

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 18, 2014

11 11:27 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by the Reverend
11 Barrington Smith, pastor of True Disciple of
12 Christ Ministries in Cambria Heights.

13 Reverend.

14 REVEREND SMITH: Amen.

15 Most righteous and eternal God and
16 our Father, we come before You this day to give
17 thanks for this moment that You gather Your
18 people in such a fashion.

19 This holy Senate, God, that You put
20 together to decide the fate of Your people, we
21 pray that Your holy spirit will rule as You
22 normally do, God, in the affairs of men.

23 Grant them the stability, grant
24 them the courage, the boldness, let the spirit
25 of unity, let excellence, O God, move over them

1 today, that they will decide, O God, as You grant
2 them, the knowledge and the strength that they
3 will decide, O God, the faith of Your people.
4 Bless them in every capacity that they will do
5 not what they decide, God, but what will be for
6 the benefit of Your people.

7 As we humbly ask and submit today,
8 as we grant this day, in Jesus' name we pray.
9 Amen.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Reverend.

12 The reading of the Journal.

13 THE SECRETARY: In Senate, Tuesday,
14 June 17th, the Senate met pursuant to
15 adjournment. The Journal of Monday, June 16th,
16 was read and approved. On motion, Senate
17 adjourned.

18 ACTING PRESIDENT GRIFFO: Without
19 objection, the Journal stands approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 The Secretary will read.

23 THE SECRETARY: On page 10, Senator
24 Lanza moves to discharge, from the Committee on
25 Cities, Assembly Bill Number 9523 and substitute

1 it for the identical Senate Bill Number 6522,
2 Third Reading Calendar 237.

3 On page 14, Senator Carlucci moves
4 to discharge, from the Committee on Mental Health
5 and Developmental Disabilities, Assembly Bill
6 Number 7909 and substitute it for the identical
7 Senate Bill Number 6183, Third Reading
8 Calendar 458.

9 On page 15, Senator Golden moves to
10 discharge, from the Committee on Aging,
11 Assembly Bill Number 9014A and substitute it for
12 the identical Senate Bill Number 6761A,
13 Third Reading Calendar 486.

14 On page 15, Senator Libous moves to
15 discharge, from the Committee on Agriculture,
16 Assembly Bill Number 739D and substitute it for
17 the identical Senate Bill Number 6769C,
18 Third Reading Calendar 505.

19 On page 20, Senator Savino moves to
20 discharge, from the Committee on Aging,
21 Assembly Bill Number 8978 and substitute it for
22 the identical Senate Bill Number 7054,
23 Third Reading Calendar 640.

24 On page 21, Senator Marcellino moves
25 to discharge, from the Committee on

1 Investigations and Government Operations,
2 Assembly Bill Number 5788 and substitute it for
3 the identical Senate Bill Number 4317,
4 Third Reading Calendar 674.

5 On page 27, Senator Boyle moves to
6 discharge, from the Committee on Local
7 Government, Assembly Bill Number 9614 and
8 substitute it for the identical Senate Bill
9 Number 7338, Third Reading Calendar 892.

10 On page 27, Senator Golden moves to
11 discharge, from the Committee on Codes,
12 Assembly Bill Number 7158 and substitute it for
13 the identical Senate Bill Number 4818,
14 Third Reading Calendar 903.

15 On page 30, Senator Larkin moves to
16 discharge, from the Committee on Civil Service
17 and Pensions, Assembly Bill Number 9337 and
18 substitute it for the identical Senate Bill
19 Number 6915, Third Reading Calendar 990.

20 On page 32, Senator Flanagan moves
21 to discharge, from the Committee on Education,
22 Assembly Bill Number 6715B and substitute it for
23 the identical Senate Bill Number 7264A,
24 Third Reading Calendar 1035.

25 On page 33, Senator Flanagan moves

1 to discharge, from the Committee on Codes,
2 Assembly Bill Number 7080 and substitute it for
3 the identical Senate Bill Number 4545,
4 Third Reading Calendar 1050.

5 On page 33, Senator Marcellino moves
6 to discharge, from the Committee on Housing,
7 Construction and Community Development,
8 Assembly Bill Number 8963A and substitute it for
9 the identical Senate Bill Number 6657C,
10 Third Reading Calendar 1056.

11 On page 35, Senator Zeldin moves to
12 discharge, from the Committee on Health,
13 Assembly Bill Number 2189A and substitute it for
14 the identical Senate Bill Number 6685,
15 Third Reading Calendar 1083.

16 On page 35, Senator Marcellino moves
17 to discharge, from the Committee on
18 Investigations and Government Operations,
19 Assembly Bill Number 9424 and substitute it for
20 the identical Senate Bill Number 6974,
21 Third Reading Calendar 1094.

22 On page 36, Senator DeFrancisco
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 9864A and substitute it for
25 the identical Senate Bill Number 7669A,

1 Third Reading Calendar 1101.

2 On page 38, Senator Flanagan moves
3 to discharge, from the Committee on Local
4 Government, Assembly Bill Number 9353B, and
5 substitute it for the identical Senate Bill
6 Number 7645A, Third Reading Calendar 1176.

7 And on page 40, Senator Breslin
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 9719A and substitute it for
10 the identical Senate Bill Number 7623A,
11 Third Reading Calendar 1307.

12 ACTING PRESIDENT GRIFFO: The
13 substitutions are so ordered.

14 Messages from the Governor.

15 Reports of standing committees.

16 Reports of select committees.

17 Communications and reports of state
18 officers.

19 Motions and resolutions.

20 Senator Libous.

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

23 Mr. President, at this time I'm
24 going to call an immediate meeting of the Rules
25 Committee in Room 332. We'll have an immediate

1 meeting of the Rules Committee in Room 332.

2 However, we will still do the
3 resolutions. So the members that have
4 resolutions on the floor, we'll still move
5 forward and get those done, and then we'll come
6 back and do the active list.

7 ACTING PRESIDENT GRIFFO: There
8 will be an immediate meeting of the Rules
9 Committee in Room 332.

10 The Senate will continue in session
11 to deliberate on resolutions presented before the
12 house.

13 (Pause.)

14 ACTING PRESIDENT GRIFFO: There is
15 an immediate meeting of the Rules Committee in
16 Room 332.

17 The Senate will now turn to motions
18 and resolutions.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: Yes, would
21 you please take up previously adopted
22 Resolution 5848, by Senator Kennedy, and would
23 you read the title only and only the title.

24 ACTING PRESIDENT GRIFFO: Thank
25 you, Senator DeFrancisco.

1 I would ask for some order in the
2 house as members are proceeding to various
3 committee meetings.

4 The Secretary will read.

5 THE SECRETARY: Legislative
6 Resolution Number 5848, by Senator Kennedy,
7 commending John Cleary upon the occasion of his
8 retirement after 40 years of distinguished public
9 service to the New York State Police, Erie County
10 District Attorney's Office, and Erie County
11 Community College.

12 ACTING PRESIDENT GRIFFO: Senator
13 Kennedy on the resolution.

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

16 I rise today to commend John Cleary
17 upon the occasion of his retirement after
18 40 years of distinguished public service to the
19 New York State Police, the Erie County District
20 Attorney's Office, and Erie County Community
21 College. Mr. Cleary stepped down as senior chef
22 investigator in the Erie County District
23 Attorney's Office on Thursday, June 5, 2014.

24 Born in South Buffalo in 1952,
25 John Cleary graduated from Bishop Fallon High

1 School in 1970, after which he attended the
2 New York State Police Academy. He went on to
3 graduate from Canisius College. Mr. Cleary then
4 joined the New York State Police, where he
5 enjoyed a successful career.

6 John's demonstrated commitment to
7 excellence was recognized by his superiors when
8 he was promoted to sergeant in 1985. In 1986, he
9 was made an investigator in the narcotics
10 division. In this capacity, he worked on several
11 high-profile cases in Western New York. In
12 addition, Mr. Cleary coordinated and participated
13 in several major investigations with the DEA, the
14 IRS, the FBI, United States Customs, and local
15 law enforcement agencies, resulting in the
16 arrests and convictions of multiple criminals.

17 He completed his Master of Science
18 in education at Buffalo State College in 1996,
19 after which he taught criminal justice courses at
20 Erie Community College as an adjunct professor.

21 Also in 1996, this dedicated man
22 retired from the New York State Police and became
23 an investigator with the Erie County District
24 Attorney's Office, where he worked on special
25 investigations, domestic violence cases, and

1 felony trials.

2 As a result of his hard work in the
3 DA's office, he was promoted to chief
4 investigator in 2006. In 2011, he was promoted
5 again, this time to senior chief investigator,
6 where he was in charge of the Erie County DA's
7 Task Force at the Erie County Crime Analysis
8 Center.

9 Mr. Cleary's meteoric rise with the
10 New York State Police and then the Erie County
11 District Attorney's Office is a testament to his
12 hard work and persistence. Strong, courageous
13 and incredibly caring individuals like John
14 Cleary and his family have made Buffalo and
15 Western New York the strong and great community
16 that it is today.

17 John's spirit of excellence carries
18 over into everything he does. An avid baseball
19 fan and softball player, he was inducted into the
20 Western New York Softball Hall of Fame in 1996,
21 and in 2011 was awarded the Buffalo Bisons
22 Irish-American of the Year Award in recognition
23 of his dedication to the City of Buffalo and his
24 outspoken pride in his Irish heritage.

25 John has been married for nearly

1 40 years to his wife, Christine. Together they
2 have three daughters, Colleen, Kate and Robyn,
3 and five grandsons: Bradan, Rory, Graeme, Warren
4 and Colin. A loving and devoted husband, father
5 and grandfather, John Cleary plans to teach his
6 grandsons how to play baseball this summer and
7 ski in the winter as he enjoys retirement.

8 On a personal note, John is a dear
9 friend of mine. I'm honored to stand here today
10 to wish him a happy retirement and to personally
11 thank him for his outstanding service to our
12 great City of Buffalo community, the State of
13 New York, and to our nation.

14 I'd like to open up this resolution
15 for cosponsorship, Mr. President. And with that,
16 I vote aye.

17 Thank you very much.

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

20 As noted, the resolution was
21 previously adopted on June 17th of 2014.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: Would you
24 please take up previously adopted Resolution
25 Number 5822, by Senator Peralta, and read it in

1 its entirety.

2 ACTING PRESIDENT GRIFFO: The
3 Secretary will read Resolution 5822 in its
4 entirety.

5 THE SECRETARY: Legislative
6 Resolution Number 5822, by Senator Peralta,
7 commemorating the 2014 FIFA World Cup Brazil,
8 taking place June 12-July 13, 2014.

9 "WHEREAS, It is the sense of this
10 Legislative Body, in keeping with its
11 time-honored traditions, to recognize and pay
12 tribute to those events which bring the world
13 together and foster national pride; and

14 "WHEREAS, Attendant to this concern,
15 and in full accord with its long-standing
16 traditions, this Legislative Body is justly proud
17 to commemorate the playing of the 20th FIFA World
18 Cup in Brazil; and

19 "WHEREAS, The quadrennial FIFA World
20 Cup is an event which draws hundreds of millions
21 of viewers from across the globe and inspires
22 nations to join together in common interest; and

23 "WHEREAS, The nation of Brazil,
24 winner of five past World Cups, the most of any
25 nation, will play host to the 2014 World Cup,

1 which will be played between the 12th of June and
2 the 13th of July, 2014; and

3 "WHEREAS, Thirty-two nations from
4 all six inhabited continents will be represented
5 and vying for the title of World Champions; and

6 "WHEREAS, The popularity of world
7 football in the United States and New York has
8 continued to grow at a rapid pace; and

9 "WHEREAS, In keeping with New York's
10 status as a true national and cultural melting
11 pot, the 2014 World Cup is of special and abiding
12 interest to our diverse population; and

13 "WHEREAS, Outside of Brazil there is
14 no more fitting a place than New York to
15 experience the passion and pride that only the
16 world's game can stir in the hearts of fans and
17 non-fans alike; now, therefore, be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to commemorate
20 the 2014 FIFA World Cup Brazil commencing on
21 Thursday, June 12, 2014."

22 ACTING PRESIDENT GRIFFO: Senator
23 Peralta.

24 SENATOR PERALTA: Thank you,
25 Mr. President.

1 We often hear soccer referred to as
2 a religion because it has stirred such strong and
3 postural emotions in millions and millions of
4 people all over the world. And that's certainly
5 the case in my community.

6 I am lucky enough to represent the
7 most diverse Senate district in New York and one
8 of the most diverse in the entire country. There
9 are 32 nations represented in this world's
10 World Cup, and I'm pretty sure I have people from
11 pretty much all 32 of those nations, plus many
12 more, living in my Senate district.

13 In an immigrant community like mine,
14 el rey del deporte is about much more than
15 cheering passionately for your home country. It
16 is about bringing people together.

