

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 16, 2014

11 2:30 p.m.

12
13
14 REGULAR SESSION

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17
18 SENATOR PHIL M. BOYLE, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT BOYLE: Joining
10 us today to give our invocation is the Reverend
11 Dr. Jean C. Romulus of the Horeb Alliance Church
12 and National Action Network of West Hempstead.

13 REVEREND ROMULUS: Good afternoon,
14 everyone. Let's bow our heads and pray.

15 Heavenly Father, we come before You
16 this afternoon to give You glory and praise. We
17 honor You, God. We praise Your name. We bless
18 Your name. We adore You. We glorify You, God.

19 We thank You for this day that You
20 give us, God, and that You give us the
21 opportunity to be here and to pray in Your
22 behalf.

23 God be with us. Whatever they're
24 going to do today here, let You take the control
25 on everything, God. Because You are God. You

1 create man, and You give him knowledge to do
2 whatever they have to do.

3 When we go to visit the building, we
4 see the beautiful things that You have led them
5 to do. And You say that You go to prepare a
6 place for us, God, and that place, nobody see it
7 yet. No eyes could see that place. We thank
8 You. We ask You, God, that we keep You in mind.
9 And when that day comes, to go to live with You
10 and to be able, when the trumpets sound, we could
11 hear that trumpet and we will be able to live
12 with You, not for 70 or 80 or 90 years, but we
13 will be with You forever and ever.

14 We thank You for this day. We
15 worship You, we adore You, God, and we ask Your
16 wisdom. Without Your wisdom, we cannot do
17 nothing. Help them in what they have to discuss
18 today, not anyone that discuss something for
19 their own glory, but for Your name to be
20 glorified.

21 We thank You. We bless Your name.
22 Be with us, and we leave our life to You. And we
23 ask You, God, let us connect with You. Because
24 if we unplug ourself to You, we will walk in
25 darkness. You are the light, and let us be a

1 light in wherever that we go. And the light that
2 we have in us, when the ones that walk in
3 darkness, through us they can see the light, and
4 they will live with You forever.

5 We thank You. We bless Your name.
6 We praise You, not because we are good, but it is
7 in the name of the Father, the Son and the
8 Holy Ghost that we pray.

9 Amen. May God bless you all.

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

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

17 ACTING PRESIDENT BOYLE: Without
18 objection, the Journal stands approved as read.

19 Presentation of petitions.

20 Messages from the Assembly.

21 The Secretary will read.

22 THE SECRETARY: On page 15, Senator
23 LaValle moves to discharge, from the Committee on
24 Higher Education, Assembly Bill Number 9103 and
25 substitute it for the identical Senate Bill

1 Number 6834, Third Reading Calendar 439.

2 On page 35, Senator Tkaczyk moves to
3 discharge, from the Committee on Civil Service
4 and Pensions, Assembly Bill Number 7478B and
5 substitute it for the identical Senate Bill
6 Number 5676B, Third Reading Calendar 988.

7 On page 39, Senator Hannon moves to
8 discharge, from the Committee on Finance,
9 Assembly Bill Number 5294A and substitute it for
10 the identical Senate Bill Number 2530A, Third
11 Reading Calendar 1065.

12 On page 40, Senator Martins moves to
13 discharge, from the Committee on Veterans,
14 Homeland Security and Military Affairs, Assembly
15 Bill Number 7430A and substitute it for the
16 identical Senate Bill Number 4760A, Third Reading
17 Calendar 1072.

18 On page 41, Senator Carlucci moves
19 to discharge, from the Committee on Finance,
20 Assembly Bill Number 8835A and substitute it for
21 the identical Senate Bill Number 6659A,
22 Third Reading Calendar 1082.

23 On page 41, Senator Larkin moves to
24 discharge, from the Committee on Finance,
25 Assembly Bill Number 8761C and substitute it for

1 the identical Senate Bill Number 7625B, Third
2 Reading Calendar 1091.

3 ACTING PRESIDENT BOYLE:

4 Substitutions ordered.

5 Messages from the Governor.

6 Reports of standing committees.

7 Reports of select committees.

8 Communications and reports from
9 state officers.

10 Motions and resolutions.

11 Senator Libous.

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

14 Would you call on Senator Valesky,
15 Senator Gianaris, and then come back to me,
16 please.

17 ACTING PRESIDENT BOYLE: Senator
18 Valesky.

19 SENATOR VALESKY: Mr. President, I
20 move to recommit my bill, Senate Bill 2161,
21 Calendar Number 880 on the order of third
22 reading, to the Committee on Local Government,
23 with instructions to said committee to strike out
24 the enacting clause.

25 ACTING PRESIDENT BOYLE: So

1 ordered.

2 SENATOR VALESKY: On behalf of
3 Senator Savino, on page 42 I offer the following
4 amendments to Calendar Number 1110, Senate Print
5 3667C, and ask that said bill retain its place on
6 the Third Reading Calendar.

7 ACTING PRESIDENT BOYLE: So
8 ordered.

9 SENATOR VALESKY: Also on behalf of
10 Senator Savino, on page 9 I offer the following
11 amendments to Calendar Number 220, Senate Bill
12 4453, and ask that that bill will retain its
13 place on the Third Reading Calendar.

14 ACTING PRESIDENT BOYLE: So
15 ordered.

16 SENATOR VALESKY: Thank you.

17 ACTING PRESIDENT BOYLE: Senator
18 Gianaris.

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

21 On behalf of Senator Sanders, on
22 page 46 I offer the following amendments to
23 Calendar Number 1303, Senate Print 7418, and ask
24 that said bill retain its place on Third Reading
25 Calendar.

1 ACTING PRESIDENT BOYLE: So
2 ordered.

3 SENATOR GIANARIS: On behalf of
4 Senator Krueger, on page 41 I offer the following
5 amendments to Calendar Number 1089, Senate Print
6 7234A, and ask that said bill retain its place on
7 Third Reading Calendar.

8 ACTING PRESIDENT BOYLE: So
9 ordered.

10 SENATOR GIANARIS: And on behalf of
11 Senator Díaz, I wish to call up his bill, Senate
12 Print Number 6364, recalled from the Assembly,
13 which is now at the desk.

14 ACTING PRESIDENT BOYLE: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 420, by Senator Díaz, Senate Print 6364, an act
18 to amend the Executive Law.

19 SENATOR GIANARIS: I move to
20 reconsider the vote by which the bill was passed.

21 ACTING PRESIDENT BOYLE: Call the
22 roll on reconsideration.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 52.

25 SENATOR GIANARIS: I now offer the

1 following amendments.

2 ACTING PRESIDENT BOYLE: The
3 amendments are accepted.

4 Senator Libous.

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

7 On behalf of Senator Grisanti, I
8 move to recommit Senate Print 6877, Calendar
9 Number 1298 on the order of third reading, to the
10 Committee on Rules, with instructions to said
11 committee to strike out the enacting clause.

12 ACTING PRESIDENT BOYLE: So
13 ordered.

14 SENATOR LIBOUS: On behalf of
15 Senator Marcellino, Mr. President, on page 26 I
16 offer the following amendments to Calendar Number
17 727, Senate Print 4438, and ask that said bill
18 retain its place on the Third Reading Calendar.

19 ACTING PRESIDENT BOYLE: So
20 ordered.

21 SENATOR LIBOUS: On behalf of
22 Senator Lanza, I wish to call up his bill,
23 Senate Print Number 3600, recalled from the
24 Assembly, which is now at the desk.

25 ACTING PRESIDENT BOYLE: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 579, by Senator Lanza, Senate Print 3600, an act
4 to amend the Criminal Procedure Law.

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

8 ACTING PRESIDENT BOYLE: Call the
9 roll on reconsideration.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 52.

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

14 ACTING PRESIDENT BOYLE: The
15 amendments are accepted.

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

18 I'd like to offer amendments to the
19 following Third Reading Calendar bills:

20 Senator Seward, page 13, Calendar
21 Number 385, Senate Print 5376A;

22 Senator Boyle, page 14, Calendar
23 Number 398, Senate Print 4988A;

24 Senator LaValle, page 22, Calendar
25 Number 624, Senate Print 6630A;

1 Senator DeFrancisco, page 23,
2 Calendar Number 665, Senate Print 3852A;

3 Senator Bonacic, page 23, Calendar
4 Number 670, Senate Print 7266;

5 Senator O'Mara, page 29, Calendar
6 Number 814, Senate Print 7273A;

7 Senator DeFrancisco, page 36,
8 Calendar Number 995, Senate Print 7331;

9 Senator Little, page 37, Calendar
10 Number 1021, Senate Print 7643;

11 Senator Flanagan, page 38, Calendar
12 Number 1034, Senate Print 7227A;

13 Senator LaValle, page 47, Calendar
14 Number 1348, Senate Print 6942;

15 Senator Grisanti, page 31, Calendar
16 Number 912, Senate Print 7344C;

17 Senator Maziarz, page 34, Calendar
18 Number 977, Senate Print 7312A.

19 Mr. President, I move that all these
20 bills retain their place on the order of third
21 reading.

22 ACTING PRESIDENT BOYLE: So
23 ordered.

24 SENATOR LIBOUS: Mr. President, at
25 this time could we have the noncontroversial

1 reading of the calendar.

2 ACTING PRESIDENT BOYLE: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number 45,
5 by Senator Martins, Senate Print 6210, an act to
6 authorize.

7 ACTING PRESIDENT BOYLE: Read the
8 last section.

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

11 ACTING PRESIDENT BOYLE: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BOYLE: Announce
15 the result.

16 THE SECRETARY: Ayes, 51. Nays, 1.
17 Senator Bonacic recorded in the negative.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 100, by Senator Griffo, Senate Print 3468, an act
22 to amend the Public Health Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 52.

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 213, by Senator Robach, Senate Print 2510A, an
10 act to amend the Penal Law.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

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

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BOYLE: Announce
19 the result.

20 THE SECRETARY: Ayes, 51. Nays,
21 1. Senator Montgomery recorded in the negative.

22 ACTING PRESIDENT BOYLE: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 332, by Senator Lanza, Senate Print 3599, an act

1 to amend the Public Authorities Law.

2 ACTING PRESIDENT BOYLE: Read the
3 last section.

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

6 ACTING PRESIDENT BOYLE: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 51. Nays, 1.
10 Senator DeFrancisco recorded in the negative.

11 ACTING PRESIDENT BOYLE: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 361, by Senator Lanza, Senate Print 3965A, an act
15 to amend the Penal Law.

16 ACTING PRESIDENT BOYLE: Read the
17 last section.

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

20 ACTING PRESIDENT BOYLE: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 49. Nays, 3.
24 Senators DeFrancisco, Montgomery and Perkins
25 recorded in the negative.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 367, by Senator Young, Senate Print 2204A, an act
5 to amend the Correction Law.

6 ACTING PRESIDENT BOYLE: Read the
7 last section.

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

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 51. Nays, 1.
14 Senator Sanders recorded in the negative.

15 ACTING PRESIDENT BOYLE: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 439, substituted earlier by Member of the
19 Assembly Glick, Assembly Print 9103, an act to
20 amend Chapter 135 of the Laws of 2002.

21 ACTING PRESIDENT BOYLE: Read the
22 last section.

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

25 ACTING PRESIDENT BOYLE: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 52.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 450, by Senator Martins, Senate Print 6831, an
8 act to authorize.

9 ACTING PRESIDENT BOYLE: Read the
10 last section.

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

13 ACTING PRESIDENT BOYLE: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 51. Nays, 2.
17 Senators Bonacic and O'Mara recorded in the
18 negative.

19 ACTING PRESIDENT BOYLE: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 646, by Senator Ritchie, Senate Print 1946A, an
23 act to amend the Vehicle and Traffic Law.

24 SENATOR GIANARIS: Lay it aside.

25 ACTING PRESIDENT BOYLE: The bill

1 is laid aside.

2 THE SECRETARY: Calendar Number
3 750, by Senator Carlucci, Senate Print 1982C, an
4 act to amend the Penal Law.

5 ACTING PRESIDENT BOYLE: Read the
6 last section.

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

9 ACTING PRESIDENT BOYLE: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 53.

13 ACTING PRESIDENT BOYLE: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 773, by Senator Maziarz, Senate Print 6963, an
17 act to amend the Public Authorities Law.

18 ACTING PRESIDENT BOYLE: Read the
19 last section.

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

22 ACTING PRESIDENT BOYLE: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 45. Nays, 8.

1 Senators Gianaris, Hoylman, Krueger, Montgomery,
2 Parker, Perkins, Sanders and Squadron recorded in
3 the negative.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 786, by Senator Golden, Senate Print 4979C, an
8 act to amend the Retirement and Social Security
9 Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 53.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 801, by Senator Golden, Senate Print 7176A, an
22 act to amend the Retirement and Social Security
23 Law.

24 ACTING PRESIDENT BOYLE: Read the
25 last section.

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

3 ACTING PRESIDENT BOYLE: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 53.

7 ACTING PRESIDENT BOYLE: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 803, by Senator Ball, Senate Print 2798, an act
11 to amend the Agriculture and Markets Law.

12 ACTING PRESIDENT BOYLE: Read the
13 last section.

14 THE SECRETARY: Section 2 --

15 SENATOR LIBOUS: Lay it aside for
16 the day, please.

17 ACTING PRESIDENT BOYLE: The bill
18 is laid aside for the day.

19 THE SECRETARY: Calendar Number
20 886, by Senator Grisanti, Senate Print 6212, an
21 act to amend the Village Law.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

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

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 941, by Senator Savino, Senate Print 3683, an act
10 to amend the Tax Law.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

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

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 50. Nays, 3.
19 Senators Díaz, Krueger and Montgomery recorded in
20 the negative.

21 ACTING PRESIDENT BOYLE: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 948, by Senator Hannon, Senate Print 5258, an act
25 to amend the Public Health Law.

1 ACTING PRESIDENT BOYLE: Read the
2 last section.

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

5 ACTING PRESIDENT BOYLE: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 53.

9 ACTING PRESIDENT BOYLE: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 966, by Senator Martins, Senate Print 7351, an
13 act to amend the Economic Development Law.

14 ACTING PRESIDENT BOYLE: Read the
15 last section.

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

18 ACTING PRESIDENT BOYLE: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 53.

22 ACTING PRESIDENT BOYLE: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 971, by Senator Ritchie, Senate Print 4200, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT BOYLE: Read the
3 last section.

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

6 ACTING PRESIDENT BOYLE: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 53.

10 ACTING PRESIDENT BOYLE: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 976, by Senator Gallivan, Senate Print 7219, an
14 act to amend the Public Officers Law.

15 ACTING PRESIDENT BOYLE: Read the
16 last section.

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

19 ACTING PRESIDENT BOYLE: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 53.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 988, substituted earlier by Member of the
2 Assembly Santabarbara, Assembly Print 7478B, an
3 act to allow.

4 ACTING PRESIDENT BOYLE: There is a
5 home-rule message at the desk.

6 Read the last section.

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

9 ACTING PRESIDENT BOYLE: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 53.

13 ACTING PRESIDENT BOYLE: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1022, by Senator Gallivan, Senate Print 98, an
17 act to amend the Social Services Law.

18 ACTING PRESIDENT BOYLE: Note that
19 1021 was high; it was amended today.

20 Read the last section for Calendar
21 Number 1022.

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

24 ACTING PRESIDENT BOYLE: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 52. Nays, 1.

3 Senator Perkins recorded in the negative.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1065, substituted earlier by Member of the
8 Assembly Gunther, Assembly Print 5294A, an act to
9 amend the Public Health Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 53.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1068, by Senator Addabbo, Senate Print 3392A, an
22 act to amend the Environmental Conservation Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 53.

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1072, substituted earlier by Member of the
10 Assembly Weisenberg, Assembly Print 7430A, an act
11 to amend the Tax Law.

12 ACTING PRESIDENT BOYLE: Read the
13 last section.

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

16 ACTING PRESIDENT BOYLE: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BOYLE: Senator
20 Martins to explain his vote.

21 SENATOR MARTINS: Thank you,
22 Mr. President. I rise to thank my colleagues for
23 supporting this bill.

24 This bill creates the Homeless
25 Veterans Assistance Fund, to be administered by

1 the New York State Department of Veterans
2 Affairs. It allows for a check-off on tax
3 returns where people can make donations that go
4 specifically toward helping our returning heroes
5 who are homeless.

