trials for enemy combatants of America is because I think providing civil trials, with the civil discovery that comes with it, to enemy combatants who are committed to destroying everything we stand for, is both a dumb and dangerous idea and is an insult to the brave men and women of the armed services who put their lives and continue to put their lives on the line to protect our way of life.

And so what I mean by that is this. Dumb and dangerous. It's dumb and dangerous because while you've pointed out that we've just secured convictions in two cases, we don't know the implications just yet in terms of what that will result in in terms of the safety and security of our country.

And what I point to in that regard is the fact that in 1993, in the first bombing of the World Trade Center, which was funded by Khalid Sheikh Mohammed and carried out by Yousef

and his band of terrorists, there was a civil trial. And there were convictions. And we were assured at that time that this was the right thing to do. And in fact I think our understanding of what was happening was different then. And the Clinton administration and Justice Department treated that as a crime because we were not aware of what was coming together at that time.

And so when we secured those convictions, as we've just secured two convictions at civil trial, I'm sure a lot of people thought all was well and our system is working to keep us safe. Well, it didn't turn out that way. Because eight years later, Khalid Sheikh Mohammed, armed with information that he secured through the civil discovery that was afforded those terrorists in 1993, was put to use in order to finally do what they had originally intended to do, and that was to bring down those two buildings and to kill those thousands of Americans and to change forever our lives here in America.

And so my concern is that yes, while you point to these two convictions somehow

to represent proof that this is a system that works and this is the way we ought to handle these attacks, I think history proves that wrong. And that is my concern.

And so I believe that by making this a law, those trials won't happen. Or if they do, if the Justice Department decides that irrespective of this law in New York they would continue to push for those trials to be civil trials and to be here in New York, then I think at the very least the federal government would be required to offset those costs.

And so that's the intent of this legislation, is to send a message that it's foolhardy to provide more rights to enemy combatants than we do to the brave men and women who serve in our armed services.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Lanza.

Senator Squadron.

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

SENATOR LANZA: Yes.

ACTING PRESIDENT CARLUCCI: The sponsor yields, Senator Squadron.

SENATOR SQUADRON: Thank you.

And there's a number of points that the sponsor made there, and I want to acknowledge and honor the absolutely tragic, unacceptable loss that was experienced across the state but on Staten Island in more concentrated way than anywhere. And I know the sponsor's passion on this issue is sincere and comes from a very personal connection for himself and his constituents.

I do want to follow up, though, on one point the sponsor made when he said that the federal government will, if they do come and do these trials, offset the cost to reimburse them. I want to know, is the sponsor familiar with Title 10, Section 333 of the Federal Code?

SENATOR LANZA: I'm sure you will enlighten me.

SENATOR SQUADRON: Thank you. If the sponsor will continue to yield, I will.

SENATOR LANZA: Yes.

SENATOR SQUADRON: It essentially gives the President the power to send in the National Guard to provide protection to a community in the event that a locality, a local

or state entity, refuses to do so. Is the sponsor familiar with that? And I assume it's sort of -- that's the concept the sponsor relies on when he talks about the offsetting.

ACTING PRESIDENT CARLUCCI: Senator Lanza.

SENATOR LANZA: Mr. President, no. You know, I'm confident that this or any administration, when confronted by the will of the people of the state, if this were to become law would look at that and would decide not to press forward against the will of that state and would decide, rather than staying on course with a policy which I think is a very dangerous policy, would opt not to proceed with those trials.

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: If the sponsor will continue to yield.

SENATOR LANZA: Yes.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Squadron.

SENATOR SQUADRON: And just to

follow up on federal law and how this would likely work, is the sponsor aware that in such instance that a locality or a state refuses to provide the protection that they're supposed to provide and the National Guard is sent in by the President, that federal law provides that the civilian law enforcement agency to which support is provided is required to reimburse the Department of Defense?

ACTING PRESIDENT CARLUCCI: Senator Lanza.

SENATOR LANZA: Mr. President, through you. You know, Senator Squadron may have information that I am not in possession of if he seems to be implying that this administration would continue to press forward with civil trials in the face of the law of the State of New York that would say that we would not provide New York State taxpayer funding for those trials.

I would hope and I would believe and trust that the President of the United States and the Attorney General of the United States would not press forward with such a policy in the face of this law being in place.