17 The language of soccer is spoken
18 every day in the parks, playgrounds and blacktops
19 of my district and other communities all across
20 this great state of ours. That universal
21 language makes it easier for newcomers to
22 communicate and socialize and to learn about and
23 appreciate the diversity of this great state.
24 Soccer isn't just a connection to the home
25 country, it is a hugely important tie to this

1 country, the United States, the new home country.

2 The 2014 World Cup is being played
3 in Brazil, but soccer is the world's game, and
4 New York is the world's city. And in my
5 district, at least, we plan on giving Brazil a
6 run for its money when it comes to excitement.

7 Across the world, more than
8 800 million people are expected to watch this
9 World Cup. A couple hundred thousand of these
10 people will be right in my district, in bars and
11 coffee shops and private homes, and people will
12 join together to cheer for the country -- the
13 country of their birth and their new home
14 country. And kids will be inspired to take up
15 the world's sport, and soccer will continue to
16 grow in this country.

17 For one month this summer, the eyes
18 of the world will be focused on a singular event,
19 and we will all be better for it. Let us all
20 speak the language of soccer and join together to
21 celebrate our diversity and the strength it
22 brings us. Que viva the World Cup!

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Peralta.

25 The resolution was adopted on

1 June 17th of 2014.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, would
4 you now take up previously adopted Resolution
5 Number 5821, by Senator Peralta, and read the
6 title only.

7 ACTING PRESIDENT GRIFFO: The
8 Secretary will read.

9 THE SECRETARY: Legislative
10 Resolution Number 5821, by Senator Peralta,
11 commemorating the 204th anniversary of Colombia's
12 Declaration of Independence on July 20, 2014.

13 ACTING PRESIDENT GRIFFO: Senator
14 Peralta.

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

17 This year marks the 204th year of
18 Colombian independence. Colombia celebrates
19 Independence Day each year on July 20th. This
20 day commemorates the Declaration of Independence
21 made on that date of 1810. Even though it took
22 another nine years to achieve full independence
23 from Spain, Colombians annually celebrate the
24 first Grito de la Independencia, or the "Cry for
25 independence."

1 Colombian independence is an
2 occasion of great celebration in my district,
3 which is home to La Pequeña Colombia, or Little
4 Colombia, and generations of Colombian families,
5 including that of actor and comedian John
6 Leguizamo, who grew up in Jackson Heights. The
7 festivities in Queens include a celebration in
8 Flushing Meadows Park, where tens of thousands of
9 New Yorkers gather to enjoy Colombian food, song
10 and dance, and are witness to see many elected
11 officials that are present.

12 Like the United States, Colombia has
13 a long tradition of constitutional government.
14 The United States and Colombia are good friends
15 and allies, the relationship forged by a love for
16 democracy, the rule of law, and liberty.

17 By way of this resolution, we extend
18 our best wishes to our Colombian-American friends
19 across the state in advance of this important and
20 joyful day.

21 Thank you, Mr. President, and
22 que viva Colombia!

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Peralta.

25 The resolution was adopted

1 previously on June 17th of 2014.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, would
4 you take up previously adopted Resolution 5818,
5 by Senator Sanders, and read the title only.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 5818, by Senator Sanders,
10 memorializing Governor Andrew M. Cuomo to
11 proclaim June 19, 2014, as Juneteenth Day in
12 New York State.

13 ACTING PRESIDENT GRIFFO: Senator
14 Sanders.

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

17 One thing, colleagues, that we -- in
18 fact, there are two things that we learn about
19 freedom. One of them is that freedom is not
20 free, that you're going to pay greatly for it.
21 And another one is that it can't be repressed,
22 you can't hide it.

23 We need only to look at what's
24 happening in Iraq today to understand that
25 freedom is under attack and it will have to be

1 paid for in blood and treasure and every other
2 way. But to the people who are trying to keep
3 freedom from the people of Iraq, let them be
4 aware you can't repress it.

5 We have the example of America for
6 that. At the end of a great civil war in this
7 country, the American South was devastated and a
8 new economy had to come about. There were many
9 who were captives of the old way, the old way of
10 doing things. And many of these people decided
11 that they were going to keep the enslaved on the
12 plantations, they would not tell them that they
13 were free.

14 So the enslaved continued to work
15 not knowing that they had been legally freed.
16 However, freedom cannot be repressed. The word
17 of their freedom finally got to them at different
18 times and different places. These days that they
19 got, we lump them together and we call them now
20 Juneteenth, Juneteenth. Somewhere in June they
21 got the word that they were free, and a whole new
22 American South was brought into existence.

23 It cannot be hidden, and we have
24 learned this. And we encourage the people all
25 over the world that when you hear of this great

1 freedom, to go for it. Juneteenth is a
2 celebration of freedom, and I encourage everyone
3 in this country to realize it and to participate
4 in it.

5 Thank you very much, Mr. President.

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

8 The resolution was adopted on
9 June 12th of 2014, as indicated.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Can we remain
12 at ease for a moment awaiting the Rules report.

13 ACTING PRESIDENT GRIFFO: The
14 Senate will stand at ease.

15 (Whereupon, the Senate stood at ease
16 at 11:48 a.m.)

17 (Whereupon, the Senate reconvened at
18 11:59 a.m.)

19 ACTING PRESIDENT GRIFFO: The
20 Senate will come to order.

21 Senator Libous.

22 SENATOR LIBOUS: I believe the
23 resolution by Senator Sanders, he would like to
24 open that up to the membership. I'd like to make
25 that noted. So if somebody wishes not to be on

1 it, to let the desk know, please.

2 ACTING PRESIDENT GRIFFO: Senator
3 Sanders' resolution is opened up for
4 cosponsorship. If you choose not to, please
5 indicate by approaching the desk.

6 Senator Libous.

7 SENATOR LIBOUS: I believe there's
8 a report of the Rules Committee at the desk, if
9 we could have it read at this time.

10 ACTING PRESIDENT GRIFFO: There is
11 a report of the Rules Committee before the desk.

12 The Secretary will read.

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

16 Senate Print 1500, by Senator
17 Marcellino, an act to amend the Highway Law;

18 Senate 2156A, by Senator Valesky, an
19 act to amend the Executive Law;

20 Senate 2305A, by Senator Ball, an
21 act to amend the Agriculture and Markets Law;

22 Senate 2489A, by Senator Lanza, an
23 act to amend the Education Law;

24 Senate 2584, by Senator Ball, an act
25 to amend the Alcoholic Beverage Control Law;

1 Senate 3532, by Senator O'Brien, an
2 act to amend the Correction Law;

3 Senate 4100, by Senator LaValle, an
4 act to amend the Environmental Conservation Law;

5 Senate 5500D, by Senator Ball, an
6 act authorizing;

7 Senate 5700, by Senator Griffo, an
8 act to amend the New York State Urban Development
9 Corporation Act;

10 Senate 5874, by Senator Little, an
11 act to amend the Executive Law;

12 Senate 6116A, by Senator Young, an
13 act to amend the Highway Law;

14 Senate 6128, by Senator DeFrancisco,
15 an act to amend the Civil Practice Law and Rules;

16 Senate 6162A, by Senator Tkaczyk, an
17 act to authorize;

18 Senate 6589A, by Senator Avella, an
19 act to establish;

20 Senate 6641C, by Senator Carlucci,
21 an act relating to administration;

22 Senate 6646A, by Senator Seward, an
23 act to amend the Insurance Law;

24 Senate 6667, by Senator LaValle, an
25 act in relation to imposing;

1 Senate 6730, by Senator Grisanti, an
2 act to amend the Education Law;

3 Senate 6799, by Senator Golden, an
4 act to amend the Retirement and Social Security
5 Law;

6 Senate 6853A, by Senator Golden, an
7 act to amend the Penal Law;

8 Senate 6910, by Senator Tkaczyk, an
9 act to legalize, validate, ratify and confirm;

10 Senate 7059, by Senator Seward, an
11 act to amend the Real Property Law;

12 Senate 7149, by Senator Young, an
13 act to amend the Private Housing Finance Law;

14 Senate 7196B, by Senator
15 Ranzenhofer, an act to amend the Tax Law;

16 Senate 7254A, by Senator Valesky, an
17 act to amend the General Business Law;

18 Senate 7378A, by Senator Farley, an
19 act to amend the Uniform City Court Act;

20 Senate 7475B, by Senator Boyle, an
21 act to amend the Education Law;

22 Senate 7482, by Senator Ball, an act
23 to amend the Penal Law;

24 Senate 7514A, by Senator Farley, an
25 act granting retroactive membership;

1 Senate 7534, by Senator Bonacic, an
2 act to amend the Civil Practice Law and Rules;

3 Senate 7536, by Senator Bonacic, an
4 act to amend the Judiciary Law;

5 Senate 7564, by Senator Griffo, an
6 act to amend the Economic Development Law;

7 Senate 7677, by Senator Marcellino,
8 an act to amend the Administrative Code of the
9 City of New York;

10 Senate 7684A, by Senator Grisanti,
11 an act to amend the Agriculture and Markets Law;

12 Senate 7706, by Senator Libous, an
13 act to amend the Insurance Law;

14 Senate 7709, by Senator Hoylman, an
15 act to amend the Private Housing Finance Law;

16 Senate 7716, by Senator Young, an
17 act to amend the Retirement and Social Security
18 Law;

19 Senate 7721, by Senator Lanza, an
20 act to amend Chapter 154 of the Laws of 1921;

21 Senate 7724, by Senator Zeldin, an
22 act to amend the Correction Law;

23 Senate 7749, by Senator Young, an
24 act to amend the Highway Law;

25 Senate 7775, by Senator Ritchie, an

1 act to amend the Agriculture and Markets Law;

2 Senate 7787, by Senator Larkin, an

3 act to amend the Criminal Procedure Law;

4 Senate 7808, by Senator Squadron, an

5 act in relation to authorizing;

6 Senate 7811, by Senator Savino, an

7 act to amend the Public Service Law;

8 Senate 7812, by Senator Grisanti, an

9 act to amend the Executive Law;

10 Senate 7818, by Senator Young, an

11 act to amend the Correction Law;

12 Senate 7820, by Senator Ritchie, an

13 act to amend the Uniform City Court Act;

14 Senate 7836, by Senator Farley, an

15 act to establish;

16 And Senate 7843, by Senator Lanza,

17 an act to amend a chapter of the Laws of 2014.

18 All bills reported direct to third
19 reading.

20 ACTING PRESIDENT GRIFFO: Senator
21 Libous.

22 SENATOR LIBOUS: Mr. President, I
23 move to accept the report of the Rules Committee.

24 ACTING PRESIDENT GRIFFO: There's a
25 motion before the house to accept the Committee

1 on Rules report. All in favor signify by saying
2 aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT GRIFFO: Opposed?

5 (No response.)

6 ACTING PRESIDENT GRIFFO: The
7 Committee on Rules report is accepted and before
8 the house.

9 Senator Libous.

10 SENATOR LIBOUS: Mr. President,
11 there's an active list for Wednesday, June 18th,
12 if we could have the noncontroversial reading.

13 ACTING PRESIDENT GRIFFO: We will
14 have the noncontroversial reading of the active
15 list before the house on Wednesday, June 18th.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number 75,
18 by Senator Ritchie, Senate Print 6222, an act to
19 amend the Agriculture and Markets Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 75, those recorded in the negative are
6 Senators Addabbo, Avella, Carlucci, Gipson,
7 Hoylman, Kennedy, Klein, Krueger, Latimer,
8 LaValle, Marcellino, Montgomery, O'Brien, Parker,
9 Perkins, Rivera, Savino, Serrano and Squadron.
10 Also Senator Stewart-Cousins.

11 (Pause.)

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will reannounce the results.

14 THE SECRETARY: In relation to
15 Calendar 75, those recorded in the negative are
16 Senators Addabbo, Avella, Carlucci, Díaz,
17 Gianaris, Gipson, Hoylman, Kennedy, Klein,
18 Krueger, Latimer, LaValle, Marcellino,
19 Montgomery, O'Brien, Parker, Perkins, Rivera,
20 Sanders, Savino, Serrano, Squadron, Stavisky and
21 Stewart-Cousins.

22 Ayes, 35. Nays, 24.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number 80,
2 by Senator DeFrancisco, Senate Print 4792, an act
3 to amend the Family Court Act.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 55. Nays, 4.
12 Senators Montgomery, Parker, Perkins and Sanders
13 recorded in the negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 106, by Senator DeFrancisco, Senate Print 1216,
18 an act to amend the General Obligations Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 123, by Senator Seward, Senate Print 6408C, an
6 act to authorize.

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

9 The Secretary will read the last
10 section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

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

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 215, by Senator Young, Senate Print 3378A, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of November.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 230, by Senator Robach, Senate Print 6635A, an
10 act to authorize.