6 You know, it's one of the shames of
7 society that we have veterans who go off to fight
8 who put their lives on the line, and when they
9 come home, one in eight homeless people in this
10 country are veterans. They deserve better.

11 This bill will allow our state to
12 commit resources and funds specifically to help
13 homeless veterans. I want to thank my
14 colleagues, and I want to thank Senator Skelos
15 for allowing for this bill to move forward.
16 Certainly it is appropriate and just that we
17 support our veterans.

18 Mr. President, I vote aye.

19 ACTING PRESIDENT BOYLE: Senator
20 Martins in the affirmative.

21 Announce the results.

22 THE SECRETARY: Ayes, 53.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1073, by Senator Grisanti, Senate Print 4920A, an
2 act to amend the Tax Law.

3 ACTING PRESIDENT BOYLE: Read the
4 last section.

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

7 ACTING PRESIDENT BOYLE: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 53.

11 ACTING PRESIDENT BOYLE: The bill
12 is passed.

13 THE SECRETARY: In relation to
14 Calendar 1073: Ayes, 52. Nays, 1. Senator
15 Hoylman recorded in the negative.

16 ACTING PRESIDENT BOYLE: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1082, substituted earlier by Member of the
20 Assembly Gunther, Assembly Print 8835A, an act to
21 amend the Mental Hygiene Law.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 53.

5 ACTING PRESIDENT BOYLE: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1091, substituted earlier by Member of the
9 Assembly Skoufis, Assembly Print 8761C, an act to
10 amend the State Finance Law.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

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

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: In relation to
19 Calendar 1091, those recorded in the negative are
20 Senators Dilan, Gianaris, Hoylman, Krueger,
21 Montgomery, Parker, Perkins, Rivera, Sanders and
22 Squadron.

23 Ayes, 43. Nays, 10.

24 ACTING PRESIDENT BOYLE: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1117, by Senator Klein, Senate Print 6600, an act
3 to amend the Executive Law.

4 ACTING PRESIDENT BOYLE: Read the
5 last section.

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

8 ACTING PRESIDENT BOYLE: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 49. Nays, 4.
12 Senators Ball, Dilan, Perkins and Zeldin recorded
13 in the negative.

14 ACTING PRESIDENT BOYLE: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1130, by Senator Farley, Senate Print 7238A, an
18 act in relation to authorizing.

19 ACTING PRESIDENT BOYLE: There is a
20 home-rule message at the desk.

21 Read the last section.

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

24 ACTING PRESIDENT BOYLE: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 53.

3 ACTING PRESIDENT BOYLE: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1181, by Senator Stavisky, Senate Print 640A, an
7 act to amend the Vehicle and Traffic Law.

8 ACTING PRESIDENT BOYLE: Read the
9 last section.

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

12 ACTING PRESIDENT BOYLE: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 53.

16 ACTING PRESIDENT BOYLE: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1201, by Senator Young, Senate Print 2225D, an
20 act to amend the Mental Hygiene Law.

21 ACTING PRESIDENT BOYLE: Read the
22 last section.

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

25 ACTING PRESIDENT BOYLE: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BOYLE: Senator
4 Young explain her vote.

5 SENATOR YOUNG: Thank you,
6 Mr. President, to explain my vote.

7 Today we are passing a bill that is
8 long overdue, and that's to finally make Kendra's
9 Law permanent and to make sure that people who
10 are violent or dangerous or mentally ill get the
11 treatment that they need, so that we can avoid
12 the types of tragedies such as the one that just
13 afflicted New York City.

14 On June 1st, two little children,
15 P.J. Avitto, age 6, and Mikayla Capers, age 7,
16 got on an elevator, they were on their way to get
17 ice cream, and they were attacked by the Brooklyn
18 Butcher. His name is Daniel St. Hubert. He had
19 just been released two weeks prior from a state
20 correctional facility. He was shown to be
21 violent, he was shown to be dangerous, he was a
22 known schizophrenic, and yet the state dumped him
23 out on the streets without appropriate evaluation
24 or follow-up.

25 Poor little P.J. is dead right now,

1 Mikayla is recovering from 16 stab wounds. And
2 we need to take action as a legislature to make
3 sure that people who are a danger to themselves
4 or others get the appropriate treatment. And if
5 we can get this through the Assembly, then we can
6 avoid so many similar tragedies down the road.

7 So I urge the Assembly to pass this
8 legislation, and I want to thank my colleagues
9 for supporting it today. By supporting this
10 bill, you are saving lives.

11 ACTING PRESIDENT BOYLE: Senator
12 Young to be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 51. Nays, 3.
15 Senators Krueger, Rivera and Tkaczyk recorded in
16 the negative.

17 ACTING PRESIDENT BOYLE: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1308, by Senator Golden, Senate Print 7628A, an
21 act to amend the Retirement and Social Security
22 Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 53. Nays, 1.
6 Senator Perkins recorded in the negative.

7 ACTING PRESIDENT BOYLE: The bill
8 is passed.

9 Calendar Number 1348 is high; it was
10 amended today.

11 Senator Libous, that completes the
12 noncontroversial reading of the active list.

13 SENATOR LIBOUS: Mr. President,
14 before we go to the controversial reading, I'd
15 like to return to motions and resolutions,
16 please.

17 ACTING PRESIDENT BOYLE: Motions
18 and resolutions.

19 Senator Libous.

20 SENATOR LIBOUS: Mr. President, at
21 this time I'd like to take up a previously
22 adopted resolution by Senator Nozzolio. It would
23 be Resolution Number 5749. Could we please have
24 it read in its entirety, and then I would ask
25 that you call on Senator Nozzolio.

1 ACTING PRESIDENT BOYLE: The
2 Secretary will read.

3 THE SECRETARY: Legislative
4 Resolution Number 5749, by Senator Nozzolio,
5 mourning the death of Humphrey Donahue,
6 distinguished citizen and devoted member of his
7 community.

8 "WHEREAS, It is the sense of this
9 Legislative Body to pay tribute to citizens of
10 the State of New York whose lifework and civic
11 endeavor served to enhance the quality of life in
12 their communities and the great State of
13 New York; and

14 "WHEREAS, Humphrey Donahue of
15 Geneva, New York, died peacefully in his home on
16 Sunday, October 27, 2013, at the age of 84; and

17 "WHEREAS, Born February 10, 1929, to
18 Edward and Mary Gavin Donahue, Humphrey Donahue
19 was a graduate of DeSales High School, a member
20 of St. Stephen's Church, attended Seton Hall
21 University, and was a staff sergeant in the
22 United States Army; and

23 "WHEREAS, On January 23, 1954,
24 Humphrey Donahue married his wife, Carolyn
25 Jensen, and in 1958 they moved to Rochester,

1 New York, where he worked as a member of Local 33
2 of the International Association of Bridge,
3 Structural and Ornamental Iron Workers, AFL-CIO,
4 of which he remained a member for over 50 years;
5 and

6 "WHEREAS, Humphrey accepted an
7 appointment, in 1969, as the field representative
8 in New York State for the national American
9 Federation of Labor and Congress of Industrial
10 Organizations (AFL-CIO), and was subsequently
11 appointed to the esteemed New York City-based
12 position of director of Region VII (New York, New
13 Jersey, Puerto Rico, Virgin Islands) for the
14 AFL-CIO, during which time he was instrumental
15 in union organizing, negotiating contracts, and
16 supporting legislation and political activity in
17 the interests of working men and women; and

18 "WHEREAS, Humphrey Donahue
19 distinguished himself in his profession with
20 sincere dedication to his lifelong commitment to
21 the advocacy of the rights of workers and his
22 firm belief in the dignity of work and the
23 strength of the family, which substantially
24 contributed to the welfare of his community; and

25 "WHEREAS, In addition, his efforts

1 were recognized with awards received from the
2 American Red Cross, the National AFL-CIO
3 Community Services Program, the Harry VanArsdale,
4 Jr., Labor History Project, the National Safety
5 Council, the International Association of
6 Machinists and Aerospace Workers, the
7 Monmouth-Ocean Counties Labor Council, AFL-CIO;
8 Niagara-Orleans Labor Council, AFL-CIO;
9 Rochester and Vicinity Labor Council, AFL-CIO;
10 and the New York State AFL-CIO; and

11 "WHEREAS, Humphrey Donahue's
12 commitment to excellence, and his spirit of
13 humanity, carried over into all fields of
14 enterprise, including charitable and civic
15 endeavors; and

16 "WHEREAS, As a member of the
17 American Legion, Humphrey Donahue served in the
18 color guard and was manager of the Winnek Post
19 Drum & Bugle Corps; in 1998, he was named
20 Irishman of the Year; in 2002, he received his
21 50-year certificate of continuous membership in
22 the American Legion; and

23 "WHEREAS, Active within his
24 community, Humphrey Donahue was a member of the
25 American Arbitration Association, the Loyal

1 League of Yiddish Sons of Erin, and the Danish
2 Brotherhood; and

3 "WHEREAS, Humphrey Donahue is
4 survived by his wife of 59 years, Carolyn;
5 daughters Karen Donahue and Linda H. Donahue
6 (Rick Winkler); brothers Edward (Mary Jane)
7 Donahue, Jack (Moraima), and Michael (Arlene);
8 brother-in-law Robert (Helen) Jensen; long-time
9 friends Jim and Mary Deane; and many dear
10 cousins, nieces and nephews, and predeceased by
11 his sister Margaret Hogan, brothers William
12 Robert Donahue and Joseph Donahue, and nephews
13 Peter Donahue and Greg Hogan; and

14 "WHEREAS, Armed with a humanistic
15 spirit, imbued with a sense of compassion, and
16 comforted by a loving family, Humphrey Donahue
17 leaves behind a legacy which will long endure the
18 passage of time and will remain as a comforting
19 memory to all he served and befriended; now,
20 therefore, be it

21 "RESOLVED, That this Legislative
22 Body pause in its deliberations to mourn the
23 death of Humphrey Donahue, distinguished citizen
24 and devoted member of his community; and be it
25 further

1 "RESOLVED, That a copy of this
2 resolution, suitably engrossed, be transmitted to
3 the family of Humphrey Donahue."

4 ACTING PRESIDENT BOYLE: Senator
5 Nozzolio.

6 SENATOR NOZZOLIO: Thank you,
7 Mr. President. Mr. President, and my colleagues,
8 on the resolution.

9 I stand with great pride as this
10 body recognizes a genuine contributor to life as
11 we know it in New York State, one who is from a
12 small town, with a great big heart, a wonderful
13 family, and worked tirelessly on behalf of the
14 organization that he loved, and that's the
15 AFL-CIO.

16 That Humphrey Donahue was a man who
17 was connected to many of this body as well as the
18 State Assembly. He was very active in issues of
19 importance to working men and women throughout
20 New York State.

21 I was pleased to know Humphrey on a
22 number of levels. The first and foremost was his
23 tireless advocacy on behalf of the working man's
24 agenda, working woman's agenda for the state. I
25 was also very pleased that our families were

1 linked, through my deceased brother-in-law Greg
2 Hogan, who is Humphrey's nephew.

3 That the Donahue family is legendary
4 for its expanse, for its involvement in community
5 matters, for just their love of life and pursuit
6 of everything that's good about this great
7 country.

8 That I'm very pleased that two of
9 Humphrey's daughters and his niece could be here
10 today: Linda Donahue and Karen Donahue,
11 Humphrey's daughters, as well as Jennifer Hannon,
12 who is a niece and Humphrey's goddaughter.

13 That I'm also very honored, and I
14 know Humphrey would be too, that one of his
15 colleagues, who they worked together very closely
16 through the years, Mario Cilento, as president of
17 the New York State AFL-CIO, is here today because
18 of his love of Humphrey, his working with
19 Humphrey, and I know that they had a great long
20 working relationship and friendship through the
21 years.

22 Also in the gallery I know is
23 Mike Neidl, who is our legislative representative
24 of the AFL-CIO.

25 Ladies and gentlemen, it is

1 important to recognize those individuals who have
2 given a great deal to their communities, to their
3 families, and to their organizations. Humphrey
4 Donahue is an A-plus in each of those categories.
5 He loved his family, he did great work for his
6 community and the central Finger Lakes, and his
7 organization provided him a platform to work for
8 working men and women across New York State.

9 His loss is felt by many. His
10 impact is felt by many. And to that,
11 Mr. President, that's why this resolution
12 honoring Humphrey Donahue today is so fitting.

13 Thank you very, very much.

14 ACTING PRESIDENT BOYLE: Thank you,
15 Senator.

16 And I'd like to thank Humphrey
17 Donahue's friends and family for joining us here
18 today and note that this resolution was
19 previously adopted on June 10th.

20 Senator Libous.

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

23 Senator Tkaczyk has Resolution
24 Number 5642. It was taken up previously and
25 adopted. If we could have it read in its

1 entirety and call on Senator Tkaczyk.

2 ACTING PRESIDENT BOYLE: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 5642, by Senator Tkaczyk,
6 honoring Grace Rutagengwa upon the occasion of
7 her designation as recipient of the Distinguished
8 Service Award by Fulton-Montgomery Community
9 College.

10 "WHEREAS, It is the sense of this
11 Legislative Body to act, in accord with its
12 long-standing traditions, honoring the youth of
13 today, and leaders of tomorrow, whose character
14 and achievements best exemplify the ideals and
15 values cherished by this great state and nation;
16 and

17 "WHEREAS, Attendant to such concern,
18 and in full accord with its long-standing
19 traditions, this Legislative Body is justly proud
20 to honor Grace Rutagengwa upon the occasion of
21 her designation as recipient of the Distinguished
22 Service Award by Fulton-Montgomery Community
23 College; and

24 "WHEREAS, Grace Rutagengwa is
25 receiving this esteemed honor for her

1 volunteerism as a student ambassador, welcoming
2 new students to the Johnstown campus and
3 conducting campus tours, and for sharing her
4 survivor's story at local high schools, churches,
5 and at the United Nations; and

6 "WHEREAS, Grace Rutagengwa earned
7 her associate degree at Fulton-Montgomery
8 Community College this year, marking yet another
9 big step along an extraordinary journey for a
10 survivor who endured the unspeakable horrors of
11 the genocide in Rwanda in which her parents and
12 three siblings were killed; and

13 "WHEREAS, Grace Rutagengwa, 22
14 years old, maintained a 3.0 GPA, with English
15 being her fifth language; she proudly accepted
16 her diploma from Robin DeVito, a mother of two
17 who became her guardian and surrogate mother
18 several years ago, and who raised her as her own;
19 and

20 "WHEREAS, Friends dubbed Rutagengwa
21 'Amazing Grace' after learning of the atrocities
22 she endured; Grace was the youngest of four
23 children raised on her family's prosperous farm
24 in Ntyazo in southern Rwanda; and

25 "WHEREAS, Her parents were

1 well-educated members of the minority Tutsis;
2 they employed farmhands who were Hutus, the
3 majority ethnic group; in the spring of 1994,
4 ethnic tensions boiled over and ended in Africa's
5 worst genocide in modern times; and

6 "WHEREAS, Grace Rutagengwa met Robin
7 DeVito, who took her into her home in Duanesburg,
8 and in 2011, she graduated from Duanesburg High
9 School with a Regents diploma and scholastic
10 awards; and

11 "WHEREAS, Grace Rutagengwa was the
12 subject of a 2011 Times Union profile; Robin
13 DeVito and Grace moved in 2012 to an apartment in
14 Amsterdam, New York; and

15 "WHEREAS, An example of incredible
16 perseverance, Grace Rutagengwa truly worked hard;
17 currently, she works at St. Mary's Hospital in
18 Amsterdam as a patient assistant in the radiology
19 department and plans to continue her education at
20 FMCC, studying radiology with a goal of becoming
21 a radiology technician; and

22 "WHEREAS, It is the sense of this
23 Legislative Body that when individuals of such
24 noble aims and accomplishments are brought to
25 our attention, they should be celebrated and

1 recognized by all the citizens of this great
2 Empire State; now, therefore, be it

3 "RESOLVED, That this Legislative
4 Body pause in its deliberations to honor Grace
5 Rutagengwa upon the occasion of her designation
6 as recipient of the Distinguished Service Award
7 by Fulton-Montgomery Community College, and best
8 wishes for a future of purposeful success and
9 well-being; and be it further

10 "RESOLVED, That a copy of this
11 resolution, suitably engrossed, be transmitted to
12 Grace Rutagengwa."