If Senator Squadron knows differently, then I'd ask that he share that information. But I truly believe that this law would act to prevent civil trials being afforded to enemy combatants of the United States.

And in one of our past -- for instance, one of our past debates on this issue, it was suggested this law has been made moot by an act of Congress which -- by the way, representing the will of the country -- had said the same thing, which is that there should not be civil trials.

And I said then in response that it seemed as though this administration was hellbent on circumventing the will of Congress as expressed in that act, and by statements of the Attorney General who said that they were going to press forward and find a way. And as it turned out, I was right. And we've seen, as evidenced by the fact that we've just had two trials, that the administration has become very creative in finding a way to bring those trials, by having these two terrorists out there on a ship instead of Gitmo and so circumventing the spirit and I think letter of the law that was

enacted by Congress.

And so perhaps that is what my colleague is basing his supposition that somehow these trials would proceed even in the face of the law. I would like to believe, Mr. President, that if this were the law of the City of New York, the administration would not press forward with these types of laws here.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Lanza.

Senator Squadron.

SENATOR SQUADRON: Thank you. If the sponsor would yield for a final question.

SENATOR LANZA: Of course.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR SQUADRON: And just to go back just a little, so I understand. Sulaiman Abu Ghaith was arraigned in federal district court in Manhattan, his trial began last year before we debated this bill. I believe the bill, despite my compelling arguments, did pass this house last year. It did not become chaptered into law.

Had it passed the Assembly and been

signed by the Governor, just to be very clear, it is the sponsor's intent and the fact of this proposal that the NYPD would have been prohibited from spending any resources to protect Lower Manhattan during the trial that occurred over the course of the last year?

SENATOR LANZA: Mr. President.

ACTING PRESIDENT CARLUCCI: Senator Lanza.

SENATOR LANZA: Mr. President, absolutely not.

Senator, as I've said repeatedly, the intent of this law, while specific in terms of prohibiting the use of New York taxpayer dollars to fund civil trials for terrorists, is also in general terms, in my opinion -- it is my intent that this bill, if it were to become law, would prevent those trials from occurring here in New York.

And I think there's something unfair about the fact that these attacks, while against America -- not against two buildings, not against New York, but against America -- I think there's something unfair that the taxpayers only of New York, of your district and

my district and in each of our districts, we should foot the entire bill for the support of these trials. I think there's something inherently unfair about that beyond or in addition to the dangers I think these civil trials have resulted in and will result in.

Again, my fear is that while all seems well today as a result of these convictions, we all thought that in 1993, and then later on I think it was in 1997 when two more of the terrorists who planned that initial 1993 bombing -- by the way, where six of our neighbors were killed, one from Staten Island, over a thousand injured. We thought all was well when we secured those convictions, and we learned only eight years later that we provided them with the very means and information during those trials to carry out the September 11th attack.

And so my concern is that we've done that again. And that we should never do that. We should never weaken national security because we somehow want to prove that we're stronger, as the argument I've heard, which I think is a bad argument. I've heard some of my

colleagues say, Well, we're strong enough to provide this type of recourse for folks, we're strong enough to have a civil trial, to offer that up. And you know, I just -- I think it's -- it doesn't make sense, it's illogical, for me, to say that we're strong enough to be stupid. It doesn't make sense that we should do that.

And if we believe that this is the best way to provide justice, if you will, or to handle this issue of enemy combatants, if we think this is the forum, this is the most perfect forum, why is it that none of my colleagues across the aisle or anywhere else is crying out for a civil trial for the members of the armed services, for an American Marine, for someone from the Army, from the Air Force, from the Navy?

If that is the perfect system and this is how we ought to be dealing with war and peace and attacks on America, why are we not affording that right to American soldiers? If it's good enough for an American soldier, if a military tribunal is good enough for an American soldier, it's certainly too good for a terrorist

who wants to destroy us.

And so, Senator Squadron, I know I've gone off, I've taken the liberty to talk about my broader reasons for this legislation. But again in response to your specific question, it is my hope and prayer that if this becomes law, we will not see those civil trials. And I don't think, and I'd like to rely on my belief, that this president or any president would not move forward if this were the law of New York State.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Lanza.

Senator Squadron.

SENATOR SQUADRON: On the bill, Mr. President.

ACTING PRESIDENT CARLUCCI: On the bill.

SENATOR SQUADRON: Thank you very much.