11 ACTING PRESIDENT GRIFFO: There is
12 a home-rule message at the desk.

13 The Secretary will read the last
14 section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 237, substituted earlier by Member of the
25 Assembly Silver, Assembly Print 9523, an act to

1 amend Chapter 890 of the Laws of 1982.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 279, by Senator Flanagan, Senate Print 6671A, an
14 act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 412, by Senator Grisanti, Senate Print 302, an
2 act to amend the State Finance Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce
11 the results.

12 THE SECRETARY: Ayes, 56. Nays, 3.
13 Senators Griffo, Ranzenhofer and Zeldin recorded
14 in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 458, substituted earlier by Member of the
19 Assembly Gunther, Assembly Print 7909, an act to
20 amend the Mental Hygiene Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 474, by Senator Nozzolio, Senate Print 7049, an
8 act to amend the Penal Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 57. Nays, 2.
17 Senators Parker and Perkins recorded in the
18 negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 486, substituted earlier by Member of the
23 Assembly Millman, Assembly Print 9014A, an act to
24 amend the Real Property Tax Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 491, by Senator Seward, Senate Print 6508, an act
12 to amend the Insurance Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 495, by Senator Golden, Senate Print 2097B, an
25 act to amend the General Business Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 496, by Senator Zeldin, Senate Print 3414, an act
13 to amend the General Business Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 505, substituted earlier by Member of the

1 Assembly Rosenthal, Assembly Print 739D, an act
2 to amend the Agriculture and Markets Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 563, by Senator Hannon, Senate Print 6979, an act
15 to amend the Public Health Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 581, by Senator Young, Senate Print 3894B, an act
3 to amend the Criminal Procedure Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 581, those recorded in the negative are
15 Senators Hoylman, Krueger, Montgomery, Perkins,
16 Rivera, Squadron and Tkaczyk.

17 Ayes, 52. Nays, 7.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 640, substituted earlier by Member of the
22 Assembly Brook-Krasny, Assembly Print 8978, an
23 act to amend the Real Property Tax Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

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

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 674, substituted earlier by Member of the
12 Assembly Benedetto, Assembly Print 5788, an act
13 to amend the Executive Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 677, by Senator Marchione, Senate Print 5222, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Announce
10 the results.

11 THE SECRETARY: Ayes, 56. Nays, 3.
12 Senators Bonacic, Griffo and Little recorded in
13 the negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Also Senator
17 Farley. Also Senator Nozzolio.

18 (Pause.)

19 THE SECRETARY: In relation to
20 Calendar 677, those recorded in the negative are
21 Senators Bonacic, Farley, Griffo, Libous, Little,
22 Maziarz, Nozzolio, Robach, Seward and Zeldin.

23 Ayes, 49. Nays, 10.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 740, by Senator Nozzolio, Senate Print 5747, an
3 act to authorize.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 840, by Senator Marcellino, Senate Print 3612B,
16 an act to amend the Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect January 1, 2016.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 847, by Senator Marcellino, Senate Print 5275B,
4 an act to amend the Public Buildings Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

7 THE SECRETARY: Section 4. This
8 act shall take effect one year after it shall
9 have become a law.

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT GRIFFO: Announce
14 the results.

15 THE SECRETARY: Ayes, 55. Nays, 4.
16 Senators Ball, Griffo, Little and Zeldin recorded
17 in the negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 892, substituted earlier by Member of the
22 Assembly Sweeney, Assembly Print 9614, an act to
23 amend the Superstorm Sandy Assessment Relief Act.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 903, substituted earlier by Member of the
11 Assembly Abbate, Assembly Print Number 7158, an
12 act to amend the Civil Rights Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 916, by Senator Carlucci, Senate Print 7232A, an
25 act to amend the Executive Law.

1 SENATOR SERRANO: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay the
3 bill aside.

4 THE SECRETARY: Calendar Number
5 944, by Senator Lanza, Senate Print 4143, an act
6 to establish.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 947, by Senator Carlucci, Senate Print 5250A, an
19 act to direct.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 957, by Senator DeFrancisco, Senate Print 7000,
7 an act to amend the Public Health Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

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

17 SENATOR DeFRANCISCO: Yes, I've had
18 a bill dealing with the importance of a
19 Commission on Physical Fitness for probably most
20 of my career. And I could never quite understand
21 why this wouldn't be an important thing to do in
22 view of the abysmal condition of many, many
23 people in our state and the corresponding costs
24 related to medical care for those people who
25 don't care for themselves.

1 And I think it ought to be and
2 should have been many years an important
3 initiative of the state to keep public awareness
4 on this issue of the need for physical fitness
5 and to make sure the state is leading the charge,
6 as the federal government did at one time, having
7 a United States Commission on Physical Fitness.

8 Quite frankly, this bill is watered
9 down substantially to get the support of the
10 Governor, but now there's a tool.

11 And if the Assembly passes this
12 bill, there should be no reason that this state
13 should not keep promoting physical fitness and
14 health, individual health -- not only because of
15 the high cost of medical care, but more
16 importantly for the well-being of our citizens
17 who should be reminded continuously of the
18 importance of physical fitness.

19 So I'm happy that we're finally
20 here. I believe that it's going to pass in the
21 Assembly as well. The Governor's office helped
22 in drafting the bill, so I think that there would
23 be support from the Governor, and hopefully our
24 whole state could benefit from this.

25 Thank you, Mr. President.

1 ACTING PRESIDENT GRIFFO: Senator
2 DeFrancisco to be recorded in the affirmative.

3 Announce the results.

4 THE SECRETARY: Ayes, 59.

5 ACTING PRESIDENT GRIFFO: The bill
6 is fit and passed.

7 THE SECRETARY: Calendar Number
8 984, by Senator Grisanti, Senate Print --

9 SENATOR LIBOUS: Lay the bill aside
10 temporarily.

11 ACTING PRESIDENT GRIFFO: Lay the
12 bill aside temporarily.

13 THE SECRETARY: Calendar Number
14 990, substituted earlier by Member of the
15 Assembly Skartados, Assembly Print 9337, an act
16 to authorize.

17 ACTING PRESIDENT GRIFFO: There is
18 a home-rule message before the desk.

19 The Secretary will read the last
20 section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 996, by Senator Ball, Senate Print 7365, an act
6 to authorize.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1003, by Senator Felder, Senate Print 6815, an
19 act to amend the Family Court Act.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1035, substituted earlier by Member of the
7 Assembly Nolan, Assembly Print Number 6715B, an
8 act to amend the Education Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1042, by Senator Gianaris, Senate Print 612, an
21 act to amend the Penal Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 59.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1050, substituted earlier by Member of the
9 Assembly Lupinacci, Assembly Print 7080, an act
10 to amend the Criminal Procedure Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: In relation to
19 Calendar 1050, those recorded in the negative are
20 Senators Dilan, Hoylman, Krueger, Montgomery,
21 Perkins, Rivera and Squadron.

22 Ayes, 52. Nays, 7.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1056, substituted earlier by Member of the
2 Assembly Englebright, Assembly Print 8963A, an
3 act to amend the Executive Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 58. Nays, 1.
12 Senator Seward recorded in the negative.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1066, by Senator Ranzenhofer, Senate Print 2762B,
17 an act to amend the Tax Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger to explain her vote.

2 SENATOR KRUEGER: Thank you,
3 Mr. President.

4 I often vote against expansion of
5 tax reductions, but this one I want to highlight
6 why I'm voting no.

7 We already have a program that we
8 have sunsetted, the Empire Zone program. There
9 are still some businesses who are eligible to
10 remain in the program until their approved time
11 frame is completed. They already get tax
12 exemptions and reductions in an assortment of
13 categories.

14 This bill doesn't do anything to
15 increase the number of jobs in New York State or
16 the amount of business in New York State. They
17 already see significantly lower taxes than their
18 competitors, who might be simply a town or even a
19 road away.

20 Tax exemptions are supposed to
21 incentivize new activity, not be provided after
22 the fact for no new business or economic
23 activity. I don't really see any justification
24 for anyone to vote yes.

25 I'll vote no. Thank you.

1 ACTING PRESIDENT GRIFFO: Senator
2 Krueger to be recorded in the negative.

3 Announce the results.

4 THE SECRETARY: Ayes, 54. Nays, 5.
5 Senators Krueger, Montgomery, Parker, Rivera and
6 Sanders recorded in the negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1070, by Senator Ritchie, Senate Print 4261, an
11 act to amend the Real Property Tax Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 57. Nays, 2.
20 Senators Krueger and Parker recorded in the
21 negative.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1179, by Senator Rivera, Senate Print 7560, an

1 act to amend the Public Health Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect on the 30th day.

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 SENATOR LIBOUS: Mr. President, did
13 we skip a few bills? I appreciate the fact that
14 we want to get out of here, but --

15 ACTING PRESIDENT GRIFFO: We
16 haven't skipped any. One was just put aside,
17 Senator Libous. We'll bring it forward right
18 now.

19 The Secretary is prepared, and
20 Calendar Number 1083 is before the house, by
21 Senator Zeldin.

22 THE SECRETARY: Calendar Number
23 1083, substituted earlier by Member of the
24 Assembly Lavine, Assembly Print 2189A, an act to
25 amend the Public Health Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1094, substituted earlier by Member of the
13 Assembly Schimminger, Assembly Print 9424, an act
14 to amend Chapter 396 of the Laws of 2010.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 58. Nays, 1.
23 Senator Díaz recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1101, substituted earlier by Member of the
3 Assembly Magnarelli, Assembly Print 9864A, an act
4 to amend the Alcoholic Beverage Control Law.

5 SENATOR GIANARIS: Lay it aside.

6 ACTING PRESIDENT GRIFFO: Lay the
7 bill aside.

8 THE SECRETARY: Calendar Number
9 1176, substituted earlier by Member of the
10 Assembly Englebright, Assembly Print Number
11 9353B, an act to authorize.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 56. Nays, 3.
20 Senators Bonacic, Larkin and O'Mara recorded in
21 the negative.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1191, by Senator Marcellino, Senate Print 4063,

1 an act to amend the Labor Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 58. Nays, 1.
10 Senator Perkins recorded in the negative.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1307, substituted earlier by Member of the
15 Assembly Fahy, Assembly Print 9719A, an act to
16 amend the Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 Senator Libous, that completes the
3 noncontroversial reading of all the bills before
4 the house.

5 SENATOR LIBOUS: Mr. President, at
6 this time I'd like to take up Supplemental
7 Calendar 52A and have the noncontroversial
8 reading of that calendar.

9 ACTING PRESIDENT GRIFFO: Members
10 to instructed to look at Senate Supplemental
11 Calendar 52A.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1468, by Senator Marcellino, Senate Print 1500,
15 an act to amend the Highway Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 Can we have some order in the house,
2 please.

3 The Secretary will continue.

4 THE SECRETARY: Calendar Number
5 1469, by Senator Valesky, Senate Print 2156A, an
6 act to amend the Executive Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect April 1, 2015.

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 58. Nays, 1.
15 Senator Zeldin recorded in the negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1482, by Senator Lanza, Senate Print 2489A, an
20 act to amend the Education Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1483, by Senator Ball, Senate Print 2584, an act
8 to amend the Alcoholic Beverage Control Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1483, those recorded in the negative are
20 Senators Avella, Díaz, Gipson, Hoylman, Krueger,
21 Montgomery, Ranzenhofer, Rivera, Sanders, Serrano
22 and Squadron.

23 Ayes, 48. Nays, 11.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1484, by Senator O'Brien, Senate Print 3532, an
3 act to amend the Correction Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Senator LaValle
15 moves to discharge, from the Committee on
16 Environmental Conservation, Assembly Bill Number
17 5906 and substitute it for the identical Senate
18 Bill Number 4100, Third Reading Calendar 1485.

19 ACTING PRESIDENT GRIFFO:
20 Substitution ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1485, by Member of the Assembly Thiele, Assembly
24 Print 5906, an act to amend the Environmental
25 Conservation Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Senator Griffio
12 moves to discharge, from the Committee on
13 Corporations, Authorities and Commissions,
14 Assembly Bill Number 7673 and substitute it for
15 the identical Senate Bill Number 5700, Third
16 Reading Calendar 1486.

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

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1486, by Member of the Assembly Stirpe, Assembly
22 Print 7673, an act to amend the New York State
23 Urban Development Corporation Act.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Senator Young moves
10 to discharge, from the Committee on
11 Transportation, Assembly Bill Number 8328A and
12 substitute it for the identical Senate Bill
13 Number 6116A, Third Reading Calendar 1487.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1487, by Member of the Assembly Giglio,
19 Assembly Print Number 8328A, an act to amend the
20 Highway Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator Tkaczyk
7 moves to discharge, from the Committee on Rules,
8 Assembly Bill Number 8305A and substitute it for
9 the identical Senate Bill Number 6162A, Third
10 Reading Calendar 1488.

11 ACTING PRESIDENT GRIFFO: There is
12 a home-rule message at the desk.

13 The substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1488, by Member of the Assembly Santabarbara,
17 Assembly Print 8305A, an act to authorize.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58. Nays, 1.