13 ACTING PRESIDENT BOYLE: Senator
14 Tkaczyk.

15 SENATOR TKACZYK: Thank you,
16 Mr. President.

17 I rise today to give a special
18 recognition to one of my constituents who we've
19 just read about, Grace Rutagengwa, and she is
20 with us here in the chamber today.

21 Would you mind standing, Grace?

22 Grace is this extraordinary young
23 woman who's had an incredible journey to get here
24 to the floor of the Senate.

25 Grace is joined in the balcony by

1 her adoptive mother Robin DeVito, and also her
2 basketball coach from Fulton-Montgomery Community
3 College, Kevin Jones, as well as one of her
4 earlier teachers, Anna Marie Collins and her
5 husband, Jim, who helped tutor Grace when she was
6 in high school. And also Grace's ESL teacher,
7 Kathy Saso, is here, and several of Grace's
8 friends, including Kristin Brown and Taiwo
9 Ekundayo.

10 We all couldn't be prouder of Grace
11 and her accomplishments, and I wanted her to be
12 here today so that we could give her that
13 recognition.

14 Grace, as you have heard,
15 experienced incredible atrocities due to the
16 Rwanda massacre. One of the last acts of Grace's
17 mother was to hide her daughter under her skirt
18 to protect her from their attackers. A neighbor
19 found Grace, provided shelter for her until she
20 could be safely transported out of the country,
21 and they hid this 3-year-old little girl in a
22 large suitcase to get her to safety.

23 She was very young and orphaned and
24 had to endure incredible unsanitary and
25 overcrowded conditions in camps in Congo and

1 Burundi, but she eventually was relocated back to
2 Rwanda. And as an excellent student and
3 determined athlete, she was selected to play with
4 a traveling Rwanda basketball team. And when the
5 team competed in a basketball tournament in
6 New Jersey, she and a friend decided to seek and
7 were given political asylum.

8 As luck would have it, she knew
9 another African student who attended
10 Fulton-Montgomery Community College, which
11 has a number of international students and a
12 strong English as a Second Language program. And
13 it's there that she met Robin DeVito, who she and
14 her family took Grace in and raised her as their
15 own.

16 So she was able to graduate from
17 Duanesburg High School with a Regents diploma,
18 and continued to play basketball, not only at
19 Duanesburg but also at FMCC.

20 And I just want to note what Grace
21 wrote in her Duanesburg High School yearbook in
22 honor of Robin. She wrote to give Robin a sense
23 of gratitude to her for her love and support for
24 providing Grace with a loving home. And she
25 wrote: "You are my role model, and I will live

1 my life in honor of the example of love you have
2 taught me."

3 I am often inspired by the people I
4 come across every day in my district. I could
5 not be more inspired by Grace and the work she
6 has done and the accomplishments she's been able
7 to make here in this country, and I wanted to
8 recognize her on the floor of the Senate and wish
9 her well in her future endeavors.

10 Thank you.

11 ACTING PRESIDENT BOYLE: Thank you
12 very much.

13 And thank you for joining us, Grace.
14 Congratulations on this well-deserved honor, and
15 thank you for sharing your story of courage.

16 (Standing ovation.)

17 ACTING PRESIDENT BOYLE: This
18 resolution was previously adopted on June 10th.

19 Senator Libous.

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

22 At this time, on behalf of Senator
23 Hannon, I wish to call up his bill, Senate Print
24 7125, recalled from the Assembly, but it's now at
25 the desk.

1 ACTING PRESIDENT BOYLE: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 1126, by Senator Hannon, Senate Print 7125, an
5 act to amend the Public Health Law.

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

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

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 54.

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

15 ACTING PRESIDENT BOYLE: The
16 amendments are accepted.

17 SENATOR LIBOUS: Mr. President, at
18 this time I'd like to call an immediate meeting
19 of the Rules Committee in Room 332. Immediate
20 meeting of the Rules Committee in Room 332.

21 ACTING PRESIDENT BOYLE: There will
22 be an immediate meeting of the Rules Committee in
23 Room 332.

24 The Senate will stand at ease.

25 SENATOR LIBOUS: Senate will stand

1 at ease. Thank you, Mr. President.

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

4 (Whereupon, the Senate reconvened at
5 3:48 p.m.)

6 SENATOR LIBOUS: Mr. President.

7 ACTING PRESIDENT BOYLE: Senator
8 Libous.

9 SENATOR LIBOUS: I believe there's
10 a report of the Rules Committee at the desk.
11 Could we have it read at this time.

12 ACTING PRESIDENT BOYLE: The
13 Secretary will read the report of the
14 Rules Committee.

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

18 Senate Print 20, by Senator Díaz, an
19 act to amend the Penal Law;

20 Senate 48, by Senator Peralta, an
21 act to amend the Penal Law;

22 Senate 383, by Senator Díaz, an act
23 to amend the State Finance Law;

24 Senate 847, by Senator Parker, an
25 act to amend the Economic Development Law;

1 Senate 973, by Senator Libous, an
2 act to amend the Highway Law;
3 Senate 1109D, by Senator Maziarz, an
4 act to amend the Mental Hygiene Law;
5 Senate 1172, by Senator Robach, an
6 act to amend the Alcoholic Beverage Control Law;
7 Senate 1591C, by Senator Grisanti,
8 an act to amend the General Business Law;
9 Senate 1685, by Senator Zeldin, an
10 act to amend the Election Law;
11 Senate 1885C, by Senator Bonacic, an
12 act to amend the Town Law;
13 Senate 2255, by Senator Klein, an
14 act to amend the Education Law;
15 Senate 3297A, by Senator O'Mara, an
16 act to amend the Tax Law;
17 Senate 3622, by Senator Lanza, an
18 act to amend the Criminal Procedure Law;
19 Senate 3956C, by Senator Grisanti,
20 an act to amend the Tax Law;
21 Senate 4332, by Senator Young, an
22 act to amend the Agriculture and Markets Law;
23 Senate 4654A, by Senator Golden, an
24 act to amend the Public Authorities Law;
25 Senate 4719B, by Senator Lanza, an

1 act to amend the Executive Law;
2 Senate 4797, by Senator Carlucci, an
3 act to amend the Public Health Law;
4 Senate 4810, by Senator Martins, an
5 act to amend the Real Property Tax Law;
6 Senate 4877, by Senator Griffo, an
7 act to amend Chapter 912 of the Laws of 1920;
8 Senate 5188, by Senator Gallivan, an
9 act to amend the Penal Law;
10 Senate 5228A, by Senator Carlucci,
11 an act to amend the Mental Hygiene Law;
12 Senate 5872, by Senator Savino, an
13 act to amend the Labor Law;
14 Senate 5875, by Senator Little, an
15 act to amend the Executive Law;
16 Senate 5876, by Senator Robach, an
17 act to amend the Real Property Law;
18 Senate 5890A, by Senator Felder, an
19 act requiring;
20 Senate 5955A, by Senator Ball, an
21 act to amend the Vehicle and Traffic Law;
22 Senate 5961, by Senator Marchione,
23 an act to amend the Vehicle and Traffic Law;
24 Senate 6154, by Senator Avella, an
25 act to amend the Administrative Code of the City

1 of New York;

2 Senate 6298, by Senator DeFrancisco,
3 an act to amend the Penal Law;

4 Senate 6349, by Senator Lanza, an
5 act to amend the Administrative Code of the City
6 of New York;

7 Senate 6555A, by Senator Golden, an
8 act to amend the Economic Development Law;

9 Senate 6696A, by Senator Klein, an
10 act to amend the Public Health Law;

11 Senate 6715, by Senator Marchione,
12 an act to amend the Election Law;

13 Senate 6717A, by Senator Martins, an
14 act to amend the Tax Law;

15 Senate 6806, by Senator Grisanti, an
16 act to amend the Social Services Law;

17 Senate 6875, by Senator Griffo, an
18 act to amend the Social Services Law;

19 Senate 7037, by Senator Ritchie, an
20 act to amend the Agriculture and Markets Law;

21 Senate 7055, by Senator Grisanti, an
22 act to amend the Social Services Law;

23 Senate 7147, by Senator Felder, an
24 act to amend the General Business Law;

25 Senate 7183A, by Senator Golden, an

1 act to amend Chapter 537 of the Laws of 2008;

2 Senate 7261, by Senator Klein, an
3 act to amend the Administrative Code of the City
4 of New York;

5 Senate 7370, by Senator Martins, an
6 act to amend the Election Law;

7 Senate 7435, by Senator LaValle, an
8 act to amend Chapter 21 of the Laws of 2011;

9 Senate 7466, by Senator Klein, an
10 act to amend the Real Property Tax Law;

11 Senate 7473, by Senator Klein, an
12 act to amend the Administrative Code of the City
13 of New York;

14 Senate 7635, by Senator DeFrancisco,
15 an act granting;

16 Senate 7644, by Senator Marcellino,
17 an act to authorize;

18 Senate 7646, by Senator DeFrancisco,
19 an act to authorize;

20 Senate 7720, by Senator Seward, an
21 act to amend the Criminal Procedure Law;

22 Senate 7777, by Senator Carlucci, an
23 act in relation to authorizing;

24 Senate 7786, by Senator Larkin, an
25 act to amend the Criminal Procedure Law;

1 Senate 7839, by Senator Larkin, an
2 act to amend the Retirement and Social Security
3 Law;

4 Senate 7840, by Senator Golden, an
5 act to amend the Civil Service Law;

6 Senate 7845, by Senator Bonacic, an
7 act in relation to terms;

8 And Senate 7852, by Senator Young,
9 an act to amend the Public Health Law.

10 All bills reported direct to third
11 reading.

12 ACTING PRESIDENT BOYLE: Senator
13 Libous.

14 SENATOR LIBOUS: I move to accept
15 the report of the Rules Committee.

16 ACTING PRESIDENT BOYLE: All in
17 favor of accepting the report of the
18 Rules Committee signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT BOYLE: Opposed?

21 (No response.)

22 ACTING PRESIDENT BOYLE: The report
23 is accepted.

24 Senator Libous.

25 SENATOR LIBOUS: Mr. President,

1 could we go back to messages from the Assembly,
2 please.

3 ACTING PRESIDENT BOYLE: Messages
4 from the Assembly.

5 The Secretary will read.

6 THE SECRETARY: Senator Maziarz
7 moves to discharge, from the Committee on
8 Finance, Assembly Bill Number 8452 and substitute
9 it for the identical Senate Bill Number 1109D,
10 Third Reading Calendar 1372.

11 Senator Klein moves to discharge,
12 from the Committee on Finance, Assembly Bill
13 Number 151A and substitute it for the identical
14 Senate Bill Number 2255, Third Reading Calendar
15 1377.

16 Senator Lanza moves to discharge,
17 from the Committee on Veterans, Homeland Security
18 and Military Affairs, Assembly Bill Number 6530B
19 and substitute it for the identical Senate Bill
20 Number 4719B, Third Reading Calendar 1383.

21 Senator Martins moves to discharge,
22 from the Committee on Veterans, Homeland Security
23 and Military Affairs, Assembly Bill Number 6215
24 and substitute it for the identical Senate Bill
25 Number 4810, Third Reading Calendar 1385.

1 Senator Carlucci moves to discharge,
2 from the Committee on Finance, Assembly Bill
3 Number 7721A and substitute it for the identical
4 Senate Bill Number 5228A, Third Reading Calendar
5 1388.

6 Senator Ball moves to discharge,
7 from the Committee on Finance, Assembly Bill
8 Number 8231A and substitute it for the identical
9 Senate Bill Number 5955A, Third Reading Calendar
10 1393.

11 Senator Lanza moves to discharge,
12 from the Committee on Cities, Assembly Bill
13 Number 364 and substitute it for the identical
14 Senate Bill Number 6349, Third Reading Calendar
15 1397.

16 Senator Marchione moves to
17 discharge, from the Committee on Elections,
18 Assembly Bill Number 5075 and substitute it for
19 the identical Senate Bill Number 6715, Third
20 Reading Calendar 1400.

21 Senator Grisanti moves to discharge,
22 from the Committee on Social Services, Assembly
23 Bill Number 8918 and substitute it for the
24 identical Senate Bill Number 6806, Third Reading
25 Calendar 1402.

1 Senator Griffo moves to discharge,
2 from the Committee on Children and Families,
3 Assembly Bill Number 8474 and substitute it for
4 the identical Senate Bill Number 6875, Third
5 Reading Calendar 1403.

6 Senator Ritchie moves to discharge,
7 from the Committee on Agriculture, Assembly Bill
8 Number 9118 and substitute it for the identical
9 Senate Bill Number 7037, Third Reading Calendar
10 1404.

11 Senator Felder moves to discharge,
12 from the Committee on Consumer Protection,
13 Assembly Bill Number 9116 and substitute it for
14 the identical Senate Bill Number 7147, Third
15 Reading Calendar 1406.

16 Senator Martins moves to discharge,
17 from the Committee on Elections, Assembly Bill
18 Number 1230 and substitute it for the identical
19 Senate Bill Number 7370, Third Reading Calendar
20 1409.

21 Senator LaValle moves to discharge,
22 from the Committee on Higher Education, Assembly
23 Bill Number 9715 and substitute it for the
24 identical Senate Bill Number 7435, Third Reading
25 Calendar 1410.

1 And Senator Klein moves to
2 discharge, from the Committee on Cities, Assembly
3 Bill Number 9170 and substitute it for the
4 identical Senate Bill Number 7473, Third Reading
5 Calendar 1412.

6 ACTING PRESIDENT BOYLE:
7 Substitutions ordered.

8 Senator Libous.

9 SENATOR LIBOUS: Mr. President, at
10 this time could we do the noncontroversial
11 reading of Senate Supplemental Calendar 50A,
12 please.

13 ACTING PRESIDENT BOYLE: The
14 Secretary will read.

15 (Pause.)

16 SENATOR LIBOUS: Mr. President.

17 ACTING PRESIDENT BOYLE: Senator
18 Libous.

19 SENATOR LIBOUS: Mr. President,
20 we'll stand at ease momentarily and let the desk
21 catch up. I apologize.

22 ACTING PRESIDENT BOYLE: The Senate
23 will stand at ease momentarily.

24 (Whereupon, the Senate stood at ease
25 at 3:57 p.m.)

1 (Whereupon, the Senate reconvened at
2 3:59 p.m.)

3 ACTING PRESIDENT BOYLE: The Senate
4 will come to order.

5 The Secretary will read Senate
6 Supplemental Calendar 50A.

7 THE SECRETARY: Calendar Number
8 1367, by Senator Díaz, Senate Print 20, an act to
9 amend the Penal Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 54. Nays, 2.
18 Senators Montgomery and Perkins recorded in the
19 negative.

20 ACTING PRESIDENT BOYLE: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1368, by Senator Peralta, Senate Print 48, an act
24 to amend the Penal Law.

25 ACTING PRESIDENT BOYLE: Read the

1 last section.

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

4 ACTING PRESIDENT BOYLE: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 53. Nays, 3.
8 Senators Montgomery, Parker and Perkins recorded
9 in the negative.

10 ACTING PRESIDENT BOYLE: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1369, by Senator Díaz, Senate Print 383, an act
14 to amend the State Finance Law.

15 ACTING PRESIDENT BOYLE: Read the
16 last section.

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

19 ACTING PRESIDENT BOYLE: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1370, by Senator Parker, Senate Print 847, an act
2 to amend the Economic Development Law.

3 ACTING PRESIDENT BOYLE: Read the
4 last section.

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

7 ACTING PRESIDENT BOYLE: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT BOYLE: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1371, by Senator Libous, Senate Print 973, an act
15 to amend the Highway Law.

16 ACTING PRESIDENT BOYLE: Read the
17 last section.

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

20 ACTING PRESIDENT BOYLE: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 56.

24 ACTING PRESIDENT BOYLE: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1372, substituted earlier by Member of the
3 Assembly Gunther, Assembly Print 8452, an act to
4 amend the Mental Hygiene Law.

5 ACTING PRESIDENT BOYLE: Read the
6 last section.

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

9 ACTING PRESIDENT BOYLE: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 56.

13 ACTING PRESIDENT BOYLE: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1373, by Senator Robach, Senate Print 1172, an
17 act to amend the Alcoholic Beverage Control Law.