And again, I appreciate the conversation with the sponsor. I appreciate the sponsor's concern about certain kinds of trials. But I do have to say that what we're seeing here is we're seeing that theoretical fear overwhelm

the real need for security in the core of New York City, in the heart of my district in Lower Manhattan.

This proposal, which would say when these trials go forward -- and they have been going forward; two convictions were achieved just in the last couple of months, in the last month, actually -- when these trials go forward, NYPD, a local police force that has a great record on protecting the community in this way, and I hope that my colleagues on the other side of the aisle would agree with that -- when these trials go forward, NYPD will be handcuffed. They will be unable to provide protection in the community.

This is an issue in which the sponsor's deep conviction about the type of trials that terrorists should have is overwhelming the need to protect the community today and tomorrow. It's tantamount to putting a gun to your own head and threatening "Don't move or I'll shoot." It doesn't make sense for the state and the city.

There are two possible consequences of this bill if it passed. One is the bill

passes, trials move forward, and local law enforcement is unable to protect New Yorkers, is prevented from protecting Lower Manhattan from another attack or another incident related to what's happening in the federal courthouse within blocks of hundreds of thousands, certainly tens of thousands of New Yorkers trying to make their life here, just like your constituents across the state.

The other option is the NYPD is unable to provide protection and the President sends in the National Guard to Lower Manhattan. And we've seen the National Guard in Lower Manhattan. We saw them there after September 11th, we saw them there after Sandy. And I don't like it when that happens. That is a sign that we are in a pretty bad place.

So the President sends in the National Guard to Lower Manhattan, this thriving, growing, resilient community that has come back from so much. It is occupied by the National Guard, and then you know who pays? New York taxpayers. The NYPD will be required to reimburse the federal government.

Neither of these scenarios gets at

the core of the sponsor's concern.

Now, were we in a different legislative body in a different city, we may or may not have a hearty debate over questions of civil liberties, questions of theoretical risk versus openness as a society who we are when we try and punish people for heinous, disgusting and unacceptable acts. But we are not having that debate in this body in this city on this afternoon. We are having the debate as to whether the NYPD is allowed to protect my constituents when some of the world's worst terrorists are tried in their backyard. Which is happening, has happened, has resulted in convictions, will continue to happen.

The idea that the NYPD wouldn't protect my constituents is unacceptable to me. The idea that the National Guard would get sent in and then we would still pay is unacceptable to me. That's why I oppose this bill. I understand the sponsor's intent. I don't believe we're debating the sponsor's intent today, I believe we're debating the impact of this bill that would truly cut off our nose to spite our face.

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

ACTING PRESIDENT CARLUCCI: Thank you, Senator Squadron.

Are there any members wishing to be heard?

Seeing none, the debate is closed. The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Mr. President, to explain my vote.

First I want to thank Senator Squadron for the continuing discussion we've had over the last several years on this issue. I know his heart's in the right place, we simply don't see eye to eye.

I want to comment on something he said, that this bill, on my part, is driven by

some theoretical fear. It's not theoretical. We have the proof. As I've said a number of times, in 1993 the first wave, the first attack occurred at the World Trade Center. There were trials for five of the seven people who masterminded that attack. It was a civil trial, just as we see now. The person who funded that attack in 1993, Khalid Sheikh Mohammed, became the architect of the 2001 9/11 attack. He did so armed with the information he learned through a civil discovery in that civil trial.

And so I am adamantly opposed to the notion that we should provide and afford civil trials to enemy combatants of America, something we do not afford our own soldiers who are putting their lives on the line every single day.

If anything is theoretical, it is the concerns that have been raised by my colleague Senator Squadron as to what would happen if these trials would occur with this law being in place. Those are theoreticals. Because I simply don't believe that this President, or any, would push forward knowing that this was the law of the State of New York.

Senator Squadron said that if that were to occur, we would be in a very bad place, that that would be like putting a gun to our head. Well, only the President of the United States would be able to have the power to put that gun to our head and to put us in that very bad place. And I refuse -- differences aside with this administration, I refuse to believe, as it seems Senator Squadron and those who are voting against this bill believe, that this President, that this Attorney General would do that. I simply refuse to believe that.

I believe that what will happen if this became the law of the State of New York is that we would not have civil trials for enemy combatants in the State of New York being paid with taxpayer dollars that could be used for all the services and all the things that we tried do for the good of the people of the State of New York.