1 Senator Ball recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 I'm going to ask for some order in
5 the house in order for us to be able to continue
6 to call the bills out and have the stenographer
7 be able to hear everything clearly.

8 The Secretary will continue.

9 THE SECRETARY: Calendar Number
10 1489, by Senator Grisanti, Senate Print 6730, an
11 act to amend the Education Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1490, by Senator Golden, Senate Print 6853A, an
24 act to amend the Penal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1491, by Senator Seward, Senate Print 7059, an
12 act to amend the Real Property Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1492, by Senator Ranzenhofer, Senate Print 7196B,
25 an act to amend the Tax Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1492, those recorded in the negative are
12 Senators Gianaris, Hoylman, Krueger, Parker,
13 Perkins, Rivera, Sanders, Serrano, Squadron and
14 Stavisky.

15 Ayes, 49. Nays, 10.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Senator Valesky
19 moves to discharge, from the Committee on Rules,
20 Assembly Bill Number 1787C and substitute it for
21 the identical Senate Bill 7254A, Third Reading
22 Calendar 1493.

23 ACTING PRESIDENT GRIFFO: The
24 substitution is so ordered.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1493, by Member of the Assembly Millman, Assembly
3 Print 1787C, an act to amend the General Business
4 Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Senator Farley
16 moves to discharge, from the Committee on Rules,
17 Assembly Bill Number 9375A and substitute it for
18 the identical Senate Bill Number 7378A, Third
19 Reading Calendar 1494.

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

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1494, by Member of the Assembly Steck, Assembly
25 Print 9375A, an act to amend the Uniform City

1 Court Act.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1495, by Senator Boyle, Senate Print 7475B, an
14 act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Senator
23 Boyle to explain his vote.

24 And before you begin, Senator Boyle,
25 I'm going to ask the chamber again to come to

1 order.

2 There are a lot of people in the
3 chamber right now. I'm going to ask members to
4 take conversations with staff outside the chamber
5 in order for members to be heard here.

6 Senator Boyle.

7 SENATOR BOYLE: Mr. President,
8 thank you. To explain my vote.

9 This is the Research Animal
10 Retirement Act, or otherwise known as the Beagle
11 Freedom Bill, which became law in Minnesota and
12 it's under consideration in numerous other
13 states.

14 It simply states that if a lab is
15 doing testings on animals in New York and
16 receiving our tax money as a result of it, that
17 they're going to say when the research is done
18 and the tests are done on these animals, usually
19 beagles, that they will put these beagles or
20 other animals up for adoption.

21 These animals have suffered for us,
22 for our benefit, for medical testing and whatnot,
23 but when they're done with their three or four or
24 sometimes five years, many times never having
25 stepped on grass or out in the sun, we're going

1 to make sure that they have a long, healthy
2 retirement with a forever home.

3 I strongly vote in the affirmative.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1496, by Senator Farley, Senate Print 7514A, an
12 act granting.

13 ACTING PRESIDENT GRIFFO: There is
14 a home-rule message at the desk.

15 The Secretary will read the last
16 section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1497, by Senator Bonacic, Senate Print 7534, an
2 act to amend the Civil Practice Law and Rules.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1498, by Senator Bonacic, Senate Print 7536, an
15 act to amend the Judiciary Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Senator Grisanti
2 moves to discharge, from the Committee on
3 Agriculture, Assembly Bill Number 8185B and
4 substitute it for the identical Senate Bill
5 Number 7684A, Third Reading Calendar 1500.

6 ACTING PRESIDENT GRIFFO:
7 Substitution so ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1500, by Member of the Assembly Otis, Assembly
11 Print 8185B, an act to amend the Agriculture and
12 Markets Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1501, by Senator Libous, Senate Print 7706, an
25 act to amend the Insurance Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Senator Young moves
12 to discharge, from the Committee on Civil Service
13 and Pensions, Assembly Bill Number 9162 and
14 substitute it for the identical Senate Bill
15 Number 7716, Third Reading Calendar 1502.

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

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1502, by Member of the Assembly Abbate, Assembly
21 Print 9162, an act to amend the Retirement and
22 Social Security Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57. Nays, 2.
6 Senators DeFrancisco and Gipson recorded in the
7 negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Senator Lanza moves
11 to discharge, from the Committee on Corporations,
12 Authorities and Commissions, Assembly Bill Number
13 3944C and substitute it for the identical Senate
14 Bill Number 7721, Third Reading Calendar 1503.

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

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1503, by Member of the Assembly Brennan, Assembly
20 Print 3944C, an act to amend Chapter 154 of the
21 Laws of 1921.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 8. This
25 act shall take effect upon the enactment into

1 law.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1504, by Senator Zeldin, Senate Print 7724, an
10 act to amend the Correction Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1505, by Senator Ball, Senate Print 2305A, an act
23 to amend the Agriculture and Markets Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 56. Nays, 3.
7 Senators Montgomery, Perkins and Ranzenhofer
8 recorded in the negative.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1506, by Senator Ball, Senate Print 5500D, an act
13 authorizing.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 12. This
17 act shall take effect immediately.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1507, by Senator Little, Senate Print 5874, an

1 act to amend the Executive Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

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

11 SENATOR KRUEGER: I rise to say I
12 support the bill, and yet again I am not
13 surprised that we now have done I believe the
14 full package of the Women's Equality Agenda
15 except for reproductive health.

16 And unless we now choose to pass the
17 reproductive health bill, we have flunked our
18 test for this year, Mr. President.

19 But I will voting yes on this bill.
20 Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Krueger to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1508, by Senator DeFrancisco, Senate Print 6128,
4 an act to amend the Civil Practice Law and Rules.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Senator Avella
16 moves to discharge, from the Committee on
17 Environmental Conservation, Assembly Bill Number
18 8790A and substitute it for the identical Senate
19 Bill 6589A, Third Reading Calendar 1509.

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

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1509, by Member of the Assembly Cymbrowitz,
25 Assembly Print Number 8790A, an act establishing.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1510, by Senator Carlucci, Senate Print 6641C, an
13 act relating to the administration.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1511, by Senator Seward, Senate Print 6646A, an

1 act to amend the Insurance Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1511, those recorded in the negative are
13 Senators Addabbo, Avella, Dilan, Gianaris,
14 Gipson, Hassell-Thompson, Hoylman, Kennedy,
15 Krueger, O'Brien, Parker, Peralta, Perkins,
16 Rivera, Sanders, Savino, Serrano, Squadron,
17 Stavisky, Stewart-Cousins and Tkaczyk. Also
18 Senator Latimer. Also Senator Montgomery.

19 Ayes, 36. Nays, 23.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1512, by Senator LaValle, Senate Print 6667, an
24 act in relation to imposing.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1513, by Senator Golden, Senate Print 6799, an
12 act to amend the Retirement and Social Security
13 Law.

14 ACTING PRESIDENT GRIFFO: There is
15 a home-rule message before the desk.

16 The Secretary will read the last
17 section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1514, by Senator Tkaczyk, Senate Print 6910, an
3 act to legalize, validate, ratify and confirm.

4 ACTING PRESIDENT GRIFFO: There is
5 a home-rule message before the desk.

6 The Secretary will read the last
7 section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 58. Nays, 1.
14 Senator Ball recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Senator Young moves
18 to discharge, from the Committee on Rules,
19 Assembly Bill Number 9922 and substitute it for
20 the identical Senate Bill Number 7149, Third
21 Reading Calendar 1515.

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

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 1515, by the Assembly Committee on Rules,
2 Assembly Print 9922, an act to amend the
3 Private Housing Finance Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 58. Nays, 1.
12 Senator Ball recorded in the negative.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 Senator Hoylman.

16 SENATOR HOYLMAN: Mr. President, I
17 want to express my thanks for this important
18 piece of legislation, which regards an affordable
19 housing complex in my district called Mutual
20 Redevelopment Houses. We call it, in Chelsea,
21 Penn South, because of its proximity to the
22 original Pennsylvania Train Station.

23 It was founded by the International
24 Ladies Garment Workers Union, UNITE, and accounts
25 for 2,820 units, which opened in 1962 with a

1 celebration that was attended by president John
2 F. Kennedy, Eleanor Roosevelt, Governor Nelson
3 Rockefeller, the mayor, Robert Wagner, and other
4 dignitaries.

5 This bill paves the way for 50 more
6 years of affordability at this housing complex
7 which is so crucial in the Chelsea neighborhood.
8 If you've been to Chelsea lately, you know the
9 High Line, probably. It is gentrifying rapidly.
10 And the fact that we have this oasis of
11 affordability for middle- and low-income
12 New Yorkers is a testament to everyone in this
13 chamber. So thank you so much for your support.

14 I vote aye, Mr. President.

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Senator Hoylman.

17 We were on Bill 1515 at this present
18 time on the calendar. So Senator Hoylman to be
19 recorded in the affirmative.

20 The Secretary will reannounce the
21 results.

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

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1516, by Senator Ball, Senate Print 7482, an act
3 to amend the Penal Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Senator
12 Gipson to explain his vote.

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

15 I would like to commend the
16 legislative body for moving this legislation
17 forward.

18 As the sponsor memo states, this
19 bill was inspired in part by the tragic loss of
20 Shawn and Patricia Wonderly. I've had the honor
21 and the privilege of meeting Shawn and Patricia
22 Wonderly's families. I would like to applaud the
23 Wonderly and DiSantola families for their
24 advocacy and for seeing an injustice and working
25 to make it right.

1 I'm proud to support their efforts
2 and share their belief that those whose reckless
3 actions have taken and harmed innocent lives
4 should be held fully accountable, and that judges
5 should have the discretion to hand down a
6 sentence reflective of the circumstances
7 surrounding each case.

8 I will be voting yes.

9 ACTING PRESIDENT GRIFFO: Senator
10 Gipson to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: Ayes, 57. Nays, 2.
13 Senators Montgomery and Perkins recorded in the
14 negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Senator Griffio
18 moves to discharge, from the Committee on
19 Commerce, Economic Development and Small
20 Business, Assembly Bill Number 8308B and
21 substitute it for the identical Senate Bill
22 Number 7564, Third Reading Calendar 1517.

23 ACTING PRESIDENT GRIFFO: The
24 substitution is so ordered.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1517, by Member of the Assembly Lentol, Assembly
3 Print 8308B, an act to amend the Economic
4 Development Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Senator Marcellino
16 moves to discharge, from the Committee on Cities,
17 Assembly Bill Number 8875C and substitute it for
18 the identical Senate Bill 7677, Third Reading
19 Calendar 1518.

20 ACTING PRESIDENT GRIFFO:
21 Substitution ordered.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1518, by Member of the Assembly Perry, Assembly
25 Print 8875C, an act to amend the Administrative

1 Code of the City of New York.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1519, by Senator Hoylman, Senate Print 7709, an
14 act to amend the Private Housing Finance Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Announce
23 the results.

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1520, by Senator Young, Senate Print 7749, an act
4 to amend the Highway Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1521, by Senator Ritchie, Senate Print 7775, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 59.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Senator Larkin
4 moves to discharge, from the Committee on Rules,
5 Assembly Bill Number 9843 and substitute it for
6 the identical Senate Bill Number 7787, Third
7 Reading Calendar 1522.

8 ACTING PRESIDENT GRIFFO: The
9 substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1522, by Member of the Assembly Skoufis,
13 Assembly Print 9843, an act to amend the
14 Criminal Procedure Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: In relation to
23 Calendar 1522, those recorded in the negative are
24 Senators Hoylman, Krueger, Montgomery, Perkins
25 and Rivera.

1 Ayes, 54. Nays, 5.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Senator Squadron
5 moves to discharge, from the Committee on Local
6 Government, Assembly Bill Number 9326 and
7 substitute it for the identical Senate Bill 7808,
8 Third Reading Calendar 1523.

9 ACTING PRESIDENT GRIFFO: The
10 substitution is so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1523, by Member of the Assembly Lentol, Assembly
14 Print 9326, an act in relation to authorizing.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 56. Nays, 3.
23 Senators Ball, Bonacic and O'Mara recorded in the
24 negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Senator Savino
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 8164B and substitute it for
5 the identical Senate Bill 7811, Third Reading
6 Calendar 1524.

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

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1524, by Member of the Assembly Otis, Assembly
12 Print 8164B, an act to amend the Public Service
13 Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 57. Nays, 2.
22 Senators Maziarz and Zeldin recorded in the
23 negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1525, by Senator Grisanti, Senate Print 7812, an
3 act to amend the Executive Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1526, by Senator Young, Senate Print 7818, an act
16 to amend the Correction Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Senator
25 Young to explain her vote.