18 ACTING PRESIDENT BOYLE: Read the
19 last section.

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

22 ACTING PRESIDENT BOYLE: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 56.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1374, by Senator Grisanti, Senate Print 1591C, an
5 act to amend the General Business Law.

6 ACTING PRESIDENT BOYLE: Read the
7 last section.

8 THE SECRETARY: Section 6. This
9 act shall take effect on the first of September.

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 54. Nays, 2.
14 Senators Ball and Marchione recorded in the
15 negative.

16 ACTING PRESIDENT BOYLE: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1375, by Senator Zeldin, Senate Print 1685, an
20 act to amend the Election Law.

21 ACTING PRESIDENT BOYLE: Read the
22 last section.

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

25 ACTING PRESIDENT BOYLE: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1376, by Senator Bonacic, Senate Print 1885C, an
8 act to amend the Town Law.

9 ACTING PRESIDENT BOYLE: Read the
10 last section.

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

13 ACTING PRESIDENT BOYLE: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT BOYLE: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1377, substituted earlier by Member of the
21 Assembly Nolan, Assembly Print 151A, an act to
22 amend the Education Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1378, by Senator O'Mara, Senate Print 3297A, an
10 act to amend the Tax Law.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

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

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BOYLE: Senator
19 Krueger to explain her vote.

20 SENATOR KRUEGER: Thank you,
21 Mr. President. I rise to explain my vote no on
22 this bill.

23 While it seems very admirable to be
24 proposing all these reductions in taxes for
25 volunteer -- incentives for volunteer fire and

1 other professionals around the state, it has a
2 price tag estimated to be \$70 million.

3 And these kinds of bills should be
4 done within the budget, because, frankly, if we
5 were to pass this into law right now, we would be
6 obligated to come up with \$70 million worth of
7 savings within the budget or \$70 million in new
8 taxes, which I don't think any of us are prepared
9 to do between now and Thursday.

10 I'll vote no, Mr. President.

11 ACTING PRESIDENT BOYLE: Senator
12 Krueger to be recorded in the negative.

13 Announce the results.

14 THE SECRETARY: Ayes, 53. Nays, 3.
15 Senators Krueger, Rivera and Sanders recorded in
16 the negative.

17 ACTING PRESIDENT BOYLE: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1379, by Senator Lanza, Senate Print 3622, an act
21 to amend the Criminal Procedure Law.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

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

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1380, by Senator Grisanti, senate Print 3956C, an
10 act to amend the Tax Law.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

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

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 56.

19 ACTING PRESIDENT BOYLE: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1381, by Senator Young, Senate Print 4332, an act
23 to amend the Agriculture and Markets Law.

24 ACTING PRESIDENT BOYLE: Read the
25 last section.

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

3 ACTING PRESIDENT BOYLE: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 56.

7 ACTING PRESIDENT BOYLE: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1382, by Senator Golden, Senate Print 4654A, an
11 act to amend the Public Authorities Law.

12 ACTING PRESIDENT BOYLE: Read the
13 last section.

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

16 ACTING PRESIDENT BOYLE: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 56.

20 ACTING PRESIDENT BOYLE: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1383, substituted earlier by Member of the
24 Assembly Cusick, Assembly Print 6530B, an act to
25 amend the Executive Law.

1 ACTING PRESIDENT BOYLE: Read the
2 last section.

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

5 ACTING PRESIDENT BOYLE: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 56.

9 ACTING PRESIDENT BOYLE: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1384, by Senator Carlucci, Senate Print 4797, an
13 act to amend the Public Health Law.

14 ACTING PRESIDENT BOYLE: Read the
15 last section.

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

18 ACTING PRESIDENT BOYLE: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 55. Nays, 1.
22 Senator Zeldin recorded in the negative.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1385, substituted earlier by Member of the
2 Assembly Ramos, Assembly Bill 6215, an act to
3 amend the Real Property Tax Law.

4 ACTING PRESIDENT BOYLE: Read the
5 last section.

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

8 ACTING PRESIDENT BOYLE: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT BOYLE: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1386, by Senator Griffo, Senate Print 4877, an
16 act to amend Chapter 912 of the Laws of 1920.

17 ACTING PRESIDENT BOYLE: Read the
18 last section.

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

21 ACTING PRESIDENT BOYLE: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BOYLE: Senator
25 Hoylman to explain his vote.

1 SENATOR HOYLMAN: Thank you,
2 Mr. President. I rise to explain my vote.

3 I do appreciate the sponsor
4 attempting to move amateur mixed martial arts out
5 of the shadows and into regulation, as this bill
6 does. But I do also think that we are not going
7 far enough in protecting the health and safety
8 and welfare of amateur fighters. Namely, they
9 should be wearing headgear.

10 And we've seen in other sports the
11 rising incidence of injuries to the brain and
12 long-term health consequences because of those
13 injuries. And therefore, Mr. President, I'll be
14 voting in the negative.

15 Thank you.

16 ACTING PRESIDENT BOYLE: Senator
17 Hoylman to be recorded in the negative.

18 Senator Krueger to explain her vote.

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

21 I share my colleague's points. I
22 will be voting yes for this bill, because it's
23 better than nothing and nothing is what we have
24 right now.

25 What is very disturbing is the

1 reports coming in about the dangers and violence
2 associated with the amateur mixed martial arts
3 events happening throughout the state. And
4 there's really nothing amateur about them except
5 apparently everybody makes money except the
6 fighters. There have even been reports of
7 activities, official amateur activities of
8 children as young as 6 years old being involved
9 in caged fighting matches.

10 So again, I won't vote no on this
11 bill because at least it's a step forward for the
12 state to finally take, but I hope that actually
13 upon looking at this sport, the State Athletic
14 Commission will immediately move to outlaw these
15 kinds of activities at the amateur level because
16 they are so, so dangerous.

17 Thank you, Mr. President. It's a
18 yes vote.

19 ACTING PRESIDENT BOYLE: Senator
20 Krueger to be recorded in the affirmative.

21 Any other Senators wishing to
22 explain their votes?

23 Seeing none, announce the results.

24 THE SECRETARY: Ayes, 52. Nays, 4.
25 Senators Díaz, Hoylman, LaValle and Perkins

1 recorded in the negative.

2 ACTING PRESIDENT BOYLE: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1387, by Senator Gallivan, Senate Print 5188, an
6 act to amend the Penal Law.

7 ACTING PRESIDENT BOYLE: Read the
8 last section.

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

11 ACTING PRESIDENT BOYLE: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 55. Nays, 1.
15 Senator Montgomery recorded in the negative.

16 ACTING PRESIDENT BOYLE: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1388, substituted earlier by Member of the
20 Assembly Gunther, Assembly Print 7721A, an act to
21 amend the Mental Hygiene Law.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 56.

5 ACTING PRESIDENT BOYLE: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1389, by Senator Savino, Senate Print 5872, an
9 act to amend the Labor Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 56.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1390, by Senator Little, Senate Print 5875, an
22 act to amend the Executive Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BOYLE: Senator
6 Little to explain her vote.

7 SENATOR LITTLE: Thank you,
8 Mr. President. And thank you to all my
9 colleagues for voting for this bill.

10 This bill amends the Executive Law
11 in relation to discriminatory practices because
12 of familial status. And what it means by this is
13 that you could not discriminate in choosing an
14 employee based upon the fact that one had
15 children and perhaps, if single, had more
16 responsibilities for those children than the
17 other who was single with no children or married
18 who had a partner who was willing to take on a
19 lot of those responsibilities.

20 We all know that this happens. We
21 also all know that many single parents have to
22 work, and yet they do need to tend to their
23 children when they're sick, when they have school
24 visits, when they have an emergency that happens
25 that needs their attention. And they can be best

1 workers that anyone can have. So this way we
2 prohibit discrimination against them based upon
3 the fact that they have responsibilities at home.

4 Thank you very much for voting for
5 this. I vote aye.

6 ACTING PRESIDENT BOYLE: Senator
7 Little to be recorded in the affirmative.

8 Announce the results.

9 THE SECRETARY: Ayes, 56.

10 ACTING PRESIDENT BOYLE: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1391, by Senator Robach, Senate Print 5876, an
14 act to amend the Real Property Law.

15 SENATOR GIANARIS: Lay it aside.

16 ACTING PRESIDENT BOYLE: The bill
17 is laid aside.

18 THE SECRETARY: Calendar Number
19 1392, by Senator Felder, Senate Print 5890A, an
20 act requiring.

21 ACTING PRESIDENT BOYLE: Read the
22 last section.

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

25 ACTING PRESIDENT BOYLE: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1393, substituted earlier by Member of the
8 Assembly Sweeney, Assembly Print 8231A, an act to
9 amend the Vehicle and Traffic Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 56.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1394, by Senator Marchione, Senate Print 5961, an
22 act to amend the Vehicle and Traffic Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1395, by Senator Avella, Senate Print 6154, an
10 act to amend the Administrative Code of the City
11 of New York.

12 ACTING PRESIDENT BOYLE: Read the
13 last section.

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

16 ACTING PRESIDENT BOYLE: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BOYLE: Senator
20 Krueger to explain her vote.

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

23 You know, it's always important to
24 really look through these bills. Because on the
25 surface, why wouldn't we want to do away with a

1 minimum daily cost for water. Well, apparently
2 here's why, according to the memo of opposition
3 from the City of New York.

4 One, because they have bonds out on
5 the Water Authority. Changing this law would
6 actually put the city in a position where they
7 violated their fiduciary responsibility to their
8 bondholders. And many constituents of all of
9 ours are in fact bondholders. So I'm not sure
10 why we'd want to pass a law that would result in
11 the City of New York violating its bond
12 agreements on anything.

13 And two, according to the City of
14 New York, if this bill were to become law, while
15 some people would see a reduction in their water
16 bill, the 75 percent of us who this law wouldn't
17 apply to would see an increase in the water bill
18 to make up for it.

19 So it's not a reduction overall in
20 water bills for people who live in the City of
21 New York, it's a shifting of a portion of the
22 cost from an existing population, approximately
23 25 percent of the water-bill payers, transferring
24 those costs to the 75 percent other of us.

25 So I don't really think this proves

1 to be that great a deal when you look at it. The
2 City of New York still can't afford to lose the
3 \$30 million in revenue. It still has a fiduciary
4 responsibility to the bondholders for the bonds
5 that exist.

6 And maybe I would like the
7 25 percent more than I would like the 75 percent
8 if I knew them by name and address, but I don't
9 think I really want to pass a law that simply
10 transfers costs from one group of people to
11 another without knowing much more detail.

12 I'll vote no, Mr. President.

13 ACTING PRESIDENT BOYLE: Senator
14 Krueger to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 1395, those recorded in the negative are
18 Senators DeFrancisco, Gianaris, Gipson, Krueger,
19 Little, Montgomery, Perkins, Rivera, Sanders and
20 Serrano.

21 Ayes, 46. Nays, 10.

22 ACTING PRESIDENT BOYLE: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1396, by Senator DeFrancisco, Senate Print 6298,

1 an act to amend the Penal Law.

2 ACTING PRESIDENT BOYLE: Read the
3 last section.

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

6 ACTING PRESIDENT BOYLE: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 56.

10 ACTING PRESIDENT BOYLE: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1397, substituted earlier by Member of the
14 Assembly Dinowitz, Assembly Print 364, an act to
15 amend the Administrative Code of the City of
16 New York.

17 ACTING PRESIDENT BOYLE: Read the
18 last section.

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

21 ACTING PRESIDENT BOYLE: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 54. Nays, 2.
25 Senators Montgomery and Parker recorded in the

1 negative.

2 ACTING PRESIDENT BOYLE: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1398, by Senator Golden, Senate Print 6555A, an
6 act to amend the Economic Development Law.

7 ACTING PRESIDENT BOYLE: Read the
8 last section.

9 THE SECRETARY: Section 3. This
10 act shall take effect on the first of September.

11 ACTING PRESIDENT BOYLE: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 56.

15 ACTING PRESIDENT BOYLE: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1399, by Senator Klein, Senate Print 6696A, an
19 act to amend the Public Health Law.

20 ACTING PRESIDENT BOYLE: Read the
21 last section.

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

24 ACTING PRESIDENT BOYLE: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT BOYLE: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1400, substituted earlier by Member of the
7 Assembly Millman, Assembly Print 5075, an act to
8 amend the Election Law.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT BOYLE: The bill
11 is laid aside.

12 THE SECRETARY: Calendar Number
13 1401, by Senator Martins, Senate Print 6717A, an
14 act to amend the Tax Law.

15 ACTING PRESIDENT BOYLE: Read the
16 last section.

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

19 ACTING PRESIDENT BOYLE: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1402, substituted earlier by Member of the
2 Assembly Peoples-Stokes, Assembly Print 8918, an
3 act to amend the Social Services Law.

4 ACTING PRESIDENT BOYLE: Read the
5 last section.

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

8 ACTING PRESIDENT BOYLE: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT BOYLE: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1403, substituted earlier by Member of the
16 Assembly Rozic, Assembly Print 8474, an act to
17 amend the Social Services Law.

18 ACTING PRESIDENT BOYLE: Read the
19 last section.

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

22 ACTING PRESIDENT BOYLE: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 56.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1404, substituted earlier by Member of the
5 Assembly Magee, Assembly Print 9118, an act to
6 amend the Agriculture and Markets Law.

7 ACTING PRESIDENT BOYLE: Read the
8 last section.

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

11 ACTING PRESIDENT BOYLE: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 56.

15 ACTING PRESIDENT BOYLE: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1405, by Senator Grisanti, Senate Print 7055, an
19 act to amend the Social Services Law.

20 ACTING PRESIDENT BOYLE: Read the
21 last section.

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

24 ACTING PRESIDENT BOYLE: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT BOYLE: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1406, substituted earlier by Member of the
7 Assembly Simanowitz, Assembly Print 9116, an act
8 to amend the General Business Law.

9 ACTING PRESIDENT BOYLE: Read the
10 last section.

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

13 ACTING PRESIDENT BOYLE: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT BOYLE: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1407, by Senator Golden, Senate Print 7183A, an
21 act to amend Chapter 537 of the Laws of 2008.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 56.

5 ACTING PRESIDENT BOYLE: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1408, by Senator Klein, Senate Print 7261, an act
9 to amend the Administrative Code of the City of
10 New York.

11 ACTING PRESIDENT BOYLE: There is
12 no home-rule message at the desk. The bill will
13 be laid aside for the day.

14 The Secretary will continue.

15 THE SECRETARY: Calendar Number
16 1409, substituted earlier by Member of the
17 Assembly Abinanti, Assembly Print 1230, an act to
18 amend the Election Law.

19 ACTING PRESIDENT BOYLE: Read the
20 last section.

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

23 ACTING PRESIDENT BOYLE: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 56.

2 ACTING PRESIDENT BOYLE: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1410, substituted earlier by Member of the
6 Assembly Glick, Assembly Print 9715, an act to
7 amend Chapter 21 of the Laws of 2011.

8 ACTING PRESIDENT BOYLE: Read the
9 last section.

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

12 ACTING PRESIDENT BOYLE: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT BOYLE: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1411, by Senator Klein, Senate Print 7466, an act
20 to amend the Real Property Tax Law.

21 ACTING PRESIDENT BOYLE: Read the
22 last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect July 1, 2015.

25 ACTING PRESIDENT BOYLE: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 55. Nays, 1.

4 Senator Gipson recorded in the negative.

5 ACTING PRESIDENT BOYLE: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1412, by Member of the Assembly Quart, Assembly
9 Print 9170, an act to amend the Administrative
10 Code of the City of New York.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the 270th day.

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 55. Nays, 1.

19 Senator Gipson recorded in the negative.

20 ACTING PRESIDENT BOYLE: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1413, by Senator DeFrancisco, Senate Print 7635,
24 an act granting.

25 ACTING PRESIDENT BOYLE: There is a

1 home-rule message at the desk.

2 Read the last section.

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

5 ACTING PRESIDENT BOYLE: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 56.

9 ACTING PRESIDENT BOYLE: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1414, by Senator Marcellino, Senate Print 7644,
13 an act to authorize.

14 ACTING PRESIDENT BOYLE: There is a
15 home-rule message at the desk.

16 Read the last section.

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

19 ACTING PRESIDENT BOYLE: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1415, by Senator DeFrancisco, Senate Print 7646,
2 an act to authorize.