For those reasons and others, as have been expressed, I vote in the affirmative, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Lanza.

Are there any other members wishing to explain their vote?

Seeing none, the Secretary will announce the result.

THE SECRETARY: In relation to Calendar 416, those recorded in the negative are Senators Breslin, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Peralta, Perkins, Rivera, Sampson, Sanders, Serrano, Squadron, Stavisky, Stewart-Cousins and Tkaczyk.

Absent from voting: Senator Kennedy.

Ayes, 40. Nays, 17.

ACTING PRESIDENT CARLUCCI: The bill is passed.

The Secretary will read Calendar Number 691.

THE SECRETARY: Calendar Number 691, by Senator Grisanti, Senate Print 868A, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call

the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Grisanti to explain his vote.

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

You know, I find it ironic that I have a bill here from Buffalo to change the school board election from May until November to save them money, and I'm having negative votes from individuals that don't even live in my district. I just can't figure it out.

All this bill basically does, as I said, is it changes the votes for the Board of Education from May till November. It's done in other large cities. The Buffalo School System right now has many, many issues where kids aren't graduating, the graduation rates are in the low percentages. I'm not blaming it on any one particular party or any particular group, but something needs to be done. And we think by changing these elections from May till November -- which, by the way, in May the actual people that go out and vote is sometimes 4 percent. Four percent of the people that take

effect.

This not only saves the City of Buffalo money, but it also goes ahead and allows more voter participation, a lot more people to get involved in the school board race. So this way we have a solid school board to move forward to get key implementation and policies so our kids can graduate and take advantage of numerous programs like Say Yes To Education that offer free college to those that graduate high school.

So for all those that don't live in my district that voted no, that's okay. I vote aye, I live in my district.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Grisanti.

Are there any other members wishing to explain their vote?

Seeing none, the Secretary will announce the result.

THE SECRETARY: In relation to Calendar 691, those recorded in the negative are Senators Breslin, Dilan, Gianaris, Gipson, Hoylman, Krueger, Latimer, LaValle, Marcellino, Montgomery, O'Brien, Parker, Peralta, Perkins,

Rivera, Sampson, Sanders, Serrano, Squadron, Stavisky, Stewart-Cousins and Tkaczyk.

Absent from voting: Senator Kennedy.

Ayes, 35. Nays, 22.

ACTING PRESIDENT CARLUCCI: The bill is passed.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President, there's supposed to be a meeting at 2:30 of the Senate Majority Task Force on Lyme and Tick-Borne Diseases. That was supposed to be held in Senator Hannon's office. That meeting will be held immediately after the next controversial vote is taken, but it will be held in the small conference room right off the hall, 332C.

Anybody on the task force should be there. And if we need them, we'll call them back for votes if they are needed.

ACTING PRESIDENT CARLUCCI: After the next vote, there will be a meeting of the Lyme Task Force in Room 332C, immediately after the next vote.

Thank you, Senator Marcellino.

Calendar 1254, the Secretary will read.

THE SECRETARY: Calendar Number 1254, by Senator Golden, Senate Print 6142A, an act to amend the Social Services Law.

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT CARLUCCI: Senator Krueger has requested an explanation.

Senator Golden.

SENATOR GOLDEN: Thank you, Mr. President.

This bill would provide Medicaid and Medicaid managed care enrollees with access to the Foot Center of New York and provide reimbursement to the center for those services, helping to offset a $2.6 million deficit.

As we know, as Senator Krueger knows, more than half a million people, adult New Yorkers, are diagnosed with diabetes, and an additional 200,000 have diabetes and don't even know it. And especially in the low-income areas, residents have five times the mortality rate of diabetes compared with New York City residents overall.

It's very similar to the bill that

Senator Krueger did back in 2010 on the optometric services provided by that same institution.

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

ACTING PRESIDENT VALESKY: Senator Golden, do you yield?

SENATOR GOLDEN: I do.

ACTING PRESIDENT VALESKY: The Senator yields.

SENATOR KRUEGER: Thank you.

In the explanation the sponsor said it was for Medicaid managed care. Does this law only apply to Medicaid managed care clients or other managed care clients, including long-term managed care contracts?

SENATOR GOLDEN: Medicaid managed care, Mr. President.