1 SENATOR YOUNG: Thank you,
2 Mr. President, to explain my vote.

3 This bill is a step in the right
4 direction, and I wish to commend Assemblyman
5 Danny O'Donnell for putting it in.

6 This bill addresses the very tragic
7 incident that occurred in New York City just a
8 few days ago, on June 1st, when Daniel
9 St. Hubert, recently discharged from a state
10 correctional facility, brutally stabbed and
11 murdered a little boy, P.J. Avitto, in a New York
12 City elevator, and his friend Mikayla Capers,
13 age 7, stabbed her 15 times. P.J. was just
14 6 years old.

15 Obviously there was a massive system
16 failure in that this person, this violent
17 mentally ill person, diagnosed with
18 schizophrenia, tried to kill his mother -- that's
19 why he was in prison -- had 12 incidents of
20 violence while he was incarcerated, attacked a
21 police officer, attacked a corrections officer,
22 and yet he was dumped on the street with barely
23 any follow-up attention.

24 This bill today would address a
25 small piece of that situation, because the parole

1 officer in this case allegedly was going to the
2 supervisor and saying that this person needed to
3 have involuntary inpatient treatment, and no one
4 listened. No one listened.

5 So this is a way to allow parole
6 officers to petition for involuntary inpatient
7 treatment. But this is just a small piece of it.

8 Just this week we passed Kendra's
9 Law, which would close every single loophole.
10 Let's face it, we have a crisis in this state.
11 We have a crisis with the untreated mental
12 illness of people who have violent tendencies,
13 and we're not taking action.

14 So today is a step forward. I'm
15 glad we're passing this legislation. But we need
16 to continue to urge the Assembly to pass all of
17 Kendra's Law so that we will avoid tragedies down
18 the road.

19 I vote aye.

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

22 Announce the results.

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Senator Ritchie
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 10022 and substitute it for
4 the identical Senate Bill Number 7820, Third
5 Reading Calendar 1527.

6 ACTING PRESIDENT GRIFFO:
7 Substitution so ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1527, by the Assembly Committee on Rules,
11 Assembly Bill Number 10022, an act to amend the
12 Uniform City Court Act.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1528, by Senator Farley, Senate Print 7836, an
25 act to establish.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1529, by Senator Lanza, Senate Print 7843, an act
13 to amend a chapter of the Laws of 2014.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the same date and in the
18 same manner as a chapter of the Laws of 2014.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 Senator Libous, that completes the

1 noncontroversial reading of Senate Supplemental
2 Calendar 52A.

3 Could I have order in the house,
4 please.

5 Senator Libous.

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

8 Could we go to the active list for
9 today and go to the controversial reading of
10 Calendar Number 916, please.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will ring the bell.

13 We will have the reading of the
14 controversial-calendar active list for today, and
15 we will take up Calendar Number 916.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 916, by Senator Carlucci, Senate Print 7232A, an
19 act to amend the Executive Law.

20 SENATOR KRUEGER: Explanation.

21 ACTING PRESIDENT GRIFFO: An
22 explanation has been requested.

23 Senator Carlucci.

24 SENATOR CARLUCCI: Thank you,
25 Mr. President.

1 This legislation would complement
2 what the Justice Center is already working on in
3 making sure that we end abuse, neglect,
4 maltreatment of our most vulnerable populations.

5 What this legislation does is
6 requires the Justice Center to have procedures in
7 place when they are investigating abuses of
8 activity when dealing with someone with special
9 needs and making sure that their clinical
10 information is used in that case, to make sure
11 that the investigator can do their investigation
12 the most effective way while making sure that
13 it's done in a safe manner that doesn't adversely
14 affect our most vulnerable populations.

15 Thank you, Mr. President.

16 ACTING PRESIDENT GRIFFO: Thank
17 you, Senator Carlucci.

18 Senator Krueger.

19 SENATOR KRUEGER: Thank you,
20 Mr. President. If the sponsor would please
21 yield.

22 ACTING PRESIDENT GRIFFO: Senator
23 Carlucci, do you yield?

24 SENATOR CARLUCCI: Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Carlucci yields.

2 Senator Krueger.

3 SENATOR KRUEGER: Thank you. I
4 appreciate the sponsor's explanation, but I feel
5 I need some more detail.

6 I agree we should be moving
7 legislation that allows and ensures the
8 Justice Center can meet its mandate by completing
9 effectively and quickly its investigations of
10 complaints. But my understanding from some
11 parents --

12 SENATOR CARLUCCI: I'm sorry, I
13 can't hear Senator Krueger.

14 ACTING PRESIDENT GRIFFO: Senator
15 Krueger, could you talk into the mike?

16 And can I have some order in the
17 chamber again. And I'm going to ask one more
18 time so the members can hear each other as they
19 converse and debate.

20 SENATOR KRUEGER: Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Carlucci -- Senator Krueger, you want to ask
23 another question, right?

24 SENATOR KRUEGER: No, I was going
25 to try to answer so that he could hear me.

1 ACTING PRESIDENT GRIFFO: All
2 right, go ahead, Senator Krueger.

3 SENATOR KRUEGER: Thank you.

4 I have some parents who have raised
5 issues of concern that this bill might allow
6 providers of services to avoid being investigated
7 because they will argue that interviewing the
8 person who we believe has been harmed would be
9 problematic.

10 So would the sponsor explain to me
11 how we can assure people that this bill won't
12 unintentionally prevent the Justice Center from
13 doing what they need to do by allowing the
14 provider of services to claim that the
15 Justice Center shouldn't interview the victim?

16 SENATOR CARLUCCI: I thank the
17 Senator for bringing up that point, because it's
18 a very important point to point out.

19 On page 2 of the legislation, lines
20 13 to 19, it explains exactly that issue. That's
21 something that we want to prevent against and why
22 we put it specifically in the legislation.

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

1 SENATOR CARLUCCI: Yes.

2 ACTING PRESIDENT GRIFFO: The
3 sponsor yields.

4 SENATOR KRUEGER: And that's in the
5 new A-print modification of the bill, amended
6 bill, is that correct?

7 SENATOR CARLUCCI: That's right.

8 SENATOR KRUEGER: Thank you.

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

11 SENATOR CARLUCCI: Yes.

12 ACTING PRESIDENT GRIFFO: The
13 sponsor yields.

14 SENATOR KRUEGER: Thank you.

15 I understand also in the bill that
16 there's a timeline for the department I guess to
17 come up with protocols and procedures for how to
18 go forward with investigations in the future. I
19 certainly do agree it's important that there be
20 written protocols and procedures so that everyone
21 can know exactly what kind of process will be
22 used when going forward with investigations.

23 Is there a time frame by which the
24 Justice Center or the affiliated agencies must
25 produce these protocols and procedures?

1 SENATOR CARLUCCI: So on page 3 of
2 the legislation it details lines 3 through 8 that
3 detail exactly the time frame. We want them to
4 be developed by January 1st. We want them to be
5 finalized by April 1st of 2015.

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

9 SENATOR CARLUCCI: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR KRUEGER: Again, some
13 people who have raised concerns to me feel that
14 as family members of someone who may be in an
15 institutional setting and may have been abused
16 and had an investigation opened into what
17 happened, that they the family members should be
18 immediately notified that this has happened and
19 that there is investigation taking place.

20 Is there anything in this bill that
21 requires notification of the family members about
22 the circumstances of what's happened?

23 SENATOR CARLUCCI: Yes. The
24 Senator brings up another excellent point. And
25 that's on page 2, line 20, the notification of

1 family relatives.

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

4 ACTING PRESIDENT GRIFFO: Senator
5 Krueger on the bill.

6 SENATOR KRUEGER: Thank you.

7 I think there's a lot of questions
8 many people in the State of New York still have
9 about the Justice Center, where it's gone and
10 where it's going, what's happening. And the
11 certainly the concerns I was hearing from
12 constituents were on the earlier version of the
13 bill that has now been amended.

14 And I have to say I think that we
15 are making progress. This may not be the
16 solution or a full solution to concerns, but I
17 have no problem with supporting the bill.

18 Thank you, Mr. President.

19 ACTING PRESIDENT GRIFFO: Is there
20 any other Senator wishing to be heard?

21 Senator Tkaczyk.

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

24 And I want to thank Senator Carlucci
25 for recognizing that we need to protect our very

1 vulnerable citizens. I think this legislation
2 moves in the right direction. I voted no
3 initially, but with the changes I'll be voting
4 yes.

5 But I do have a concern that the
6 protocols and procedures described in this bill
7 will not be put into effect until April 15th.
8 And until that time I think it would be very
9 important that parents, legal guardians or a
10 representative of the Mental Hygiene Legal
11 Services be connected to that resident who's
12 being interviewed.

13 And I actually have legislation that
14 does that, and it would start immediately. It's
15 Senate Bill 7671A, which I think would be a
16 strong companion to this legislation today.
17 Because I agree we have to protect our vulnerable
18 citizens, and making sure that they have the
19 appropriate person with them when they're being
20 interrogated or interviewed is really critical.

21 So I applaud Senator Carlucci for
22 moving this legislation forward and urge my
23 colleagues to also move forward 7671A.

24 Thank you.

25 ACTING PRESIDENT GRIFFO: Is there

1 any other Senator wishing to be heard?

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

4 The Secretary will read the last
5 section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Some
12 order in the chamber, please.

13 I'm going to ask members to stay
14 close to their desks because we have two
15 remaining bills on the controversial calendar and
16 the votes will be coming quickly.

17 The Secretary will announce the
18 results.

19 THE SECRETARY: Ayes, 57.

20 Absent from voting: Senators
21 Sampson and Young.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 Senator Libous.

25 SENATOR LIBOUS: Mr. President, I

1 believe -- I believe, I believe. We will take up
2 1101, by Senator DeFrancisco.

3 ACTING PRESIDENT GRIFFO: The
4 Secretary will take up Calendar 1101, by Senator
5 DeFrancisco.

6 Again, I urge members to remain
7 close to the chamber.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1101, substituted earlier by Member of the
11 Assembly Magnarelli, Assembly Print 9864A, an act
12 to amend the Alcoholic Beverage Control Law.

13 ACTING PRESIDENT GRIFFO: Senator
14 Krueger, why do you rise?

15 SENATOR KRUEGER: If the sponsor
16 would yield to some questions.

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco, do you yield to questions?

19 SENATOR DeFRANCISCO: Yes.

20 SENATOR KRUEGER: Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Krueger.

23 SENATOR KRUEGER: Thank you.

24 My understanding is this is a bill
25 that would allow an exception or exemption from

1 New York State tied house laws to allow an
2 establishment who has ownership of some liquor
3 companies to also operate a retail on-premise
4 site that sells liquor and food. Is that
5 correct?

6 SENATOR DeFRANCISCO: Yes.

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

10 SENATOR DeFRANCISCO: Yes.

11 ACTING PRESIDENT GRIFFO: The
12 sponsor yields.

13 Again, the chamber is getting a
14 little noisy. I want the members to be able to
15 hear each other, particularly Senator DeFrancisco
16 and Senator Krueger.

17 SENATOR KRUEGER: Thank you.

18 And for the record, I've actually
19 supported a bill that's not exactly the same, to
20 allow a company to sell wine that that company
21 also owns a winery but they agreed. And in the
22 bill it says we will not be selling wine made by
23 our winery, only other people's products.

24 Does this bill allow the company
25 running the restaurant/bar to sell their own

1 liquor products?

2 SENATOR DeFRANCISCO: No.

3 SENATOR KRUEGER: Just to repeat,
4 so this bill does not allow them to sell their
5 own liquor?

6 SENATOR DeFRANCISCO: I thought you
7 said does it prevent them from selling their own
8 liquor.

9 SENATOR KRUEGER: I'm sorry, does
10 it allow them to sell --

11 SENATOR DeFRANCISCO: The answer to
12 the first question is no. The answer to the
13 second question is yes.

14 SENATOR KRUEGER: Thank you.

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

17 SENATOR DeFRANCISCO: Yes.

18 ACTING PRESIDENT GRIFFO: The
19 sponsor yields.

20 SENATOR KRUEGER: Thank you. So it
21 would allow them to sell their own liquor
22 products if this became the law?

23 SENATOR DeFRANCISCO: Yes. But the
24 special -- this is Margaritaville, by the way.
25 Their specialty drinks, however, are only

1 approximately 5 percent of the alcohol sales.

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

5 SENATOR DeFRANCISCO: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor yields.

8 SENATOR KRUEGER: The other thing
9 that stood out to me when I saw the bill was that
10 rather than it naming the company, which the
11 sponsor just did name, and a specific address for
12 a specific company, it describes the boundaries
13 of a specific piece of land within a much large
14 shopping center.

15 Are there any other bills relating
16 to SLA or tied house where it's not the bill for
17 a specific company for a specific activity but
18 rather the geography where that company might be
19 at this moment?

20 SENATOR DeFRANCISCO: Yes. If you
21 look at the bill, the boldface parts of the bill
22 are the parts that deal with this particular
23 entity. There are several others within the bill
24 that will have metes and bounds descriptions. I
25 don't know what they're for specifically, but

1 they're described in a similar fashion.