3 ACTING PRESIDENT BOYLE: Read the
4 last section.

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

7 ACTING PRESIDENT BOYLE: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT BOYLE: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1416, by Senator Seward, Senate Print 7720, an
15 act to amend the Criminal Procedure Law.

16 ACTING PRESIDENT BOYLE: Read the
17 last section.

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

20 ACTING PRESIDENT BOYLE: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 53. Nays, 3.
24 Senators Hoylman, Krueger and Perkins recorded in
25 the negative.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1417, by Senator Carlucci, Senate Print 7777, an
5 act in relation to authorizing.

6 ACTING PRESIDENT BOYLE: Read the
7 last section.

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

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 56.

14 ACTING PRESIDENT BOYLE: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1418, by Senator Larkin, Senate Print 7786, an
18 act to amend the Criminal Procedure Law.

19 ACTING PRESIDENT BOYLE: Read the
20 last section.

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

23 ACTING PRESIDENT BOYLE: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 52. Nays, 4.
2 Senators Hoylman, Krueger, Montgomery and Perkins
3 recorded in the negative.

4 ACTING PRESIDENT BOYLE: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1419, by Senator Larkin, Senate Print 7839, an
8 act to amend the Retirement and Social Security
9 Law.

10 ACTING PRESIDENT BOYLE: Read the
11 last section.

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

14 ACTING PRESIDENT BOYLE: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 56.

18 ACTING PRESIDENT BOYLE: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1420, by Senator Golden, Senate Print 7840, an
22 act to amend the Civil Service Law.

23 ACTING PRESIDENT BOYLE: Read the
24 last section.

25 THE SECRETARY: Section 12. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BOYLE: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT BOYLE: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1421, by Senator Bonacic, Senate Print 7845, an
10 act in relation to terms.

11 ACTING PRESIDENT BOYLE: Read the
12 last section.

13 THE SECRETARY: Section 11. This
14 act shall take effect immediately.

15 ACTING PRESIDENT BOYLE: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 56.

19 ACTING PRESIDENT BOYLE: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1423, by Senator Young, Senate Print 7852, an act
23 to amend the Public Health Law.

24 ACTING PRESIDENT BOYLE: Read the
25 last section.

1 THE SECRETARY: Section 7. This
2 act shall take effect January 1, 2015.

3 ACTING PRESIDENT BOYLE: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 56.

7 ACTING PRESIDENT BOYLE: The bill
8 is passed.

9 That completes the reading of the
10 noncontroversial supplemental calendar,
11 Senator Libous.

12 SENATOR LIBOUS: Mr. President, I
13 want to take up the controversial calendar on the
14 Supplemental 50A, but I'd like to take up
15 Calendar Number 1400 first.

16 ACTING PRESIDENT BOYLE: The
17 Secretary will ring the bell.

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President,
20 while we're waiting to get started there, I'd
21 like to return to motions for a second.

22 ACTING PRESIDENT BOYLE: Motions
23 and resolutions.

24 Senator Libous.

25 SENATOR LIBOUS: On behalf of

1 Senator Marcellino, on page 21 I offer the
2 following amendments to Calendar Number 605,
3 Senate Print 5315A, and ask that said bill retain
4 its place on the Third Reading Calendar.

5 ACTING PRESIDENT BOYLE: So
6 ordered.

7 The Secretary will read Calendar
8 Number 1400.

9 THE SECRETARY: Calendar Number
10 1400, by Member of the Assembly Millman, Assembly
11 Print 5075, an act to amend the Election Law.

12 SENATOR KRUEGER: Explanation.

13 ACTING PRESIDENT BOYLE: Senator
14 Krueger is requesting an explanation.

15 Senator Marchione.

16 SENATOR MARCHIONE: Thank you.

17 This bill simply would not allow a
18 candidate whose name appears on the ballot to act
19 as a poll watcher within that district.

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

22 ACTING PRESIDENT BOYLE: Senator
23 Marchione?

24 SENATOR MARCHIONE: Yes.

25 ACTING PRESIDENT BOYLE: Senator

1 Marchione yields.

2 SENATOR KRUEGER: Thank you.

3 So I know it differs by different
4 sections of the state of who's on a poll, on a
5 ballot at any given time. If this became law,
6 would it mean that any person who's running for a
7 county committee slot for their specific party
8 could not be a poll watcher?

9 SENATOR MARCHIONE: If -- I'll take
10 the liberty of responding. That if that county
11 committee person was in a primary for that seat,
12 because that's the only way that name would
13 appear on the ballot, then they would not be able
14 to be a poll watcher in the district while their
15 name appears on the ballot.

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

19 SENATOR MARCHIONE: Yes.

20 SENATOR KRUEGER: Thank you.

21 Would the same apply if a group of
22 people were listed as judicial delegates or a
23 judicial delegate slate, which is how we do this
24 in my city? They also, none of them could be
25 poll watchers?

1 SENATOR MARCHIONE: Any person
2 whose name appears on the ballot for any position
3 would not be able to act as poll watcher in the
4 district in which their name appears on the
5 ballot.

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

8 ACTING PRESIDENT BOYLE: Senator
9 Krueger on the bill.

10 SENATOR KRUEGER: I appreciate the
11 sponsor's answers to my questions.

12 I must admit, when you first look at
13 the bill you think, all right, so if Liz Krueger
14 is running for the Senate, perhaps Liz Krueger
15 ought not be a poll watcher at her own poll
16 sites. Although of course existing law already
17 would be explicitly preventing me from
18 electioneering or challenging inappropriate
19 behaviors, because we already have a series of
20 laws that stop candidates from doing
21 inappropriate things to intimidate or impact what
22 goes on in their polling sites.

23 So I must admit I first thought,
24 well, candidates for the elected office of
25 Congress, the Governor, State Senate, the

1 Assembly, I get that.

2 But then I realized it would apply
3 to people who are simply trying to be elected to
4 be their county party representatives, which we
5 can have large numbers of in any given district.
6 We could have one or two for each ED within any
7 given district. It would apply to people
8 attempting to be simply judicial delegates to
9 party judicial conventions. It could apply to
10 people trying to become district leaders or state
11 committee people for their various parties.

12 And that at that level, you might
13 actually be ruling out almost every local
14 activist involved in political process or
15 Election Day activities from actually being a
16 poll watcher. And I actually think, while I
17 understand the sponsor's goal that we certainly
18 don't want people to be intimidating voters,
19 intimidating election workers, that when you
20 think about how many people could be prevented
21 from being poll watchers -- who are in fact the
22 most involved in the electoral process in their
23 districts, the people who are the ones we count
24 on to do the hard work of making sure the
25 democratic process, small D, takes place

1 appropriately in our state -- that we could be
2 writing off almost everyone who might currently
3 be playing these roles in our district.

4 And I have not heard, and I did a
5 little research today, that there's any record of
6 these people in fact being found to be
7 inappropriate when they are poll watchers. There
8 were no reports of people running for judicial
9 delegate, people running for a county committee
10 slot attempting to intimidate voters or
11 inappropriately direct voters or electioneer in
12 the polling sites.

13 So personally, I think the bill
14 overreaches in how many people this law would
15 apply to. I think we would actually be sorry if
16 it became law, because we'd realize all these
17 committed good volunteer activists in our
18 community who are not looking for paid electoral
19 positions or full-time electoral positions or
20 even positions that most of the public thinks of
21 as electoral positions, would be prevented from
22 doing exactly what they do now.

23 And they actually do a good job of
24 helping make sure, in all parties in all
25 districts, that the rules are being followed and

1 small D democracy is successfully taking place
2 the vast majority of the time in the vast
3 majority of polling sites in the state.

4 So I think this bill overreaches in
5 the universe it would cover, and I'll be voting
6 no.

7 Thank you, Mr. President.

8 ACTING PRESIDENT BOYLE: Thank you,
9 Senator.

10 Seeing no other Senators wishing to
11 speak, debate is closed and the Secretary will
12 ring the bell.

13 Read the last section.

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

16 ACTING PRESIDENT BOYLE: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BOYLE: Senator
20 Marchione to explain her vote.

21 SENATOR MARCHIONE: Thank you,
22 Mr. President. I rise just to further explain
23 this bill and my position on it.

24 And I would encourage my colleagues
25 to vote yes. This has already been approved in

1 the Assembly.

2 As Senator Krueger spoke earlier,
3 you know, I've been a committee person in my
4 respective town for 35 years. If someone wanted
5 to run against me, they would run against me in a
6 Republican primary, not a general election, and
7 then my name is no longer there.

8 If you are a Democrat and you are a
9 committee person, they would run against you in a
10 Democrat primary, because you're only going for a
11 seat within your respective party.

12 This by no means is something that
13 would preclude our committee people from being
14 able to act as poll watchers in a general
15 election. This is a good common-sense bill that
16 says those of us who are elected who go into a
17 polling place already have an influence on people
18 who come in and vote when we don't even say
19 anything.

20 This is a good way, a good
21 common-sense way to say we don't belong in the
22 polls as poll watchers when our name appears on
23 that ballot. And I would encourage my colleagues
24 to vote yes.

25 Thank you, Mr. President.

1 ACTING PRESIDENT BOYLE: Senator
2 Marchione to be recorded in the affirmative.
3 Announce the results.
4 THE SECRETARY: In relation to
5 Calendar 1400, those recorded in the negative are
6 Senators Boyle, Krueger, Parker and Perkins.
7 Absent from voting: Senator O'Mara.
8 Ayes, 52. Nays, 4.
9 ACTING PRESIDENT BOYLE: The bill
10 is passed.
11 SENATOR LIBOUS: Mr. President.
12 ACTING PRESIDENT BOYLE: Senator
13 Libous.
14 SENATOR LIBOUS: Could we please
15 take up Calendar Number 1391, by Senator Robach.
16 ACTING PRESIDENT BOYLE: The
17 Secretary will read.
18 THE SECRETARY: Calendar Number
19 1391, by Senator Robach, Senate Print 5876, an
20 act to amend the Real Property Law.
21 ACTING PRESIDENT BOYLE: Read the
22 last section.
23 SENATOR KRUEGER: Explanation.
24 ACTING PRESIDENT BOYLE:
25 Explanation requested, Senator Robach.

1 SENATOR ROBACH: Yes,
2 Mr. President. This is a piece of legislation
3 which is very much similar to legislation we've
4 passed previously banning discrimination in the
5 workplace against victims of domestic violence,
6 and this would similarly ban that in housing.

7 For those of us who work with
8 advocates and have worked on this issue,
9 unfortunately it's often too many times true --

10 SENATOR MARCELLINO: Mr. President.

11 ACTING PRESIDENT BOYLE: Senator
12 Marcellino.

13 SENATOR MARCELLINO: I can't hear
14 what's going on. Could we just get some order in
15 the house, please.

16 ACTING PRESIDENT BOYLE: The Senate
17 will come to order.

18 SENATOR ROBACH: Well, let me just
19 start very quickly. This bill would impact the
20 housing law similar to the bill we passed
21 previously in this house which would ban
22 discrimination against victims of domestic
23 violence in the workplace. Often we know that
24 the perpetrators of this crime will go to great
25 lengths to make the victim's life revictimized or

1 make it difficult for them to move on.

2 And oftentimes if people are made
3 aware, unfortunately, sometimes of the situation,
4 they are less likely or more reluctant to rent
5 apartments or other things.

6 I've worked on this bill with
7 Alternatives for Battered Women, a group out of
8 Rochester, for several years now, and other
9 advocates, and I think this will be one more step
10 in combating and ending the scourge of domestic
11 violence in New York.

12 ACTING PRESIDENT BOYLE: Senator
13 Krueger.

14 SENATOR KRUEGER: Mr. President, on
15 the bill.

16 ACTING PRESIDENT BOYLE: On the
17 bill, Senator.

18 SENATOR KRUEGER: Thank you.

19 Thank the sponsor for his
20 explanation.

21 So this is the third bill in a row
22 that involves trying to decrease discrimination
23 against women in some capacity. We had the
24 differential pay because of sex bill, we had the
25 discriminatory practice because of familial

1 status, and now we have discrimination in
2 domestic violence in housing. There is a lot of
3 discrimination against women in New York State
4 law.

5 Now, I don't object to this bill --
6 a portion of this bill, which is to prohibit
7 housing discrimination against victims of
8 domestic violence, as the sponsor just explained.
9 But in fact this bill is a version of a bill that
10 actually had moved through this house multiple
11 times that also, in the other version, included
12 prohibiting housing discrimination based on
13 lawful source of income, as opposed to this bill
14 simply studying the question of whether women are
15 being discriminated against based on their source
16 of income.

17 My City of New York has actually
18 passed the better version of the bill, requiring
19 that you cannot discriminate based on source of
20 income including employment, child support,
21 alimony, Social Security, disability assistance,
22 federal, state or local public assistance, or
23 housing assistance, including Section 8 vouchers.

24 That, once upon a time, was a bill
25 that moved through both houses, and unfortunately

1 was vetoed in 2010, incorrectly, because of
2 technical issues with the domestic violence
3 definition, not objecting to the much broader
4 categories of housing that women should not
5 suffer discrimination under our law.

6 I was absent Thursday because I had
7 a death in my family when two other bills
8 involving women and discrimination passed this
9 house. Maybe we'll see more. There's a package
10 of all 10 bills proposing changes in decreasing
11 discrimination against women in New York State
12 law. It has passed the Assembly. It goes by the
13 shorthand "Women's Equality Agenda."

14 And yet I gather from comments I
15 heard from Thursday when I was not able to be
16 here that there continues to be the argument that
17 we can't do the full 10, that we can only select
18 a few of the ways that women are discriminated
19 against in New York State law and call it a day
20 and call it a year.

21 And I'm here to say it's not
22 acceptable, Mr. President. When women's
23 lives are at risk, when women end up having to
24 leave the State of New York to get healthcare
25 because we still have laws on our books that

1 don't allow the law of this country, the federal
2 law of this country, to be the law of New York
3 State, it is not acceptable.

4 I am not voting against these bills
5 here today; I am voting for these bills. But I
6 am here to say half a loaf is not acceptable.
7 The concept that there are women in this state --

8 ACTING PRESIDENT BOYLE: Senator
9 DeFrancisco, why do you rise?

10 SENATOR DeFRANCISCO: I wondered if
11 Senator Krueger would yield to a question.

12 SENATOR KRUEGER: I would like to
13 finish my statement, and then I would be happy to
14 yield to the Senator. Thank you.

15 The concept that women in this
16 state, unlike men, would have their healthcare
17 decisions challenged and not be protected by the
18 law of this state, the concept that women in this
19 state find that in some circumstances they
20 actually have to leave the state to search for
21 doctors to provide them healthcare services, that
22 they put their lives at risk because having to
23 leave the state, having to find a provider in
24 another state, having to travel there can add
25 one, two, three days before they can actually get

1 these healthcare services -- this is unacceptable
2 in the 21st century.

3 New York State must have laws that
4 make explicit that women's reproductive health
5 rights are protected by our statutes. They
6 should not be refused services. They should not
7 have to go county by county because some counties
8 have far less services than others.

9 SENATOR LIBOUS: Mr. President.

10 ACTING PRESIDENT BOYLE: Senator
11 Libous.

12 SENATOR LIBOUS: Is the speaker
13 germane to the bill on the floor?

14 ACTING PRESIDENT BOYLE: Senator,
15 could you please remain germane --

16 SENATOR KRUEGER: Through you,
17 Mr. President, I believe I am. We're talking
18 about a series of bills that are trying to end
19 discrimination against women under our laws --

20 ACTING PRESIDENT BOYLE: Senator,
21 we're speaking on one bill, the present bill.

22 SENATOR KRUEGER: Again, this bill
23 is specific to domestic violence against women.

24 SENATOR LIBOUS: Thank you,
25 Mr. President. Senator Krueger answered the

1 question.

2 SENATOR KRUEGER: Through you,
3 Mr. President, to continue.

4 Domestic violence often ends up with
5 women finding themselves in reproductive health
6 situations they did not choose. Domestic
7 violence is often associated with sexual assault
8 in the home --

9 ACTING PRESIDENT BOYLE: Senator,
10 please keep your comments germane to the present
11 bill.

12 SENATOR KRUEGER: I believe
13 domestic violence is germane to this bill, as the
14 sponsor, Senator Robach, explained.