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

ACTING PRESIDENT VALESKY: Senator Golden?

SENATOR GOLDEN: I do,

Mr. President.

ACTING PRESIDENT VALESKY: The sponsor yields.

SENATOR KRUEGER: Thank you.

Does the sponsor know if other Medicaid managed care plans include podiatric services as services included in the plans?

SENATOR GOLDEN: Mr. President, some do, some don't.

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

ACTING PRESIDENT VALESKY: Senator Golden, do you yield?

SENATOR GOLDEN: I apologize on the last statement. They are covered by other managed plans.

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

ACTING PRESIDENT VALESKY: Senator Golden?

SENATOR GOLDEN: Yes, Mr. President.

ACTING PRESIDENT VALESKY: The

sponsor yields.

SENATOR KRUEGER: So we're narrowing down. It's not all managed-care plans and it's not long-term managed care, it's specific to Medicaid managed care, and those plans do already include podiatric care services. Those are the answers to the previous questions.

So why do these plans choose not to include this specific site in their plans?

SENATOR GOLDEN: Mr. President, because this institution is not in those managed-care plans. And this puts this institution into those managed-care plans.

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

ACTING PRESIDENT VALESKY: Senator Golden?

SENATOR GOLDEN: I do, Mr. President.

ACTING PRESIDENT VALESKY: The sponsor yields.

SENATOR KRUEGER: What's different or unique about this specific podiatric center

that none of the managed-care plans use them when they use so many other podiatric doctors and centers throughout the City of New York?

SENATOR GOLDEN: It is already, Mr. President, providing those services, but it's not getting paid for those services. There's a $2.6 million deficit. And if they don't provide that service, that will drive more people to emergency rooms, to other plans in other areas, and they will not be diagnosed or will delay their diagnoses and treatment.

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

SENATOR GOLDEN: He does.

ACTING PRESIDENT VALESKY: The sponsor yields.

SENATOR KRUEGER: Thank you.

So I'm a little confused. Is there some section of law right now that prevents insurance companies from including I believe it's the New York Foot Care Center in their plans?

SENATOR GOLDEN: I believe that this institution is not authorized by managed

care plans to be reimbursed for this service. And that's the reason we are doing this. And that is the reason that you did it back in 2010 for optometric services.

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

ACTING PRESIDENT VALESKY: Senator Golden.

SENATOR GOLDEN: Yes, sir.

ACTING PRESIDENT VALESKY: The sponsor yields.

SENATOR KRUEGER: I'm trying to understand what's preventing the insurance plans -- my understanding is there are quite a few of them -- from already contracting with this particular group. Is there something in law that's currently preventing them from being providers in managed care plans? Or are managed care plans choosing not to contract with them for some reason?

SENATOR GOLDEN: Mr. President, this only deals with the Medicaid managed plans. We have no idea why the others do not work with this institution.

SENATOR KRUEGER: I'm sorry, if the sponsor could repeat his answer. I was distracted. Sorry.

SENATOR GOLDEN: This is about Medicaid managed care. And this service, for them to get paid, needs this legislation. We have no idea why the other managed-care plans are not included at this institution.

SENATOR KRUEGER: Through you, Mr. President. The dilemma I face is not wanting to discourage anyone from using a particular provider. I am actually a believer in the broad use of different providers. I continue to be confused what it is that is different about this location that none of the managed-care plans wish to contract with them. Because they contract with a very broad range of providers of podiatric services.

So I completely agree with my colleague, we want to assure that there is broad coverage of podiatric services, particularly in low-income communities for people receiving Medicaid, because problems of the feet are very correlated to some very serious diseases that are disproportionately in poor communities. We

have no disagreement there. I strongly believe that managed-care providers should include podiatric services as an approved service in the insurance plans.

What I am confused about is why this location is not accepted by any of the current insurance plans. What is different? Are they charging much more? Have they had a problem that prevents insurance companies from agreeing to make them providers? Why do we need the Legislature to insert itself and allow almost a carve-out for this particular company?

SENATOR GOLDEN: I'm glad, Mr. President, that Senator Krueger agrees that this service should be at this location and should be part of the managed-care plan.

Why it's not is unknown to us. But I'll tell you right now, they're not getting paid for that service as it is, so they can't charge more for a service that they're not getting any money for the service to start with.