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

5 SENATOR DeFRANCISCO: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor yields.

8 SENATOR KRUEGER: So the bill
9 describes multiple metes and boundaries. Are
10 they all to allow this type of exemption from the
11 tied house laws, or just this one set of metes
12 and boundaries specific to alcohol?

13 SENATOR DeFRANCISCO: This
14 particular metes and bounds description sets
15 forth that portion of an existing mall in
16 Syracuse, New York, that would be leased by
17 Margaritaville if they're allowed to sell the
18 product as they sell the product in every other
19 Margaritaville facility.

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

23 SENATOR DeFRANCISCO: Yes.

24 ACTING PRESIDENT GRIFFO: The
25 sponsor yields.

1 SENATOR KRUEGER: So do they have
2 other Margaritaville facilities in New York State
3 where they already have the right to do this?

4 SENATOR DeFRANCISCO: I have no
5 idea.

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

9 SENATOR DeFRANCISCO: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR KRUEGER: And do we know of
13 any other situations in New York State law where
14 other companies, not Margaritaville, have been
15 allowed this exemption from the law?

16 SENATOR DeFRANCISCO: I don't know
17 the specific circumstances behind each of the
18 exemptions. But as you can see, there's many
19 exemptions in the bill. This simply adds one
20 additional one.

21 I didn't go forward to check out the
22 descriptions of each to determine, well, who else
23 had the description, who had the exemption, I
24 just believe that this was a legitimate reason
25 for an exemption and to bring in a large business

1 to our community.

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

5 SENATOR DeFRANCISCO: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor yields.

8 SENATOR KRUEGER: Thank you.

9 So this section of the bill with the
10 metes and boundaries specific to this
11 Margaritaville within this shopping mall says
12 that it will be applicable to the entity having
13 this lease. I'll just look for the exact
14 sentence while I say that to you. I think it's
15 page 10, starting with line 22 and going down.

16 Does that mean that if the lease
17 changes at some time in the future they could
18 expand to a different geography either within the
19 mall or apply it to the whole mall if there was a
20 change in the lease language?

21 SENATOR DeFRANCISCO: Page 10 from
22 line 22 down, that basically deals with a
23 previous exemption, not the one we're dealing
24 with today. As you can see, it's an exemption
25 that was granted to somebody in the borough of

1 Manhattan, of which you may be familiar.

2 SENATOR KRUEGER: You know what, I
3 think we are -- excuse me, Mr. President, a
4 clarification. I am looking at what's called
5 page 10 in the center middle of the bill, but it
6 in printout does appear to be page 12 of 49. So
7 I think we're just talking about which page
8 number we're looking at. You're looking at the
9 A print and we're looking at the original.

10 So, excuse me, it's the section that
11 says --

12 SENATOR DeFRANCISCO: I apologize,
13 I was looking at the print that was on the
14 calendar today.

15 SENATOR KRUEGER: You know what, I
16 apologize. Mr. President, through you, I
17 apologize, I don't think this --

18 ACTING PRESIDENT GRIFFO: Apologies
19 accepted.

20 (Laughter.)

21 SENATOR KRUEGER: It's the
22 section --

23 ACTING PRESIDENT GRIFFO: Senator
24 Krueger, are you asking the sponsor to yield, to
25 continue to yield?

1 SENATOR KRUEGER: I am asking him
2 to continue to yield, thank you.

3 SENATOR DeFRANCISCO: Yes, I yield.

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields. Continue.

6 At a moment like this, one can only
7 wonder what would Jimmy Buffett do.

8 (Laughter.)

9 ACTING PRESIDENT GRIFFO: Senator
10 DeFrancisco yields. Senator Krueger, you may
11 continue.

12 SENATOR DeFRANCISCO:
13 Mr. President, what did you say? I wasn't paying
14 attention to you.

15 (Laughter.)

16 SENATOR KRUEGER: I think the ball
17 is in my court. Would the sponsor continue to
18 yield?

19 SENATOR DeFRANCISCO: Yes.

20 ACTING PRESIDENT GRIFFO: The
21 sponsor yields.

22 SENATOR KRUEGER: Thank you.

23 So the section of bill that I intend
24 to be referencing -- and the page number has
25 changed between the A print and this print -- is

1 that all that certain piece or parcel of land
2 situated in the City of Syracuse, County of
3 Onondaga, State of New York, lying generally
4 northwesterly of the West Hiawatha Boulevard,
5 et cetera, being a portion of Lot 11I and 11J of
6 the Carousel Center Subdivision, et cetera,
7 et cetera, et cetera.

8 Are we are looking at the same text
9 even if not the same page?

10 SENATOR DeFRANCISCO: Yeah, I --
11 generally, yes.

12 SENATOR KRUEGER: Okay. So it
13 seems to apply specifically to a lease agreement.

14 So my question was if they change
15 the lease tomorrow, three years from now, five
16 years from now, does it suddenly in statute apply
17 to whatever that lease might say for whomever and
18 wherever? Because I'm not sure I can find any
19 other SLA exemption law specific to the lease.

20 SENATOR DeFRANCISCO: The answer is
21 no. If they change the location in the mall or
22 decided to move someplace else, they would have
23 to apply for an additional exemption.

24 In fact, that was a very big concern
25 of mine, because I wanted to make sure that this

1 particular lease wasn't a floating lease, as
2 some -- well, I'd better not say it. That it was
3 specific so it would not be misused and used for
4 other things later on.

5 We checked with the SLA. They
6 double-checked the language. And it's specific
7 to where this facility will go in that mall, and
8 it's location-specific. It can't float around.

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

11 ACTING PRESIDENT GRIFFO: Senator
12 Krueger on the bill.

13 SENATOR KRUEGER: Thank the sponsor
14 for his answers.

15 The tied house laws are intended --
16 and they're very old, and so sometimes you might
17 say why do we even bother with such old laws.
18 But the part of the tied house laws that I
19 actually like and support is the concept that if
20 you are in the liquor-manufacturing business, you
21 can't control bars and restaurant liquor such
22 that you could develop monopoly control over a
23 market. Where if you went and bought up all the
24 bars in a certain geography or in the entire
25 State of New York, you could actually figure out

1 how to only sell your liquor products in the
2 locations, and you had all the locations.

3 That's actually happened in some
4 states and some countries who have highlighted
5 that you end up with an enormous monopoly power
6 of a very small number of companies. Some people
7 would say that actually for beer, that's almost
8 already happened in this country when you look at
9 the variety of major beer manufacturers actually
10 all being owned by one of two companies.

11 And that the tied house laws
12 actually help to protect almost the mom-and-pop
13 restaurants and bars from a Walmart model, so to
14 speak, for bars and restaurants, and help protect
15 that there can be competition by people who
16 manufacture and sell liquor and beer.

17 Now, we have some exemptions to that
18 in law. Some of them are referenced in this bill
19 of Senator DeFrancisco. Some have actually been
20 discussed quite recently, with the various small
21 brewery and hard cider and craft beer exemptions
22 that we have made in law in New York State
23 recently, all of which I support and think are
24 very good ideas.

25 I also don't think it's the

1 intention of the sponsor to open up that door
2 widely to the possibility of monopoly control by
3 Jimmy Buffett or anyone else. But my concern is
4 this can be seen as a precedent in the future for
5 someone else to argue, Well, now New York State
6 has said you can get an exemption from tied house
7 laws and sell your own product in that location.
8 And I think that that is a slippery slope.

9 I'm also concerned that the way the
10 bill is written, in respect and disagreement with
11 the sponsor, it could be interpreted that the
12 entire mall somehow can be exempted if the
13 language in a future lease was changed, a lease
14 that would not have to come before us or the SLA,
15 perhaps not even be filed anywhere. And that the
16 way it's written, it could be a different company
17 who took over the lease and the space in the
18 future who would also be grandfathered into this
19 exemption from our law.

20 And so while I am not saying that I
21 oppose any and all changes in tied house law -- I
22 am not -- and I am not saying, as I said before,
23 that I have a problem with exemptions to tied
24 house rules that make explicit if part of your
25 company is involved with liquor production, then

1 you can never have a bar or a restaurant. I
2 don't think that the two should mingle. So that
3 if you agree that you're going to have a
4 restaurant or a bar and you're also in the liquor
5 industry, fine, just agree not to have that
6 liquor sold in that bar or restaurant.

7 And again, the sponsor volunteered
8 that he believed that only 5 percent of the
9 liquor sold in Margaritavilles is owned by
10 companies also owned by Mr. Buffett or his
11 corporate entity. Maybe he decides to buy eight
12 other liquor companies tomorrow and then a
13 hundred percent of the liquor being sold in
14 Margaritaville is owned by the same company.

15 So to get my point, I think that
16 there's a slippery slope. I think that the State
17 of New York should think very carefully whether
18 it wants to open that door and have this as the
19 example of how we make a decision and then can't
20 really say no to anyone else.

21 So I'll be voting no on the bill.
22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Krueger.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Yes. Senator
2 Krueger is correct in my intent is to make this
3 will very specific for one location in one
4 specific mall. I did not -- I had the same
5 concerns as her in drafting this bill, that it
6 would be used to support a facility or a company
7 like this anyplace in the mall, and that we
8 shouldn't create monopolies.

9 And even in the mall itself, this
10 would not be a monopoly. There's many, many
11 restaurants, many, many bars in those restaurants
12 selling many, many drinks. And the chance that
13 this would become a monopoly even in a mall is
14 slim and none.

15 As far as this particular lessee
16 buying up other properties or going to other
17 locations in order to get a monopoly, the reason
18 they can't is this bill, basically, that you have
19 to have an exception passed by the Legislature
20 before you can start eating up other locations.
21 And that's precisely why these are exceptions,
22 not granting general authority to do what is
23 prohibited by the original bill.

24 So I think the safeguards are here,
25 and I think the bill is a bill that should be

1 passed.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Thank
4 you, Senator DeFrancisco.

5 Is any other Senator that wishes to
6 be heard?

7 Seeing and hearing none, the debate
8 is closed. The Secretary will ring the bell.

9 Read the last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1101, those recorded in the negative are
19 Senators Krueger, Perkins, Rivera, Sanders and
20 Stavisky.

21 Absent from voting: Senator
22 Sampson.

23 Ayes, 53. Nays, 5.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 Senator Libous, that completes the
2 controversial reading of the original active
3 list.

4 SENATOR LIBOUS: Mr. President,
5 could you call on Senator Gianaris, please? Go
6 back to motions and call on Senator Gianaris.

7 ACTING PRESIDENT GRIFFO: We will
8 return to motions.

9 Senator Gianaris.

10 SENATOR GIANARIS: Mr. President,
11 on behalf of Senator Espaillat, please remove the
12 sponsor star from Calendar 1090.

13 ACTING PRESIDENT GRIFFO: The star
14 is removed and is so ordered.

15 Senator Libous.

16 SENATOR LIBOUS: Mr. President, in
17 trying to keep things moving along -- which we've
18 done a good job, and I want to thank all the
19 members -- we have a little downtime in the
20 schedule right now. So the Senate will stand at
21 ease until 3:00 p.m.

22 ACTING PRESIDENT GRIFFO: The
23 Senate stands at ease until 3:00 p.m.

24 SENATOR LIBOUS: I'm sorry,
25 Mr. President.

1 ACTING PRESIDENT GRIFFO: One
2 minute. The Senate will come back to order.

3 (Laughter.)

4 SENATOR LIBOUS: Mr. President, I
5 was going to ask you if you could un-ease the
6 ease and call on Senator Serrano, please.

7 ACTING PRESIDENT GRIFFO: It's
8 5 o'clock somewhere, right, Senator Serrano?

9 SENATOR SERRANO: Yes.

10 ACTING PRESIDENT GRIFFO: Senator
11 Serrano.

12 SENATOR SERRANO: Thank you,
13 Mr. President and Senator Libous.

14 I would like to announce that the
15 Senate Democratic Conference will meet at 2:30 in
16 Room 315.

17 ACTING PRESIDENT GRIFFO: The
18 Senate Democratic Conference will meet at
19 2:30 p.m. in Room 315.

20 The Senate stands temporarily at
21 ease until 3:00 p.m.

22 (Whereupon, the Senate stood at ease
23 at 1:37 p.m.)

24 (Whereupon, the Senate reconvened at
25 5:07 p.m.)

1 SENATOR LIBOUS: Mr. President.

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

4 Senator Libous.

5 SENATOR LIBOUS: There will be an
6 immediate meeting of the Rules Committee in
7 Room 332.

8 ACTING PRESIDENT GRIFFO: There
9 will be an immediate meeting of the Rules
10 Committee in Room 332.

11 The Senate will stand at ease.

12 (Whereupon, the Senate stood at ease
13 at 5:07 p.m.)

14 (Whereupon, the Senate reconvened at
15 5:27 p.m.)