15 And domestic violence, if you look
16 at the research, often correlates to women who
17 are victims of domestic violence being prevented
18 from getting the healthcare that they need in a
19 timely manner. It often translates into sexual
20 assault against the woman's will, which can
21 translate into unwanted pregnancies. And in fact
22 there's a great deal of scientific correlation
23 between being the victim of domestic violence and
24 being able to access in a timely manner the kind
25 of healthcare that you need.

1 That is added to in our state
2 because we don't have the right protections in
3 place in our statutes for reproductive health, as
4 we don't have the right statutes in place for
5 domestic violence. And again, as I pointed out,
6 the Senator's bill helps with that, but it
7 doesn't address the totality of issues that
8 victims of domestic violence can find themselves
9 in over and over again.

10 In fact, domestic violence can
11 correlate to employment discrimination, because
12 the research shows that people who feel their
13 right to domestically -- to cause domestic
14 violence also don't want their victims to feel
15 economically independent and able to leave, so
16 they try to negatively impact their ability to
17 move into and stay in the workforce. They try to
18 make sure they don't have the economic resources
19 to move on somewhere else. They try to prevent
20 them from making their own decisions about
21 pregnancy and childbearing.

22 So it all is one issue. It's all
23 one mechanism to try to make sure our state law
24 protects women, whether in their home, in their
25 workplace.

1 And again, fundamentally, if the
2 women of this state don't have access to the kind
3 of healthcare they need -- without
4 discrimination, upon request, in every county
5 under every circumstance -- we have flunked the
6 test of protecting victims of domestic violence,
7 of protecting women in this state.

8 I hope in the next few days we can
9 see all 10 bills that have been discussed in the
10 context of being one set of issues moved to the
11 floor of this house and passed.

12 I will vote for this bill. Thank
13 you, Mr. President.

14 ACTING PRESIDENT BOYLE: Senator
15 DeFrancisco.

16 SENATOR DeFRANCISCO: Yes --

17 SENATOR KRUEGER: Oh, I'm sorry.
18 Excuse me. I am happy to answer Senator
19 DeFrancisco's question.

20 SENATOR DeFRANCISCO: Senator, you
21 indicated that 50 percent of the loaf was not
22 acceptable. How about 60 percent?

23 ACTING PRESIDENT BOYLE: Senator
24 Krueger.

25 SENATOR KRUEGER: Through you,

1 Mr. President, no. A hundred percent of the loaf
2 is needed.

3 As I said, they all are interactive.
4 If a victim of domestic violence can't get the
5 reproductive health services she needs, we are
6 not addressing the needs of victims of domestic
7 violence.

8 SENATOR DeFRANCISCO: Would you
9 yield to another question.

10 SENATOR KRUEGER: Certainly.

11 ACTING PRESIDENT BOYLE: Senator
12 DeFrancisco.

13 SENATOR DeFRANCISCO: By voting yes
14 today like you say you're going to, does that
15 mean you're in favor of this bill?

16 SENATOR KRUEGER: As I said, it's a
17 weaker version than I believe we should be voting
18 upon. We had stronger versions pass this house
19 before. So there is a portion of this bill, the
20 portion that specifically says that you cannot
21 discriminate against victims of domestic violence
22 in housing, that I am happy to vote for. But it
23 is missing the other sections that it used to
24 have.

25 And rather than be also explicitly

1 prohibiting discrimination based on lawful source
2 of income, there we're only studying the
3 question. So I'm not satisfied with that. I
4 would prefer a stronger bill.

5 SENATOR DeFRANCISCO: But you're
6 voting yes.

7 SENATOR KRUEGER: Yes, sir, I said
8 that.

9 SENATOR DeFRANCISCO: Okay. Would
10 she yield to another question.

11 ACTING PRESIDENT BOYLE: Senator,
12 will you yield?

13 SENATOR KRUEGER: Certainly.

14 SENATOR DeFRANCISCO: Now, I don't
15 believe you were present when we voted on the
16 bill concerning human trafficking last week. Do
17 you know if you were recorded as a yes on that
18 particular vote?

19 SENATOR KRUEGER: One second. Yes,
20 I did check in and then leave for the funeral of
21 my uncle.

22 SENATOR DeFRANCISCO: No, that's
23 fine.

24 Would she yield to another question?

25 ACTING PRESIDENT BOYLE: Senator

1 Krueger?

2 SENATOR KRUEGER: Certainly.

3 SENATOR DeFRANCISCO: Does that yes
4 from last week, does that mean that you think
5 it's important for this state to have a law, like
6 the law you voted yes on, to prohibit sex
7 trafficking and to make substantially greater
8 penalties for sex trafficking?

9 SENATOR KRUEGER: Through you,
10 Mr. President, I certainly think it is important
11 for the State of New York to have stronger Laws
12 to have stronger laws to protect victims of sex
13 trafficking.

14 Interestingly, sex trafficking is
15 another crime that directly correlates to access
16 to reproductive health for women. Because in
17 fact women who are sex trafficked, who have their
18 rights and freedoms taken away from them, are
19 absolutely most likely to be victims of not being
20 able to get the kind of reproductive healthcare
21 they need in a timely way. They're often being
22 forced to stay in physical facilities they don't
23 wish to. They don't have often insurance
24 coverage or the right to going to doctors and
25 often find themselves having to go way too late

1 in the process to get the kind of care they wish
2 they had gotten months earlier.

3 And so that bill specifically, I
4 believe, highly correlates. If you really are
5 concerned about protecting victims of sex
6 trafficking, it's almost like it's an automatic,
7 you have to understand the importance of having
8 legitimate, full access to reproductive health
9 for these women. It's key for them. It's just
10 key.

11 SENATOR DeFRANCISCO: Would Senator
12 Krueger yield to another question.

13 SENATOR KRUEGER: Yes. Oh, I'm
14 sorry, I forget to let you ask.

15 ACTING PRESIDENT BOYLE: Senator,
16 you will yield --

17 SENATOR KRUEGER: Yes, I will.

18 ACTING PRESIDENT BOYLE: -- but
19 we're going to try and keep the comments specific
20 to the present bill.

21 SENATOR DeFRANCISCO: Yes. You
22 know last year the Senate passed the sex
23 trafficking bill and passed this bill that we're
24 on today --

25 SENATOR GIANARIS: Mr. President.

1 ACTING PRESIDENT BOYLE: Senator
2 Gianaris, why do you rise?

3 SENATOR GIANARIS: I'm sorry for
4 interrupting, but I'd just like to support
5 Senator Libous's comments from earlier. We are
6 now getting way off Senator Robach's bill that is
7 actually before us, and I would ask the president
8 to enforce the germaneness rule.

9 ACTING PRESIDENT BOYLE: Senator
10 Gianaris, you make a good point.

11 Senator DeFrancisco, if you can keep
12 your comments to the present bill, Senator
13 Robach's.

14 SENATOR DeFRANCISCO: I would be
15 more than happy to.

16 And let's talk about Senator
17 Robach's bill today that you are going to vote
18 yes on. Do you know that bill passed last year?

19 SENATOR KRUEGER: Yes.

20 SENATOR DeFRANCISCO: And one other
21 question and then I'll stop.

22 Do you believe that it was worth
23 women who didn't have the protections of the
24 Senator Robach bill concerning the discrimination
25 based upon domestic violence, that it was worth

1 not providing them those protections for this
2 last year because the Assembly wanted to hold out
3 for 10 bills?

4 SENATOR KRUEGER: Through you,
5 Mr. President. When I first decided to run for
6 the Senate, one of the issues I ran on was a bill
7 called the Women's health and Wellness Act. At
8 the time, the Assembly had passed the bill
9 approximately six times, if not seven years in a
10 row, but the Senate would not pass the bill.
11 Even though it was a bill to provide cancer
12 screenings for breast cancer, cervical cancer and
13 ovarian cancer. But the Senate wouldn't pass it
14 even though the Assembly passed it. And why?
15 Because that bill included birth control as well
16 as cancer screenings.

17 And so a very large coalition of
18 organizations and healthcare providers throughout
19 the state said, and seven years they had to say
20 it: We're not going to give up on fighting for
21 women's rights for reproductive independence and
22 health. And even though it's a tragedy that the
23 Senate would force us to wait seven years before
24 it would pass cancer screenings, they said, we
25 need the whole package.

1 And eventually, after I joined the
2 Senate, we were successful in passing the full
3 Women's Health and Wellness Act. I believe
4 that's a parallel story to today.

5 It's 2014. We have now been
6 waiting, really since Roe v. Wade was codified in
7 1974, for New York State to modernize its law and
8 to establish fundamental protections in our
9 statutes that are our right as citizens of the
10 United States but ironically don't seem to be our
11 right as citizens of New York State.

12 So having waited since 1974, I
13 believe that women and men in this state
14 understand the critical nature of moving
15 reproductive health legislation forward. And I
16 think men and women of the state understand that
17 every single issue that the Senator and I have
18 been discussing and these bills all correlate
19 together as a package that only in its totality
20 assures the real protections women need.

21 ACTING PRESIDENT BOYLE: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: On the bill.

24 ACTING PRESIDENT BOYLE: On the
25 bill, Senator DeFrancisco.

1 SENATOR DeFRANCISCO: This debate
2 is much the same, my comments on this debate are
3 much the same as on the one last week concerning
4 human trafficking.

5 There are nine major bills, this
6 being one of them, Senator Robach's bill, that I
7 think are pretty important for women, including
8 Senator Savino's bill that we passed without
9 debate, an act to amend the Labor Law in relation
10 to prohibition of differential pay because of
11 sex.

12 It is incredible to me that we would
13 hold up the nine bills that are so essential to
14 women in order -- and even these nine bills are
15 being voted on by those who think there should be
16 a 10-bill package, and I think that's great. The
17 problem is that they're being held up another
18 year.

19 I just wonder how many people are
20 going to be discriminated by pay, discriminated
21 as a result of domestic violence, discriminated
22 against and harmed because of human trafficking
23 because we have a philosophical difference about
24 one of the 10 points. And there is a true
25 philosophical difference.

1 Half a loaf won't do it, apparently,
2 for some. Sixty percent won't do it,
3 70 percent -- 100 percent, all or nothing.
4 That's wrong, and I call on the Assembly, like I
5 did last week, to take these bills up separately.
6 The nine are going to pass. The nine will help
7 women immensely. And there's another day to
8 debate Number 10, which I will not support.

9 So with that in mind, I would hope
10 that this bill passes -- and I'm sure it will,
11 probably unanimously, just like the one last
12 week -- and let reason prevail in this Capitol
13 and give women protections this year. Don't wait
14 another year because you want it all.

15 Thank you, Mr. President.

16 ACTING PRESIDENT BOYLE: Thank you,
17 Senator.

18 Senator Díaz.

19 SENATOR DIAZ: Mr. President on the
20 bill.

21 ACTING PRESIDENT BOYLE: On the
22 bill, Senator Díaz.

23 SENATOR DIAZ: I don't even know if
24 I'm going to be out of order. But I heard
25 Senator Hoylman few minutes ago explaining why he

1 was voting no because -- the reason that he gave
2 why he was voting no in a bill. Then I heard
3 Senator Krueger stood up and said, "I'm voting
4 yes because it's better to have something than
5 nothing." That was before.

6 But now I hear Senator Krueger
7 saying it's all or nothing. So I don't know if I
8 am reading Senator Krueger wrong, but if she said
9 before that it was okay to vote yes when Senator
10 Hoylman was saying the reason why to vote no, and
11 she said it's better to have something than
12 nothing. But now it's about those 10 points, she
13 said it's better to have nothing if you're not
14 going to have everything. So it's two
15 different -- to me, it's two different
16 explanations here.

17 And I'm supporting -- I also want to
18 talk about the -- congratulate Senator Robach.
19 Because when we talk about domestic violence and
20 we're talking about -- that was Senator Krueger
21 saying before, if we're talking about trying to
22 protect women and stop anything that could hurt
23 women, then I have to question myself and
24 question what people saying.

25 But when we're trying to impose

1 legislation where we will ask nonphysicians to do
2 abortion, ain't that -- ain't that asking for
3 violence? Because if we say a nonphysician, a
4 midwife could do something like that, I think
5 that we're opening women for violence. We are
6 not protecting women against violence. If we
7 open -- if we are saying that a pharmacist could
8 do something like that, ain't we open ourself and
9 the women of this state for violence? So are we
10 protecting talking about women violence, trying
11 to protect from violence, or we are opening for
12 more violence?

13 So we have to be sure that if we are
14 here trying to talk about stop domestic violence,
15 then we have to be sure what it is we want.
16 Because opening the door for that, that might
17 create, that might create a dangerous situation
18 for women, that is not -- to me, that is not
19 protecting women. That is throwing women to the
20 wolves.

21 Senator Robach, thank you.

22 And Senator DeFrancisco, talking
23 about those nine points that are so important for
24 women and we should put and vote -- we did it
25 already. We passed those nine votes. And some

1 people that want to protect women that said that
2 they want to do something for women because of
3 one point, Senator DeFrancisco say they don't
4 want the other nine.

5 So I don't know, I don't know how is
6 it that we are protecting women. Nine points,
7 Senator Krueger and ladies and gentlemen, is
8 better than nothing, as she said before to
9 Senator Hoylman. Nine of the ten a lot better
10 than nothing.

11 I'm voting yes. Thank you.

12 ACTING PRESIDENT BOYLE: Thank you,
13 Senator.

14 Senator Squadron.

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

17 Just a brief point of clarification.
18 I do want to say I think it's a very positive
19 bill. I appreciate Senator Robach's explanation
20 of it. And I think it's an important bill on its
21 own rights and its own merits. And I'm glad that
22 we all feel that way, and I hope Senator
23 DeFrancisco proves correct that we have broad
24 support for this bill today.

25 Just to clarify, though, we're not

1 talking about nine out of 10 or whatever it is.
2 This bill is not really, fully a version of the
3 Women's Equality Act that we talked about. It is
4 not a complete source-of-income discrimination
5 bill. I think Senator Robach was clear and
6 straightforward about that in his explanation.
7 It really is focused on victims of domestic
8 violence, which is a critically important group
9 of people.

10 It does push forward a study, but it
11 doesn't do what we've done in New York City and
12 in Nassau County, which is prohibit
13 source-of-income discrimination in housing.
14 That's the bill that passed this house with
15 bipartisan support in 2010, passed the Assembly.
16 It was unfortunately and incorrectly vetoed by
17 Governor Paterson. It's a bill I still carry.

18 And, you know, when we're talking
19 being one out of 10 or two out of 10 or nine out
20 of 10, I do want to just be clear. As far as I'm
21 concerned, this is a different important and
22 meritorious bill. I'll be voting yes. And I
23 hope we also have the opportunity to vote on the
24 broader source of income discrimination bill.

25 Thank you, Mr. President.

1 ACTING PRESIDENT BOYLE: Thank you,
2 Senator.

3 Are there any other Senators wishing
4 to speak?

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

7 Read the last section.

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

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BOYLE: Senator
14 Parker to explain his vote.

15 SENATOR PARKER: Thank you,
16 Mr. Chairman. To explain my vote.

17 I want to congratulate Senator
18 Robach for an excellent bill. You know, I think
19 that I agree with some of my colleagues who think
20 that the bill doesn't quite go quite far enough.
21 But we certainly need this legislation
22 protecting -- there's nothing more important in
23 our society than protecting, you know, women,
24 particularly domestic violence victims and
25 survivors. But there's so much that needs to be

1 done.

2 And as has been indicated both by
3 Senator Krueger and others, and what I'm certain
4 that Senator Robach's study will show, is that
5 domestic violence isn't a crime that happens
6 uncontextually, that in fact it happens within a
7 particular context. And we in fact should be
8 trying to protect all members of our society, but
9 particularly women, from all of those contexts.

10 I want to congratulate this chamber
11 on an evolution that I've seen since I've been
12 here, of not just coming here and debating bills
13 and being outside and working through hard
14 issues, but what we've started a tradition of is
15 bringing bills to the floor that we know are
16 important and giving them an up-and-down vote.