So what we want to do is help -- and it's the only institution in that neighborhood. So what we want to do is give that institution the ability to get paid for its

services and to get the deficit that they have under control, which is about $2.6 million.

SENATOR KRUEGER: Through you, Mr. President, if the --

SENATOR GOLDEN: -- some do not provide that service.

And it is also the only institution that is associated with an academic school as well.

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

ACTING PRESIDENT VALESKY: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

I appreciate the sponsor's answers. My problem is I still don't understand why they have this problem. I understand a specific site seems to have a problem where none of the Medicaid managed-care contracts in the City of New York will include them in the contract. I accept that that, as the sponsor has said, is the reality.

I just don't understand, in a city where there are a large number of podiatric care service sites that receive insurance, what there

is unique about this location that it's either not eligible to receive insurance payments or has for some reason been the equivalent of blacklisted by all the insurance companies and hence not included as a provider in any of these managed-care networks.

And unfortunately, I don't think the sponsor is able to answer my questions about this. So it leaves me with the concern that there is actually a good reason why there's not one managed-care insurance company doing business in the City of New York that will use them as a provider.

Now, he mentioned they have a deficit. I'm assuming they are included in some insurance providers' networks, perhaps not Medicaid, but in some. Because to be honest, if there's absolutely no insurance company that will include them as provider in a network, it leads me to have even more worries. But I don't know the answer to that either.

So I feel like if my questions could be answered -- and it appears that they can't today -- I might not have an issue. But because it is not my experience that you find

too many providers of healthcare services in New York City where no one will include them in their insurance networks, that there's something else there that I don't have the answer to.

And because I have concerns that the sponsor has not been able to address, I cannot vote for this bill. I'll vote no.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Krueger will be recorded in the negative.

Are there any other Senators who wish to be heard?

Seeing none, the Secretary will ring the bell. Senators are asked to proceed to the chamber for the roll call.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1254, those recorded in the negative

are Senators Gianaris, Hoylman, Krueger, Marchione, Montgomery, Parker, Peralta, Perkins, Rivera, Sanders, Serrano and Squadron.

Absent from voting: Senator Kennedy.

Ayes, 45. Nays, 12.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Marcellino, that completes the reading of the controversial calendar.

SENATOR MARCELLINO: Mr. President, if we could just have your indulgence and the indulgence of the members, if we could just pause for a moment while we get our act together up here.

ACTING PRESIDENT VALESKY: The Senate will temporarily stand at ease.

(Whereupon, the Senate stood at ease at 2:52 p.m.)

(Whereupon, the Senate reconvened at 2:53 p.m.)

SENATOR MARCELLINO: Mr. President.

ACTING PRESIDENT VALESKY: Senator Marcellino.

SENATOR MARCELLINO: Can we have some order in the house, please.

ACTING PRESIDENT VALESKY: (Gaveling.) Senator Marcellino.

SENATOR MARCELLINO: That Lyme Disease Task Force can hold their meeting in Room 332C; Senator Hannon will guide the way.

And if we could have the noncontroversial reading of Senate Supplemental Calendar Number 48A at this time.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the noncontroversial reading of Senate Supplemental Calendar 48A.

THE SECRETARY: Calendar Number 1282, by Senator Gallivan, Senate Print 109, an act to amend the Civil Service Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Higher Education, Assembly Bill Number 6618 and substitute it for the identical Senate Bill Number 1146, Third Reading Calendar 1283.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1283, by Member of the Assembly Fahy, Assembly Print Number 6618, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1284, by Senator Marcellino, Senate Print 1481,

an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1285, by Senator Martins, Senate Print 2088A, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

1286, by Senator Lanza, Senate Print 2459, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1287, by Senator LaValle, Senate Print 2486A, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY:

Announce the results.

THE SECRETARY: In relation to Calendar 1287, those recorded in the negative are Senators Gianaris, Gipson, Hoylman, Krueger, Montgomery, Perkins, Rivera, Sanders and Squadron. Also Senator Parker.

Ayes, 48. Nays, 10.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1288, by Senator Young, Senate Print 2612, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1288, those recorded in the negative are Senators Gianaris, Hoylman, Krueger, Montgomery, Parker, Perkins, Rivera, Sanders and

Squadron.