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

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President, is
20 there a Rules report at the desk?

21 ACTING PRESIDENT GRIFFO: There is
22 a Rules report at the desk.

23 SENATOR LIBOUS: Can we have it
24 read at this time.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

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

5 Senate Print 122B, by Senator
6 Peralta, an act to amend the Penal Law;

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

9 Senate 3760A, by Senator Montgomery,
10 an act to allow;

11 Senate 3958B, by Senator Golden, an
12 act to amend the Education Law;

13 Senate 5132, by Senator Zeldin, an
14 act to amend the County Law;

15 Senate 5814A, by Senator Lanza, an
16 act to amend Chapter 56 of the Laws of 2013;

17 Senate 6605A, by Senator Breslin, an
18 act to authorize;

19 Senate 6816, by Senator Avella, an
20 act directing;

21 Senate 7182, by Senator Little, an
22 act to amend the Domestic Relations Law;

23 Senate 7263, by Senator LaValle, an
24 act in relation to liability;

25 Senate 7320A, by Senator Seward, an

1 act to amend the Insurance Law;

2 Senate 7374, by Senator Bonacic, an

3 act to amend the Mental Hygiene Law;

4 Senate 7432, by Senator Valesky, an

5 act to amend the Agriculture and Markets Law;

6 Senate 7569A, by Senator Lanza, an

7 act to amend the Penal Law;

8 Senate 7679, by Senator LaValle, an

9 act making certain findings;

10 Senate 7719, by Senator Klein, an

11 act to amend the Real Property Tax Law;

12 Senate 7758, by Senator Flanagan, an

13 act to amend the Education Law;

14 Senate 7763, by Senator Valesky, an

15 act to amend the Tax Law;

16 Senate 7801, by Senator Golden, an

17 act to amend the Civil Service Law;

18 Senate 7821, by Senator O'Mara, an

19 act to amend the Social Services Law;

20 Senate 7838, by Senator Ranzenhofer,

21 an act to amend the Not-For-Profit Corporation

22 Law;

23 And Senate 7874, by Senator Maziarz,

24 an act to authorize.

25 All bills reported direct to third

1 reading.

2 SENATOR LIBOUS: Mr. President, I
3 move to accept the report of the Rules Committee.

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

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (No response.)

10 ACTING PRESIDENT GRIFFO: The
11 Committee on Rules report is accepted and before
12 the house.

13 Senator Libous.

14 SENATOR LIBOUS: Mr. President,
15 could we now take up the noncontroversial reading
16 of Supplemental Calendar 52B.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will begin the reading of Senate
19 Supplemental Calendar 52B, noncontroversial.

20 THE SECRETARY: Calendar Number
21 1499, by Senator Peralta, Senate Print 122B, an
22 act to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of November.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57. Nays, 2.
6 Senators DeFrancisco and Montgomery recorded in
7 the negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1530, by Senator Ranzenhofer, Senate Print 2443,
12 an act to amend the General Obligations Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Senator
21 Krueger to explain her vote.

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

24 Last year we listened to a full
25 debate on this bill. This year I will simply

1 point out we're living in a world where more and
2 more frequently we give someone a credit card, we
3 sign a piece of paper, and suddenly we're paying
4 for life. And unless you actively realize and
5 stop the service, you're paying for life.

6 And in this example, it's elderly
7 and disabled people who, to be honest, are the
8 most likely to get confused, to get lost in the
9 process and the paperwork. And it's forcing them
10 into a situation where they may end up paying for
11 a service they don't use for years at a time.

12 I vote no, Mr. President.

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

15 Senator Ranzenhofer to explain his
16 vote.

17 SENATOR RANZENHOFER: Thank you,
18 Mr. Chairman. Just very briefly on the bill.

19 As Senator Krueger pointed out,
20 we've debated this bill extensively over the last
21 couple of years. This is limited to safety and
22 life-saving equipment, equipment that will save
23 people's lives and keep them safe. This is a
24 consumer-friendly piece of legislation which will
25 be helpful in order for these individuals who

1 have the services to keep them going in order to
2 preserve their lives and keep them safe.

3 So I'll be voting yes. Thank you.

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

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar 1530, those recorded in the negative are
9 Senators Avella, Breslin, DeFrancisco, Dilan,
10 Gianaris, Hassell-Thompson, Hoylman, Krueger,
11 Latimer, Montgomery, Parker, Peralta, Rivera,
12 Sanders, Serrano, Stavisky and Tkaczyk. Also
13 Senator Perkins.

14 Ayes, 41. Nays, 18.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Senator Montgomery
18 moves to discharge, from the Committee on Civil
19 Service and Pensions, Assembly Bill Number 4986A
20 and substitute it for the identical Senate Bill
21 Number 3760A, Third Reading Calendar 1531.

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

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 1531, by Member of the Assembly Millman, Assembly
2 Print 4986A, an act to allow.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

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

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1532, by Senator Golden, Senate Print 3958B, an
16 act to amend the Education Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 58. Nays, 1.
25 Senator Perkins recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Senator Zeldin
4 moves to discharge, from the Committee on Local
5 Government, Assembly Bill Number 7298 and
6 substitute it for the identical Senate Bill
7 Number 5132, Third Reading Calendar 1533.

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

10 The substitution is so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1533, by Member of the Assembly Thiele, Assembly
14 Print 7298, an act to amend the County Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1534, by Senator Lanza, Senate Print 5814A, an
2 act to amend Chapter 56 of the Laws of 2013.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1536, by Senator Breslin, Senate Print 6605A, an
15 act to authorize.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 56. Nays, 3.

24 Senators Bonacic, Larkin and O'Mara recorded in
25 the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1537, by Senator Avella, Senate Print 6816, an
5 act directing.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 59.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Senator Little
17 moves to discharge, from the Committee on
18 Judiciary, Assembly Bill Number 9315 and
19 substitute it for the identical Senate Bill
20 Number 7182, Third Reading Calendar 1538.

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

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1538, by Member of the Assembly Russell,

1 Assembly Print 9315, an act to amend the
2 Domestic Relations Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1539, by Senator LaValle, Senate Print 7263, an
15 act in relation to liability.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Squadron to explain his vote.

25 SENATOR SQUADRON: Thank you,

1 Mr. President.

2 And I want to thank the sponsor for
3 putting this bill forward.

4 I do want to say that when you look
5 at the liability that the State University of
6 New York is facing in relation to Long Island
7 College Hospital, the State University has
8 frankly done a terrible, terrible job here. And
9 it has cost the university system and my local
10 community enormously.

11 The truth is over the last 16 or
12 18 months, we have had a hospital in crisis run
13 by SUNY in the heart of Brooklyn, in the heart of
14 my district. And rather than work
15 collaboratively, rather than work transparently,
16 rather than protect the students from the kind of
17 liability that could lead to tuition increases,
18 and rather than protect the community from the
19 loss of healthcare and its replacement with
20 hundreds or a thousand units of luxury condos, we
21 have had an agency that has thumbed their nose
22 again and again and again.

23 The mistakes and the over
24 \$100 million that SUNY has racked up here should
25 not be put on the students, must not be done with

1 tuition increases. But I also don't feel
2 comfortable sitting here today and saying you
3 know what, after SUNY has operated in this way,
4 after SUNY has caused these challenges, they
5 should be let go free and clear.

6 The state needs to come in and work
7 with SUNY. Senator LaValle has already shown a
8 great deal of leadership working with them,
9 pressuring them, making sure this works. But the
10 idea that SUNY can operate this way, essentially
11 saying we don't care about the costs we're
12 racking up for the students and we don't care
13 about the healthcare needs for a community, is
14 unacceptable.

15 So I'm going to vote no today
16 because SUNY can't be let off free and clear.
17 What we should be doing is we should be figuring
18 out how to protect the students and how to reform
19 SUNY so that in the future they can never do this
20 again. I think this is half of what we have to
21 do. I also would like to see the other half.

22 So with a thank you to
23 Senator LaValle and a lot of respect for moving
24 this forward, I'm going to vote no on this bill
25 today because we need to see the reforms as well.

1 Thank you, Mr. President.

2 ACTING PRESIDENT GRIFFO: Senator
3 Squadron be recorded in the negative.

4 Announce the results.

5 THE SECRETARY: Ayes, 55. Nays, 4.
6 Senators Parker, Rivera, Sanders and Squadron
7 recorded in the negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Senator Seward
11 moves to discharge, from the Committee on Rules,
12 Assembly Bill Number 9915 and substitute it for
13 the identical Senate Bill Number 7320A, Third
14 Reading Calendar 1540.

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

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1540, by the Assembly Committee on Rules,
20 Assembly Print 9915, an act to amend the
21 Insurance Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 59.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1541, by Senator Bonacic, Senate Print 7374, an
9 act to amend the Mental Hygiene Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1542, by Senator Valesky, Senate Print 7432, an
22 act to amend the Agriculture and Markets Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1543, by Senator Lanza, Senate Print 7569A, an
10 act to amend the Penal Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 57. Nays, 2.
19 Senators Montgomery and Perkins recorded in the
20 negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: In relation to
24 Calendar 1543, those recorded in the negative are
25 Senators DeFrancisco, Montgomery and Perkins.

1 Ayes, 56. Nays, 3.

2 ACTING PRESIDENT GRIFFO: The bill
3 is still passed.

4 THE SECRETARY: Calendar Number
5 1544, by Senator LaValle, Senate Print --

6 SENATOR LIBOUS: Lay it aside for
7 the day, please.

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

10 THE SECRETARY: Calendar Number
11 1546, by Senator Klein, Senate Print 7719, an act
12 to amend the Real Property Tax Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 57. Nays, 2.
21 Senators Sanders and Zeldin recorded in the
22 negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Senator Flanagan

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 9334B and substitute it for
3 the identical Senate Bill Number 7758, Third
4 Reading Calendar 1547.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1547, by Member of the Assembly Nolan, Assembly
10 Print 9334B, an act to amend the Education Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1548, by Senator Valesky, Senate Print 7763, an
23 act to amend the Tax Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: In relation to
7 Calendar 1548, those recorded in the negative are
8 Senators Gianaris, Krueger, Perkins, Rivera and
9 Sanders.

10 Ayes, 54. Nays, 5.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1549, by Senator Golden, Senate Print 7801, an
15 act to amend the Civil Service Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Krueger to explain her vote.

25 SENATOR KRUEGER: Thank you,

1 Mr. President.

2 It's rare for me to stand up and
3 vote against a bill involving the rights of
4 collective bargaining. But in this situation,
5 which involves discipline of police officers, I
6 feel that we have to leave the flexibility for
7 the agency, the municipality or county or state
8 overseeing the police department, to be able to
9 act as they feel is necessary and appropriate in
10 disciplinary proceedings.

11 We've heard too many stories,
12 unfortunately, of abuse by police that can't go
13 left unaddressed or moved through a process. We
14 need immediate responses. And so I believe that
15 in the circumstances described through this
16 legislation, we should not leave it to collective
17 bargaining.

18 I'll vote no, Mr. President.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 57. Nays, 2.
23 Senators Krueger and Seward recorded in the
24 negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1550, by Senator O'Mara, Senate Print 7821, an
4 act to amend the Social Services Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1551, by Senator Ranzenhofer, Senate Print 7838,
17 an act to amend the Not-for-Profit Corporation
18 Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Calendar Number 1552 is high on the
5 calendar.

6 Senator Libous, that completes the
7 noncontroversial reading of Senate Supplemental
8 Calendar 52B.

9 SENATOR LIBOUS: Yes, it does,
10 Mr. President.

11 I would like to go back to motions
12 for a moment.

13 ACTING PRESIDENT GRIFFO: We shall
14 return to motions.

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

17 On behalf of Senator LaValle, I move
18 to amend Senate Bill Number 6942A by striking out
19 the amendments made on June 16th and restoring it
20 to its original print, 6942.

21 ACTING PRESIDENT GRIFFO: So
22 ordered.

23 SENATOR LIBOUS: Hang on,
24 Mr. President. I think we're going to go back to
25 a bill that we had earlier.

1 If we go back to the original active
2 list, I believe that Bill Number 984 was laid
3 aside temporarily. If we could bring that back,
4 with unanimous consent, to noncontroversial and
5 have it read and moved.

6 ACTING PRESIDENT GRIFFO: Without
7 objection, the bill is before the house and the
8 Secretary will read, noncontroversial.

9 THE SECRETARY: Calendar Number
10 984, by Senator Grisanti, Senate Print 904A, an
11 act to authorize.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator Libous.

23 SENATOR LIBOUS: Mr. President, I'm
24 going to say at this point that the Senate will
25 stand at ease. And I'm not going to give you a

1 time as to how long we're going to stand at ease,
2 but hopefully it will not be a long time. And
3 we'll work on that.

4 ACTING PRESIDENT GRIFFO: The
5 Senate will stand at ease temporarily.

6 (Whereupon, the Senate stood at ease
7 at 5:45 p.m.)