17 And so as we talk about this, debate
18 about whether it's 10 separate bills or one bill,
19 let's bring the omnibus women's equality package
20 to the floor, let's give it a vote, and if people
21 want to vote no, then let them vote no and let
22 the bill go up and down on its merit. We did
23 that with the DREAM Act, and that seemed to be
24 fine. We did it with marriage equality a number
25 of years ago.

1 Let this be another opportunity to
2 show everyone that we are not afraid, that we are
3 here ready for the moment, and that we are ready
4 to give people in this state an opportunity to
5 see where their representatives stand on the
6 issues as relates to women in the State of
7 New York.

8 Thank you very much. I'm voting '
9 aye.

10 ACTING PRESIDENT BOYLE: Senator
11 Parker to be recorded in the affirmative.

12 Announce the result.

13 THE SECRETARY: Ayes, 57.

14 ACTING PRESIDENT BOYLE: The bill
15 is passed.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President,
18 let's go back to today's active list and read the
19 controversial calendar, Number 646, please.

20 ACTING PRESIDENT BOYLE: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 646, by Senator Ritchie, Senate Print 1946A, an
24 act to amend the Vehicle and Traffic Law.

25 SENATOR KRUEGER: Explanation.

1 ACTING PRESIDENT BOYLE: Senator
2 Krueger has requested an explanation.

3 Senator Ritchie.

4 SENATOR RITCHIE: This bill would
5 permit all-terrain vehicles weighing up to
6 1500 pounds to be registered in New York State,
7 provided they are limited to three seats and have
8 safety mechanisms such as a roll bar and seat
9 belts.

10 New York State is the only state
11 that limits the weight that all-terrain vehicles
12 can be registered up to a thousand pounds. In
13 the past few weeks I have received over 4,000
14 signatures on a petition from individuals in
15 Western New York, Hudson Valley, and the
16 North Country asking that this bill be passed so
17 that they can go back out -- many of them, they
18 can go back out as senior citizens and enjoy the
19 trails and the outdoors, and many individuals who
20 are disabled.

21 Ironically enough, the only
22 individuals who are using the trails when an ATV
23 is over a thousand pounds right now are those
24 out-of-state residents who actually register
25 their all-terrain vehicle in their state and then

1 come to New York and they're able ride on our
2 trails, when taxpaying citizens here are not
3 allowed to.

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

6 ACTING PRESIDENT BOYLE: Senator
7 Ritchie, will you yield?

8 SENATOR RITCHIE: Yes.

9 ACTING PRESIDENT BOYLE: Yes.

10 SENATOR KRUEGER: Thank you.

11 So this would allow vehicles that
12 are currently known as UTVs, utility vehicles
13 with weights up to 1500 pounds to be treated as
14 if they're ATVs for recreational purposes in
15 nonindustrial, nonfarm purposes, is that correct?

16 SENATOR RITCHIE: This would allow
17 an ATV is that considered a utility vehicle up to
18 1500 pounds to be registered and used in the same
19 way an ATV is currently.

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

23 ACTING PRESIDENT BOYLE: Do you
24 continue to yield?

25 SENATOR RITCHIE: Yes,

1 Mr. President.

2 ACTING PRESIDENT BOYLE: Yes.

3 SENATOR KRUEGER: Can the sponsor
4 explain to me the difference between our current
5 ATVs, which are up to a thousand pounds, and
6 these new 1500-pound ATVs, which my understanding
7 are now called UTVs or side-by-sides, can she
8 help me understand what's the difference besides
9 the weight?

10 SENATOR RITCHIE: Actually, last
11 week I had a number of dealers who came down and
12 displayed their UTVs. Generally a UTV is a
13 side-by-side. Many times they are equipped with
14 safety items that are not on ATVs, such as roll
15 bars and seat belts.

16 During the display there was a UTV
17 that was just under a thousand pounds next to one
18 that was just over a thousand pounds. One could
19 be registered, one was not allowed to be
20 registered. The only difference was the one
21 that's not allowed has automatic steering, which
22 actually makes it safer.

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

1 SENATOR RITCHIE: Yes.

2 ACTING PRESIDENT BOYLE: The
3 sponsor yields.

4 SENATOR KRUEGER: Thank you.

5 I actually also saw these vehicles,
6 because they were set up, on my way between the
7 Capitol and the LOB. And I have to say they
8 looked like cars to me. I'm looking at some
9 photos now. I know we're not allowed to display
10 things here, but I'm looking at some photos here.

11 Can the performance explain to me,
12 when you talk about the dry weight of a vehicle
13 being 1500 pounds, which is a 50 percent increase
14 in the weight, given what these vehicles are set
15 up to do and the number of number of people that
16 they can hold, what would be the weight of these
17 vehicles when, quote, fully loaded with the sort
18 of equipment that the companies offer for sale
19 and up to three people?

20 SENATOR RITCHIE: I guess, Senator
21 Krueger, I wouldn't really be able to tell you
22 that. Because you could have a side-by-side with
23 a fairly small person in it, or an ATV with a
24 fairly large person on it, and it might be the
25 same. I can't really answer that question.

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

4 SENATOR RITCHIE: Yes.

5 ACTING PRESIDENT BOYLE: She does.

6 SENATOR KRUEGER: Thank you.

7 Would the sponsor agree that the
8 research shows that a fully loaded UTV/ATV with a
9 dry weight of 1500 pounds could have a weight of
10 3,000 pounds -- which, just for reference, is
11 approximately the size of a Toyota Corolla, a
12 car -- would the sponsor agree with me that it
13 could be a situation where these vehicles would
14 have the weight of a Toyota Corolla, which is
15 2,765 pounds?

16 ACTING PRESIDENT BOYLE: Senator
17 Ritchie.

18 SENATOR RITCHIE: I would say that
19 was pretty unlikely. But I guess if you're on
20 the opposite side of the issue you could say that
21 it could weigh 10,000 pounds, because you could
22 put any amount on there to prove the point that
23 you wanted to.

24 For the majority of people who are
25 out there, many of them are senior citizens, they

1 are individuals with disabilities who might have
2 a cooler with a couple of sodas in the back that
3 are out on a ride enjoying the trail system. But
4 that's just about all most people have. Or
5 potentially a winch if they have a flat tire.

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

9 SENATOR RITCHIE: Yes.

10 SENATOR KRUEGER: Thank you.

11 So I appreciate her analysis that
12 these vehicles may be used by senior citizens and
13 others who currently can't use our smaller
14 approved ATVs. My understanding is that these
15 types of vehicles have different vehicle
16 performance, they have different turning radiuses
17 and maximum braking distances, and that they
18 actually have a higher center of gravity,
19 resulting in it being easier to tip over or roll.

20 Does the sponsor think there need to
21 be any new limitations on these vehicles because
22 of the differences in radius, braking, the
23 potential risk of rolling and tipping over?

24 SENATOR RITCHIE: Actually, I
25 believe the people who are using the UTVs now are

1 safer than they would be if they were on an ATV.
2 Many times when UTVs are on the trails, they're
3 going slower on a ride.

4 Just in St. Lawrence County they put
5 together a 50-mile UTV/ATV trail. And there's a
6 lot of interest not just in St. Lawrence County
7 but across the state from individuals who want to
8 go out, enjoy the outdoors and ride on the
9 trails.

10 I know those who are on the other
11 side of the issue, like the environmentalists,
12 sent around probably one of those pictures that
13 you're referring that has a vehicle that's well
14 over the 1500-pound radius.

15 Also what was sent around was an UTV
16 on a trail with probably a four-foot trench where
17 they're looking like they're tearing it all up,
18 which is actually a logging trail that a huge
19 logging tractor trailer and skidder would be on.

20 So I guess I would say that
21 UTVs generally are for people who want to go out
22 and trail ride who are going at a slower rate of
23 speed than normal, who just want to go out and
24 enjoy the outdoors.

25 SENATOR KRUEGER: Through you,

1 Mr. President, if the sponsor would yield.

2 ACTING PRESIDENT BOYLE: Senator
3 Ritchie, do you continue to yield?

4 SENATOR RITCHIE: Yes.

5 ACTING PRESIDENT BOYLE: Yes.

6 SENATOR KRUEGER: So this
7 legislation would allow a 50 percent larger dry
8 load of the type of vehicles able to be used
9 off-road, although they could still cross
10 highways. Does this legislation place any new
11 limitations on who can operate these vehicles?

12 SENATOR RITCHIE: This legislation
13 does not address that. The only thing it
14 addresses is raising the weight and limiting it
15 to three passengers, and also making sure that
16 there are safety requirements on there.

17 Which is kind of interesting that,
18 because New York is the only state that doesn't
19 allow this right now -- I don't think any one of
20 us would think California is not environmentally
21 friendly. California allows these vehicles, and
22 we don't have an issue; the state hasn't slid
23 into the ocean. Vermont, with the mountains we
24 have there, probably everyone would agree Vermont
25 is fairly environmentally friendly too, and

1 there's no issues there.

2 New York State is the only state
3 that does not allow these machines on their
4 trails.

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

8 ACTING PRESIDENT BOYLE: Senator?

9 SENATOR RITCHIE: Yes.

10 ACTING PRESIDENT BOYLE: Yes.

11 SENATOR KRUEGER: So the bill
12 highlights increasing the weight of the vehicles,
13 and there's a different type of chassis and
14 center of gravity. What speed do these machines
15 go compared to the current machines that are only
16 up to a thousand pounds in New York?

17 SENATOR RITCHIE: There is a
18 different range of speeds. But for many of the
19 ATVs that are currently allowed to be registered,
20 they can actually go faster than the newer UTVs.

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

24 SENATOR RITCHIE: Yes.

25 SENATOR KRUEGER: Thank you.

1 Under current law a 10-year-old
2 child can operate an ATV in the same manner as an
3 adult, as long as they have passed something
4 called a safety training course. This
5 legislation would authorize vehicles capable of
6 carrying up to three passengers. So this new
7 legislation, if I'm reading it correctly, would
8 authorize a 10-year-old child to drive three
9 additional 10-year-old children around on a
10 1500-pound vehicle without adult supervision or
11 additional regulation. Is that correct?

12 SENATOR RITCHIE: We did not make
13 any changes other than the weight limit.

14 SENATOR KRUEGER: Through you,
15 Mr. President, if the sponsor will continue to
16 yield.

17 SENATOR RITCHIE: Yes.

18 SENATOR KRUEGER: And under current
19 regulations, that 10-year-old who had taken a
20 course could also drive this vehicle across roads
21 and highways, would that be correct?

22 SENATOR RITCHIE: We did not change
23 anything in the bill other than to allow the
24 weight up to 1500 pounds.

25 SENATOR KRUEGER: Through you,

1 Mr. President, if the sponsor would continue to
2 yield.

3 SENATOR RITCHIE: Yes,
4 Mr. President.

5 SENATOR KRUEGER: So we've
6 established that these vehicles can be as weighty
7 as a car. Do they include air bags or reinforced
8 windows or undergo rigorous crash testing that we
9 do require for automobiles of a similar weight?

10 SENATOR RITCHIE: I guess the best
11 way to answer that is, Senator Krueger, I would
12 be more than glad to bring you up to my district
13 any time to ride on the UTVs. And I'm pretty
14 sure once you went on a ride on the trail in a
15 side-by-side versus the older-style ATVs, at the
16 end you would say that the UTVs are much safer
17 and you would prefer to ride in them.

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

20 ACTING PRESIDENT BOYLE: Senator
21 Krueger on the bill.

22 SENATOR KRUEGER: Thank you.

23 I thank the sponsor for her answers.

24 I also thank the sponsor for her invitation.

25 I've actually ridden on utility

1 vehicles on farm property, so I have no problem
2 with the concept of these utility vehicles being
3 used for industrial and agricultural purposes. I
4 think that's actually that they are designed for.

5 My dilemma here is I don't support
6 allowing them to be used for recreational
7 purposes in an off-road capacity by people who,
8 yes, can be doing damage to the environment in
9 certain areas. The Senator is absolutely right
10 when she says that environmental organizations
11 have sent around memos opposing this. In fact,
12 as far as I can tell, every environmental group I
13 know has sent around memos saying this is a bad
14 idea from an environmental perspective.

15 But I started off the day deciding
16 to focus on the risk to human beings from
17 allowing these larger, heavier, more likely to
18 roll over vehicles to be able to be used for
19 recreational purposes off-road and to be allowed
20 to be used by people as young as 10 years old.

21 We would never let a 10-year-old get
22 into a car and drive it, on roads or off roads.
23 And yet these vehicles are as heavy as cars, can
24 carry as many passengers as cars, can have the
25 same risks as riding a jeep fast on a highway,

1 with rollover impacts and issues. But we would
2 let 10-year-olds, because they took a safety
3 course -- even though our safety courses aren't
4 mandated for this specific type of vehicle, not
5 as of now -- we would allow them to drive these
6 vehicles, we would allow them to drive around
7 other children in these vehicles, on family-owned
8 property, off family-owned property, across roads
9 and highways.

10 I have to say we might make this a
11 law of New York State, but I certainly hope
12 there's no parent in New York who would think it
13 would be a good idea for their 10-year-old to
14 have access to be the driver of these vehicles,
15 because the dangers are enormous.

16 I pulled out an April 2014 report
17 from the federal Consumer Product Safety
18 Commission of the United States government. And
19 in April 2014 they put out their 2012 annual
20 report of ATV-related deaths and injuries. And
21 the data is fairly -- to say disturbing would be
22 an underemphasis on this. ATVs have been getting
23 bigger, they've been getting faster. Younger and
24 younger children, in state by state, have been
25 allowed to ride them.

1 And not surprisingly, the rate of
2 ATV-related emergency injury and the rate of
3 death is shocking. In 2012 there were an
4 estimated 107,900 ATV-related emergency-
5 department-treated injuries in the United States.
6 An estimated 25 percent of these were children
7 younger than 16 years of age.

8 The increase in the estimated number
9 of ATV-related emergency-department-treated
10 injuries just in one year, 2011-2012, went up,
11 but it's been going up since 2001. The number of
12 deaths from ATV injuries has also grown.

13 It's true more people are using
14 ATVs, but they keep getting bigger and faster.
15 And the only protective rule New York State has
16 is that you have to wear a helmet. You don't
17 have to wear other safety protective items or
18 have any specific types of protective equipment
19 on these machines. They are designed to be
20 industrial-use farm machines and other industry
21 purposes. We use them in New York City at our
22 parks as industrial vehicles.

23 This is too dangerous a kind of
24 vehicle to be supporting on the grounds that
25 elderly and disabled people want to use them. I

1 have to say some of the exact concerns I have for
2 children driving these vehicles would be my
3 concerns if I thought about people with physical
4 disabilities or with limited reaction time to be
5 using these vehicles off-road.

6 I understand that they are too heavy
7 to float in water. So while ATVs, it turns out,
8 the type of ATVs that we use here in New York
9 State now actually have some level of ability to
10 float back up to the surface, these types of
11 machines are too heavy, and they simply go down.

12 My understanding is in winter, even
13 though there are snowmobiles versus ATVs, that
14 there are some people who like to use their ATVs
15 going across icy lakes and rivers. Well, if
16 there's actually enough buoyancy that if, God
17 forbid, the ice cracked, you could get out and
18 get to shore. But a machine that's so heavy that
19 it will not float at all, it will immediately
20 sink, that could have 10-year-old drivers or
21 elderly and disabled riders is something that I
22 envision as a serious safety issue for our state.

23 I'm not opposed to ATVs. I am
24 concerned that allowing UTVs, side-by-sides, with
25 a weight of 1500 pounds without putting anything

1 on it or anyone in it, translates to basically
2 saying you can take cars and start driving
3 through the woods or on icy lakes and rivers --
4 oh, and you can let your 10-year-old be the
5 driver and the passengers.

6 I think it would be a serious
7 mistake for New York State to allow this law to
8 go into effect. I respect that other states
9 apparently have done this. I find myself saying
10 this too many times as a legislator, but I keep
11 going back to the ruled of thumb that my mother
12 taught me. If the other children are jumping off
13 the bridge, you should still not jump off the
14 bridge.

15 I believe that allowing the use of
16 these kinds of vehicles for recreational purposes
17 instead of industrial and farm purpose is the
18 equivalent of letting children fall off the
19 bridge while driving one of these machines.