Ayes, 49. Nays, 9.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1289, by Senator Hassell-Thompson, Senate Print 3382A, an act to amend the Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1290, by Senator Robach, Senate Print 3582, an act to amend the Correction Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1291, by Senator Ritchie, Senate Print 3697, an act to amend the Correction Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1291, those recorded in the negative are Senators Avella, Hoylman, Montgomery, Parker, Peralta, Perkins, Rivera, Sanders, Squadron and Stavisky.

Ayes, 48. Nays, 10.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1292, by Senator Lanza, Senate Print 4165, an act to amend the Correction Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

There is no home-rule message at the desk on Calendar 1293. We'll move to 1294.

THE SECRETARY: Calendar Number 1294, by Senator Ritchie, Senate Print 5423, an act to amend the Correction Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1295, by Senator Griffo, Senate Print 5542, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1296, by Senator Maziarz, Senate Print 5935A --

SENATOR MARCELLINO: Mr. President, can we lay that bill aside for the day, please.

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

THE SECRETARY: Calendar Number 1297, by Senator Marchione, Senate Print 6765,

an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1298, by Senator Grisanti, Senate Print 6877B --

SENATOR MARCELLINO: Can we lay that bill aside for the day also, please.

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

THE SECRETARY: Calendar Number 1299, by Senator Griffo, Senate Print 6951, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1300, by Senator Golden, Senate Print 7120, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1302, by Senator Sanders, Senate Print 7410, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the first of November.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1303, by Senator Sanders, Senate Print 7418, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1304, by Senator Hoylman, Senate Print 7541, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of November.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Espaillat moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5388 and substitute it for the identical Senate Bill Number 7581, Third Reading Calendar 1305.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1305, by Member of the Assembly Englebright, Assembly Print Number 5388, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1306, by Senator Larkin, Senate Print 7616, an act to authorize.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1307, by Senator Breslin, Senate Print 7623, an act to amend the Real Property Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1308, by Senator Golden, Senate Print 7628A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Calendar 1308 is high and therefore will be laid aside for the day.

The Secretary will proceed with Calendar Number 1309.

THE SECRETARY: Calendar Number 1309, by Senator O'Brien, Senate Print 7683, an act to authorize.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT VALESKY: The

bill is passed.

Senator Marcellino, that completes the noncontroversial reading of Senate Supplemental Calendar 48A.

SENATOR MARCELLINO: Seeing that we've worked so expeditiously, it's perhaps a good idea if we take a little bit of a recess at this point in time.

ACTING PRESIDENT VALESKY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:04 p.m.)

(Whereupon, the Senate reconvened at 5:40 p.m.)

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT AVELLA: The Senate will come to order.

Senator Skelos.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Rules Committee in Room 332 of the Capitol.

ACTING PRESIDENT AVELLA: There will be an immediate meeting of the Rules Committee in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 5:40 p.m.)

(Whereupon, the Senate reconvened at 6:02 p.m.)

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a report of the Rules Committee at the desk. Could we have it read at this time.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

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

Senate Print 1044, by Senator Grisanti, an act to amend the Education Law;

Senate 1174, by Senator Robach, an act to amend the Domestic Relations Law;

Senate 1213A, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 1882, by Senator Bonacic, an act to amend the Education Law;

Senate 2011, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 2458, by Senator Lanza, an act to amend the Penal Law;

Senate 2460A, by Senator Lanza, an act to amend the Education Law;

Senate 2464, by Senator Lanza, an act to amend the Education Law;

Senate 2739B, by Senator Ranzenhofer, an act to amend the Tax Law;

Senate 2926B, by Senator Zeldin, an act to amend the Criminal Procedure Law;

Senate 3014, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate 3079A, by Senator Young, an act to amend the Civil Rights Law;

Senate 3142, by Senator Golden, an act to amend the Civil Rights Law;

Senate 3621B, by Senator Lanza, an act to amend the Tax Law;

Senate 3805A, by Senator Zeldin, an act to amend the Penal Law;

Senate 4008A, by Senator Flanagan, an act to amend the Education Law;

Senate 4158, by Senator Lanza, an act to amend the Penal Law;

Senate 4492A, by Senator Flanagan, an act to amend the Education Law;

Senate 5045A, by Senator Grisanti, an act to amend the Education Law;

Senate 5357, by Senator Flanagan, an act to amend the Education Law;

Senate 5365, by Senator Flanagan, an act to amend the Education Law;

Senate 5383, by Senator Flanagan, an act to amend the Penal Law;

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

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

Senate 5644A, by Senator Robach, an act to amend the Retirement and Social Security Law;

Senate 5693B, by Senator Zeldin, an act to amend the Real Property Law;

Senate 5711, by Senator Griffo, an act to amend the Social Services Law;

Senate 5827A, by Senator Flanagan, an act to amend the Education Law;

Senate 6124A, by Senator Gallivan, an act in relation to legalizing;

Senate 6155, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 6174, by Senator Tkaczyk, an act to amend Chapter 463 of the Laws of 2000;

Senate 6449A, by Senator Hannon, an act to amend the Education Law;

Senate 6494A, by Senator Ranzenhofer, an act to amend the Correction Law;

Senate 6594A, by Senator Tkaczyk, an act to amend the Highway Law;

Senate 6606, by Senator DeFrancisco, an act to amend the General Obligations Law;

Senate 6733, by Senator Martins, an act to amend the Education Law;

Senate 6803, by Senator Lanza, an act to amend the Criminal Procedure Law;

Senate 6826B, by Senator Golden, an act to amend the Penal Law;

Senate 6895A, by Senator Golden, an act to amend the Penal Law;

Senate 6942, by Senator LaValle, an act to amend the Domestic Relations Law;

Senate 6953, by Senator Carlucci, an act to amend the Vehicle and Traffic Law;

Senate 7036, by Senator Ritchie, an act in relation to certain aid;

Senate 7096, by Senator Grisanti, an act to amend the Education Law --

SENATOR LIBOUS: Mr. President, I'm having a difficult time hearing.

(Feedback from audio system.)

SENATOR LIBOUS: Now I can't hear a thing.

(Laughter.)

ACTING PRESIDENT CARLUCCI: (Gaveling.) The Senate will come to order.

The Secretary will continue.

THE SECRETARY: Senate 7199A, by Senator Hannon, an act to amend the Education Law;

Senate 7345, by Senator Lanza, an act to amend Education Law;

Senate 7367, by Senator Lanza, an act to amend the Local Finance Law;

Senate 7535, by Senator Bonacic, an act to amend the Family Court Act;

Senate 7690A, by Senator Carlucci,

an act in relation to granting;

Senate 7692, by Senator Savino, an act to amend the Public Officers Law;

7393, by Senator Savino, an act to amend the Workers' Compensation Law;

Senate 7733A, by Senator Gipson, an act authorizing;

Senate 7791, by Senator LaValle, an act to amend the Education Law;

Senate 7792, by Senator LaValle, an act to amend the Education Law;

Senate 7793, by Senator LaValle, an act to amend the Education Law;

Senate 7794, by Senator LaValle, an act to amend the Education Law;

And Senate 7795, by Senator LaValle, an act to amend the Education Law.

All bills reported direct to third reading.

ACTING PRESIDENT CARLUCCI: Senator Libous.

SENATOR LIBOUS: Mr. President, I'd like to move to accept the report of the Rules Committee.

ACTING PRESIDENT CARLUCCI: All in

favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The report is accepted.

SENATOR LIBOUS: Thank you.

Could we go to motions, Mr. President?

ACTING PRESIDENT CARLUCCI: Motions and resolutions.

SENATOR LIBOUS: On behalf of Senator Young, on page 43 I offer the following amendments to Calendar Number 952, Senate Print 5509B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered.

(Protesters chanting loudly outside chamber.)

SENATOR LIBOUS: Mr. President, the competition is rough here, and I'm losing.

On behalf of Senator Golden, I wish

to call up his bill, Senate Print 4979B, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number 786, by Senator Golden, Senate Print 4979B, an act to amend the Retirement and Social Security Law.

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

ACTING PRESIDENT CARLUCCI: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

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

ACTING PRESIDENT CARLUCCI: The amendments are accepted.

SENATOR LIBOUS: Thank you, Mr. President.

Is there any further business at the desk?

ACTING PRESIDENT CARLUCCI: There

is no further business at the desk.

SENATOR LIBOUS: There being no further business before the house today, I will move that the Senate shall adjourn until tomorrow, June 12th, at 11:00 a.m.

ACTING PRESIDENT CARLUCCI: The Senate will adjourn until June 12th at 11:00 a.m.

(Whereupon, at 6:08 p.m., the Senate adjourned.)