20 I vote no, Mr. President. Thank
21 you.

22 ACTING PRESIDENT BOYLE: Thank you.

23 Senator Nozzolio.

24 SENATOR NOZZOLIO: Mr. President on
25 the bill.

1 ACTING PRESIDENT BOYLE: On the
2 bill, Senator Nozzolio.

3 SENATOR NOZZOLIO: Mr. President, I
4 deeply appreciate Liz Krueger's mom's advice.
5 It's great advice. However, tell that to the
6 hiker who broke his leg, an active, avid
7 environmentalist traveling on foot through the
8 woods. Who's responding to that 911 call when no
9 automobile can meet that hiker? It's an ATV.

10 And most of the volunteer fire
11 departments and rescue teams across upstate
12 deploy ATVs when they can afford one and are
13 trying to allocate scarce resources so that they
14 can purchase ATVs, because that is the vehicle
15 that is called upon most to rescue those hikers,
16 those environmentalists who are opposed to this
17 bill who are injured through no fault of the
18 woods but are injured nonetheless and need the
19 protection and the service that our
20 volunteers are providing with ATVs.

21 So, Mr. President, this debate
22 against the vehicle should be focused on those
23 poor citizens who have, by some way or another,
24 been injured while recreating in the woods and
25 enjoying some of the beauty that we have in our

1 state, and whether that be woods or Senator
2 Krueger alluded to the lakes.

3 That yes, you need to be prudent.
4 You wouldn't drive an ATV on a frozen lake in
5 late March. But during January and February the
6 ice is, in many places in the Finger Lakes and
7 even in some of the bays of Great Lake Ontario,
8 more than a foot thick. And there are actual
9 rescues that take place using ATVs helping people
10 who are stranded on the ice.

11 So, Mr. President, I think that this
12 bill by Senator Ritchie should be applauded. It
13 makes a lot of sense. It's the rescue vehicle of
14 the present and the future in our rural areas,
15 and it's something that should be supported.

16 Thank you, Mr. President.

17 ACTING PRESIDENT BOYLE: Senator
18 Libous.

19 SENATOR LIBOUS: Mr. President, I
20 want to speak on this bill because I just think
21 that in all due respect to my colleague Senator
22 Krueger, those of us who own ATVs or UTVs do it
23 for not only recreation but, as Senator Nozzolio
24 said, two weeks ago a trooper was killed in my
25 district. He pulled somebody over on the

1 highway, and somebody plowed right into him,
2 killed him.

3 Unfortunately, this person had some
4 mental illness, and he told everybody that God
5 told him he needed to kill somebody. And
6 unfortunately that trooper happened to be the
7 next one in line.

8 The man took off into the woods, and
9 they caught him on two ATVs because the terrain
10 was so rough they couldn't get him any other way,
11 and they were able to climb the mountains and
12 catch him. So they are used, as Senator Nozzolio
13 said, for emergency situations.

14 But Senator Krueger, I would say
15 this to you. Those of us who own these vehicles
16 and use them on trails and enjoy them, it is a
17 way of life for us in upstate New York, where it
18 is much more rural than maybe it is in Manhattan.

19 And I would say to you that I think
20 the bus lanes on First Avenue are more dangerous,
21 or the bicycle lanes. I've almost been killed
22 crossing First Avenue because the bikes go flying
23 by -- and I'm serious, I'm dead serious --
24 probably 50, 60 miles an hour. And I would
25 protest to you that the UTVs and ATVs are much

1 safer than the people on those bikes the way they
2 fly through.

3 So our way of life is a little
4 different. And I'm not saying that your way is
5 wrong or our way is right. But these vehicles
6 are something that -- just like snowmobiles. We
7 have trails in upstate New York, and we like our
8 snowmobiles and we enjoy them.

9 So what Senator Ritchie is doing
10 here is a good piece of legislation. It's
11 something that is part of our way of life in
12 upstate New York. Many of my constituents, like
13 the constituents of my colleagues, own these
14 vehicles, they rent these vehicles, they enjoy
15 these vehicles.

16 So I would say to you that we could
17 probably sit here and come up with 10 or 15
18 different things that are dangerous in life.
19 Like I said, crossing First Avenue and hitting
20 the bicycle lane to me is extremely dangerous. I
21 know that I take my life into my hands every time
22 I do that.

23 Driving my car is extremely
24 dangerous, especially, God forbid, if there's
25 someone else on the road that's drunk.

1 We don't use these vehicles and try
2 to create havoc. And I'm somewhat insulted that
3 environmental groups would say that we're hurting
4 the environment. There's more pollution in this
5 country from a whole host of different things
6 that are going to do more damage to the
7 environment than any UTV or ATV.

8 So, Mr. President, this is a great
9 bill. Senator Ritchie should be applauded. And
10 it should pass this house and we should have the
11 Governor sign it into law.

12 ACTING PRESIDENT BOYLE: Thank you.

13 Senator Griffo.

14 SENATOR GRIFFO: Mr. President,
15 thank you.

16 I want to thank Senator Ritchie,
17 too, for her leadership on this bill.

18 And I have had the pleasure in the
19 past to discuss and debate this bill with Senator
20 Krueger. I was hoping that after all that
21 conversation we would have really had more of an
22 opportunity to instill and educate you as to all
23 the nuances of what this truly is. Because we
24 know that cars are made to go up to speeds of
25 200 miles an hour, but people aren't encouraged

1 to drive that speed. Cars have accidents.
2 Things like that happen.

3 And this bill really is a bill that
4 talks about the definition of an ATV. So we're
5 talking about all and every aspect of it, but
6 really the essence of this bill talks about this
7 definition of what it is and it is not.

8 So while I respect that we may have
9 differences of opinion on this issue, I think
10 it's important that we continue to do what is
11 necessary in a state where we are trying to
12 promote this state right now, and we don't want
13 to send mixed messages to outdoor enthusiasts.
14 On one hand we advertise heavily to promote the
15 wonderful opportunities that exist, in
16 particularly the North Country, at Tug Hill or
17 various other parts of the state. On the other
18 hand, we want to discourage the use of the UTV or
19 the ATV, which are popular, as has been
20 indicated, with many older riders.

21 So I think it's about time that we
22 started to give the tourists who we're trying to
23 attract to this state a consistent message that
24 our trails are open for business, we'd love to
25 have you buy, register and enjoy your

1 side-by-side here in this state. So Senator
2 Ritchie, thank you.

3 And I think, again, I respect
4 differences of opinion. But if you look at this
5 factually, this is not only something that is
6 governed by rules and the VTL in certain aspects,
7 but also is an opportunity for this state economy
8 to continue to grow.

9 I vote aye.

10 ACTING PRESIDENT BOYLE: Senator
11 Bonacic.

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

14 When I was in the Assembly, I
15 remember an Assemblyman putting in a bill to have
16 New York divided into two states, New York City
17 and the rest of upstate. And the reason that he
18 was motivated -- it was Assemblyman Davidson, I
19 remember the debate. The reason he put that bill
20 in was because, he said, many of the New York
21 City metropolitan representatives do not
22 understand upstate culture and way of life.

23 And we have seen that repeatedly in
24 some of the bills when it came to allowing some
25 teenagers to hunt with their fathers using a gun,

1 a bow and arrow, and now it's ATV machines.

2 And I would like to just briefly --
3 and the other speakers have hit on it -- police,
4 sheriff, emergency services use these vehicles
5 for recovery, rescue, to track prisoners. And
6 it's all positive.

7 In the upstate culture, we're losing
8 jobs. We can't create them, as much as we try,
9 with this tough recession. Tourism and
10 self-promotion to get people to come up, whether
11 it's the wine country, whether it's to go on an
12 ATV, whether it's to fish or ski, we need the
13 people to come up to create economic vitality.

14 Now, I always get a kick out of an
15 elected official from the city thinking they have
16 more intelligence than the parent or the family
17 that would allow a child of that family to come
18 on a motorcycle, use a snowmobile or one of these
19 recreational vehicles. Believe it or not, the
20 families upstate know how to take care of their
21 children and know responsibly how to teach them
22 for their culture and the things that they
23 utilize.

24 So for all of those reasons, people
25 make intelligent choices of how they want to

1 recreate. And sometimes accidents occur.
2 Accidents occur on bicycles, they occur
3 jaywalking in New York City. But we don't stop
4 people from using bicycles. We don't stop people
5 from walking across the streets in the city.

6 So this is a very good bill, and I
7 thank Senator Ritchie for putting it forward.
8 She's trying to keep jobs. She's trying --

9 ACTING PRESIDENT BOYLE: Senator
10 Krueger, why do you rise?

11 SENATOR KRUEGER: I was wondering
12 if the Senator would yield to a question.

13 SENATOR BONACIC: Can I just
14 finish? And I would gladly listen to your
15 questions.

16 SENATOR KRUEGER: Thank you.

17 SENATOR BONACIC: So this is just
18 another way of people making intelligent choices
19 using the machines that they want to use, taking
20 responsibility for their own actions, watching
21 out for their children and enjoying their
22 culture. It also lends to enhancing economic
23 vitally and creating jobs.

24 Thank you, Senator Ritchie. I vote
25 yes.

1 I'm ready now for Senator Krueger --
2 from New York City, by the way. Yes, Senator
3 Krueger.

4 SENATOR KRUEGER: Thank you.

5 Mr. President, if the Senator would
6 please yield.

7 SENATOR BONACIC: Of course.

8 SENATOR KRUEGER: So if he was
9 listening to the earlier discussion, he heard me
10 describe that these vehicles can be the weight of
11 a Toyota Corolla. And he highlights that there
12 may be cultural differences. And I'm sure there
13 are cultural differences between all 63 of us on
14 any given day, for a lot of different reasons,
15 and that parents want to be protective of their
16 children and don't need regulations or laws by
17 the State of New York telling them how to protect
18 their children.

19 Does the Senator think we should
20 allow 10-year-olds to have driver's licenses to
21 drive Toyota Corollas if they're from upstate
22 New York?

23 SENATOR BONACIC: Senator Krueger,
24 please could you repeat the last question? Your
25 head goes each way and not into the microphone.

1 SENATOR KRUEGER: Does the Senator
2 think that 10-year-olds from upstate New York to
3 be allowed to drive Toyota Corollas without
4 driver's licenses? Is there no need for those?

5 SENATOR BONACIC: I do not. I do
6 not. Of course not.

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

10 SENATOR BONACIC: I do.

11 SENATOR KRUEGER: So you think we
12 should have driver's licenses, I'm assuming to
13 protect both the driver of the vehicle and the
14 other people who might be in the vehicle or in
15 the area?

16 SENATOR BONACIC: You're talking of
17 course. The answer is yes.

18 SENATOR KRUEGER: So through you,
19 Mr. President, if the sponsor would continue to
20 yield.

21 SENATOR BONACIC: I do.

22 SENATOR KRUEGER: If a vehicle is
23 called an ATV or a UTV or a side-by-side but
24 weighs as much as a car, can go as fast as a car,
25 why don't we think we should have similar rules

1 applying to have the right to drive those?

2 SENATOR BONACIC: There are federal
3 and state standards that determine when a vehicle
4 falls into the category of a car and a recreation
5 vehicle.

6 These ATV machines don't go on
7 highways. They're normally in the woods where
8 there's not a chance of hitting people or, in my
9 opinion, not disturbing the environment. You're
10 comparing apples and oranges.

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

13 ACTING PRESIDENT BOYLE: Senator
14 Krueger on the bill.

15 SENATOR KRUEGER: Thank you.

16 Just for the record, these vehicles
17 can be driven across roadways and highways if
18 they are registered. So yes, you would have some
19 of the same risks as driving a car when you were
20 moving in and out of the recreational off-road
21 areas.

22 Someone spoke and said we need these
23 vehicles for emergencies. I have no argument
24 that they can and should be used for emergency
25 purposes. The good news, they're already

1 allowed, under New York State law, to be used by
2 emergency service people and for emergencies, and
3 that is specifically in statute.

4 So there's nothing stopping our
5 police, our fire, our EMTs, our ambulance
6 services from using these types of vehicles for
7 emergency responses. And actually as I think was
8 highlighted by one of the speakers, sometimes
9 they already take these vehicles that are
10 currently allowed and used in New York State for
11 industrial and agricultural purposes as a
12 response vehicle in an emergency. So I have no
13 objection to emergency service people using them.

14 It's interesting that we were
15 comparing what's dangerous in one place versus
16 another. I would be thrilled if this house
17 wanted to move forward with the Vision Zero
18 package of safety for pedestrians, vehicles and
19 bikes in the City of New York, because I agree
20 with Senator Libous when he talks about the
21 dangers that can be very clear and present in
22 New York City streets.

23 And I agree there's bigger
24 environmental issues than the impact of
25 off-terrain vehicles on specific parklands. I

1 would love to see, in the next four days, three
2 days now that we have left in session, us to pass
3 important global warming legislation, important
4 legislation that could really deal with some of
5 the big-picture global environmental dangers we
6 face. Because it isn't just about a specific
7 type of vehicle on a specific kind of land, it's
8 much, much bigger than that.

9 Unfortunately, we don't get to those
10 kinds of bills. And I think there's still time
11 to.

12 It doesn't change my position on
13 this bill. I will continue proudly to have my
14 nickname that I appreciate from some of my
15 colleagues of calling me Senator No Fun, because
16 some of the things that people think are just
17 good fun I think are really dangerous for
18 children, and I will continue to speak out from
19 that perspective.

20 So I'll continue with my no vote.
21 Thank you, Mr. President.

22 ACTING PRESIDENT BOYLE: Thank you,
23 Senator.

24 Are there any other Senators wishing
25 to speak?

1 Seeing none, the debate is closed.
2 The Secretary will ring the bell. Will all
3 Senators please return to their seats.

4 Read the last section.

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

7 ACTING PRESIDENT BOYLE: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BOYLE: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 646, those recorded in the negative are
14 Senators Addabbo, Avella, Breslin, Carlucci,
15 Díaz, Dilan, Gianaris, Gipson, Hoylman, Kennedy,
16 Klein, Krueger, Latimer, LaValle, Marcellino,
17 O'Brien, Peralta, Perkins, Rivera, Serrano,
18 Squadron, Stavisky, Stewart-Cousins and Tkaczyk.

19 Ayes, 33. Nays, 24.

20 ACTING PRESIDENT BOYLE: The bill
21 is passed.

22 SENATOR LIBOUS: Mr. President,
23 there will be an immediate meeting of the Finance
24 Committee in Room 332, an immediate meeting of
25 the Finance Committee in Room 332.

1 And could we return to motions and
2 resolutions, please.

3 ACTING PRESIDENT BOYLE: Motions
4 and resolutions.

5 SENATOR LIBOUS: Mr. President, on
6 behalf of Senator Hannon, on page 20 I offer the
7 following amendments to Calendar Number 565,
8 Senate Print 7027B, and ask that said bill retain
9 its place on the Third Reading Calendar.

10 ACTING PRESIDENT BOYLE: So
11 ordered.

12 SENATOR LIBOUS: Mr. President, on
13 behalf of Senator Nozzolio, I wish to call up his
14 bill, Senate Print 7734, recalled from the
15 Assembly, which is now at the desk.

16 ACTING PRESIDENT BOYLE: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 1224, by Senator Nozzolio, Senate Print 7734, an
20 act to amend the Penal Law.

21 ACTING PRESIDENT BOYLE: Senator
22 Libous.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll on reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 57.

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

7 ACTING PRESIDENT BOYLE: The
8 amendments are accepted.

9 SENATOR LIBOUS: Senator Valesky
10 has a motion.

11 ACTING PRESIDENT BOYLE: Senator
12 Valesky.

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

15 On behalf of Senator Savino, on
16 page 22 I offer the following amendments to
17 Calendar 623, Senate Bill 6617A, and ask that
18 said bill retain its place on the Third Reading
19 Calendar.

20 ACTING PRESIDENT BOYLE: So
21 ordered.

22 Senator Libous.

23 (Pause.)

24 SENATOR LIBOUS: I was offering to
25 give her a ride on my UTV.

1 (Laughter.)

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

4 ACTING PRESIDENT BOYLE: There is
5 no further business at the desk.

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

8 If there's no further business, I
9 move that the Senate adjourn until Tuesday,
10 June 17th, at 10:30 a.m.

11 ACTING PRESIDENT BOYLE: On motion,
12 the Senate stands adjourned until Tuesday,
13 June 17th, at 10:30 a.m.

14 (Whereupon, at 5:59 p.m., the Senate
15 adjourned.)

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