8 (Whereupon, the Senate reconvened at
9 7:31 p.m.)

10 ACTING PRESIDENT GRIFFO: The
11 Senate will come to order.

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President, I'd
14 like to give everybody a sense of what the
15 schedule is going to be for the next couple of
16 hours.

17 There will be a Rules Committee
18 meeting at 8:30. Okay? It will be 8:30 sharp.
19 And we'll do a couple of reports, and then we'll
20 come out and pass the bills on the floor. And if
21 all goes well, as it has been, we should get out
22 of here shortly thereafter.

23 So Rules Committee at 8:30 in
24 Room 332. Rules Committee at 8:30. And if you'd
25 like to run out and get something to eat, go out

1 and get something to eat, just be back here for
2 Rules at 8:30.

3 ACTING PRESIDENT GRIFFO: There
4 will be a Rules Committee meeting at 8:30 in
5 Room 332. That will be followed by session after
6 the Committee on Rules submits its report.

7 So the Senate will stand at ease
8 until after the Committee on Rules report is
9 presented before the house.

10 The Senate is at ease.

11 (Whereupon, the Senate stood at ease
12 at 7:32 p.m.)

13 (Whereupon, the Senate reconvened at
14 9:26 p.m.)

15 ACTING PRESIDENT GRIFFO: The
16 Senate will come to order.

17 Senator Libous.

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

20 Could we have the report of the
21 Rules Committee read, please.

22 ACTING PRESIDENT GRIFFO: There are
23 reports of the Rules Committee at the desk.

24 SENATOR LIBOUS: Thank you,
25 Mr. President.

1 ACTING PRESIDENT GRIFFO: We have
2 three reports. We will instruct the Secretary to
3 read all three.

4 The Secretary will read.

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

8 Senate Print 2210B, by Senator
9 Ranzenhofer, an act to amend the Education Law;
10 Senate 4391A, by Senator O'Brien, an
11 act to amend the Penal Law;

12 Senate 5584A, by Senator Martins, an
13 act to amend the Racing, Pari-Mutuel Wagering and
14 Breeding Law;

15 Senate 5731B, by Senator Flanagan,
16 an act to amend the Public Health Law;

17 Senate 5777, by Senator LaValle, an
18 act to amend the Real Property Tax Law;

19 Senate 5791A, by Senator Flanagan,
20 an act to amend the Education Law;

21 Senate 5937A, by Senator Valesky, an
22 act to amend the Insurance Law;

23 Senate 6425A, by Senator Ball, an
24 act to amend the Town Law;

25 Senate 6595A, by Senator Flanagan,

1 an act to amend the General Municipal Law;

2 Senate 6679A, by Senator Marchione,

3 an act to amend the Executive Law;

4 Senate 6680A, by Senator Marchione,

5 an act to amend the Executive Law;

6 Senate 6887A, by Senator

7 Ranzenhofer, an act to amend the Education Law;

8 Senate 7371A, by Senator Martins, an

9 act to amend Chapter 359 of the Laws of 2010;

10 Senate 7386, by the Committee on

11 Rules, an act to amend the Tax Law;

12 Senate 7470, by Senator Boyle, an

13 act to amend the Criminal Procedure Law;

14 Senate 7481A, by Senator Hannon, an

15 act to amend the Mental Hygiene Law;

16 Senate 7554A, by Senator Lanza, an

17 act to amend the Public Housing Law;

18 Senate 7703, by the Committee on

19 Rules, an act to amend Chapter 746 of the Laws of

20 1988;

21 Senate 7778, by Senator Nozzolio, an

22 act to amend the Education Law;

23 Senate 7854, by Senator Hannon, an

24 act to amend the Public Health Law;

25 Senate 7857, by Senator LaValle, an

1 act to provide;

2 Senate 7869, by Senator Nozzolio, an
3 act to amend the Penal Law;

4 Senate 7883, by Senator Bonacic, an
5 act to amend the Family Court Act;

6 Senate 7887, by Senator Lanza, an
7 act to amend the Highway Law;

8 Senate 1598A, by Senator Grisanti,
9 an act to amend the Labor Law;

10 Senate 6458, by Senator Bonacic, an
11 act to authorize;

12 Senate 6818A, by Senator Libous, an
13 act to provide;

14 Senate 7680, by Senator Flanagan, an
15 act to amend the Education Law;

16 Senate 7759A, by Senator Avella, an
17 act to amend the Education Law;

18 Senate 7866, by Senator Flanagan, an
19 act to amend the Education Law;

20 Senate 7868, by Senator Klein, an
21 act to amend the Executive Law;

22 Senate 7870, by the Committee on
23 Rules, an act to amend the Economic Development
24 Law;

25 Senate 7871, by Senator Flanagan, an

1 act relating to regional tuition;

2 Senate 7873, by Senator Squadron, an

3 act to amend the Public Authorities Law;

4 Senate 7875, by Senator Flanagan, an

5 act to amend the Real Property Tax Law;

6 Senate 7876, by Senator Golden, an

7 act to amend the Insurance Law;

8 Senate 7877, by Senator Grisanti, an

9 act to amend the Labor Law;

10 Senate 7878, by Senator Grisanti, an

11 act to amend Part H of Chapter 1 of the Laws of

12 2003;

13 Senate 7885, by Senator Gallivan, an

14 act to amend the Correction Law;

15 Senate 7893, by Senator Valesky, an

16 act to amend the Insurance Law;

17 Senate 7898, by Senator Young, an

18 act to amend the Correction Law;

19 Senate 7900, by Senator Lanza, an

20 act to amend the Labor Law;

21 And Senate 6732A, by Senator Díaz,

22 an act to amend the General Business Law.

23 All bills reported direct to third

24 reading.

25 ACTING PRESIDENT GRIFFO: Senator

1 Libous, you have a motion?

2 SENATOR LIBOUS: I move to accept
3 the reports of the Rules Committee.

4 ACTING PRESIDENT GRIFFO: The
5 question is on accepting the reports of the
6 Rules Committee. All in favor signify by saying
7 aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO: Opposed?

10 (No response.)

11 ACTING PRESIDENT GRIFFO: The
12 reports of the Rules Committee are accepted and
13 before the house.

14 SENATOR LIBOUS: Mr. President, I
15 should stand up and -- I don't want to be
16 disrespectful of you, Mr. President.

17 We will now take up Senate
18 Supplemental Calendar Number 52C, the
19 noncontroversial reading.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will refer to Senate Supplemental
22 Calendar 52C.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1545, by Senator Ranzenhofer, Senate Print 2210B,

1 an act to amend the Education Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Ranzenhofer to explain his vote.

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

13 Just very briefly, this is an item
14 that we've been working on for many years. This
15 will allow children with severe allergies,
16 especially food allergies, to have an epinephrine
17 pen with them, which is going to protect their
18 safety and their health and ultimately their
19 lives.

20 This is a very good bill, and I
21 would urge my colleagues to vote in favor of it.

22 Thank you.

23 ACTING PRESIDENT GRIFFO: Senator
24 Ranzenhofer to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1553, by Senator O'Brien, Senate Print 4391A, an
6 act to amend the Penal Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 58. Nays, 1.
15 Senator Little recorded in the negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1554, by Senator Martins, Senate Print 5584A, an
20 act to amend the Racing, Pari-Mutuel Wagering and
21 Breeding Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 59.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 Calendar Number 1555 is high. The
8 Secretary will read Calendar 1556.

9 THE SECRETARY: Senator LaValle
10 moves to discharge, from the Committee on Local
11 Government, Assembly Bill Number 8009 and
12 substitute it for the identical Senate Bill
13 Number 5777, Third Reading Calendar 1556.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1556, by Member of the Assembly Thiele, Assembly
19 Print 8009, an act to amend the Real Property Tax
20 Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator Flanagan
7 moves to discharge, from the Committee on
8 Education, Assembly Bill Number 4054A and
9 substitute it for the identical Senate Bill
10 Number 5791A, Third Reading Calendar 1557.

11 ACTING PRESIDENT GRIFFO: The
12 substitution is so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1557, by Member of the Assembly Weisenberg,
16 Assembly Print 4054A, an act to amend the
17 Education Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect July 1, 2015.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55. Nays, 4.

1 Senators Ball, Krueger, Marchione and Tkaczyk
2 recorded in the negative.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Senator Valesky
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 8137A and substitute it for
8 the identical Senate Bill Number 5937A, Third
9 Reading Calendar 1558.

10 ACTING PRESIDENT GRIFFO: The
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1558, by Member of the Assembly Magnarelli,
15 Assembly Print 8137A, an act to amend the
16 Insurance Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 57. Nays, 2.
25 Senators Ball and Marchione recorded in the

1 negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1559, by Senator Ball, Senate Print 6425A, an act
6 to amend the Town Law.

7 ACTING PRESIDENT GRIFFO: The bill
8 is high and will be put aside.

9 The Secretary will read Calendar
10 Number 1560.

11 THE SECRETARY: Senator Flanagan
12 moves to discharge, from the Committee on Local
13 Government, Assembly Bill Number 8661A and
14 substitute it for the identical Senate Bill
15 Number 6595A, Third Reading Calendar 1560.

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

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1560, by Member of the Assembly Paulin, Assembly
21 Print 8661A, an act to amend the General
22 Municipal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 Calendar 1561 and Calendar 1562 are
9 high.

10 The Secretary will read Calendar
11 Number 1563.

12 THE SECRETARY: Calendar Number
13 1563, by Senator Ranzenhofer, Senate Print 6887A,
14 an act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Senator
23 Ranzenhofer to explain his vote.

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

1 Just very briefly, up until today
2 New York was one of only four states that did not
3 participate in the Interstate Compact on
4 Educational Opportunities for Military Children.
5 That is no longer the case.

6 By passing this legislation today,
7 the transitions that children in military
8 families have to make will be much easier and
9 much more seamless than they have been in the
10 past. I vote aye, and I encourage my colleagues
11 to do the same.

12 Thank you.

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

15 Announce the results.

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Senator Martins
20 moves to discharge, from the Committee on Rules,
21 Assembly Bill Number 9321A and substitute it for
22 the identical Senate Bill Number 7371A, Third
23 Reading Calendar 1564.

24 ACTING PRESIDENT GRIFFO: The
25 substitution is so ordered.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 1564, by Member of the Assembly Schimel, Assembly
4 Print 9321A, an act to amend Chapter 359 of the
5 Laws of 2010.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 57. Nays, 2.
14 Senators Krueger and Tkaczyk recorded in the
15 negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: In relation to
19 Calendar Number 1564, those recorded in the
20 negative are Senators Hoylman, Krueger, Squadron
21 and Tkaczyk.

22 Ayes, 55. Nays, 4.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Senator Skelos

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number --

3 SENATOR LIBOUS: Lay it aside for
4 the day.

5 ACTING PRESIDENT GRIFFO: We're
6 going to do the substitution first,
7 Senator Libous.

8 THE SECRETARY: Senator Skelos
9 moves to discharge, from the Committee on Rules,
10 assembly Bill Number 9462 and substitute it for
11 the identical Senate Bill Number 7386, Third
12 Reading Calendar 1565.

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

15 The bill is laid aside for the day.

16 THE SECRETARY: Calendar Number
17 1566, by Senator Boyle, Senate Print 7470, an act
18 to amend the Criminal Procedure Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 55. Nays, 4.
2 Senators Krueger, Montgomery, Perkins and Rivera
3 recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator Hannon
7 moves to discharge, from the Committee on Mental
8 Health and Developmental Disabilities, Assembly
9 Bill Number 9768A and substitute it for the
10 identical Senate Bill Number 7481A, Third Reading
11 Calendar 1567.

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

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1567, by Member of the Assembly Gunther, Assembly
17 Print Number 9768A, an act to amend the Mental
18 Hygiene Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Calendar Number 1568 is high. The
5 Secretary will continue.

6 THE SECRETARY: Calendar Number
7 1569, by the Senate Committee on Rules, Senate
8 Print 7703, an act to amend Chapter 746 of the
9 Laws of 1988.

10 SENATOR LIBOUS: Lay it aside for
11 the day.

12 ACTING PRESIDENT GRIFFO: There is
13 a home-rule message at the desk.

14 The bill will be laid aside for the
15 day.

16 THE SECRETARY: Senator Nozzolio
17 moves to discharge, from the Committee on Higher
18 Education, Assembly Bill Number 9928 and
19 substitute it for the identical Senate Bill
20 Number 7778, Third Reading Calendar 1570.

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

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1570, by the Assembly Committee on Rules,

1 Assembly Print 9928, an act to amend the
2 Education Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

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

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1571, by Senator Hannon, Senate Print 7854, an
16 act to amend the Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Senator
25 Gipson to explain his vote.

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

3 I just want to take a brief moment
4 to state how much this bill exemplifies
5 everything that we should be doing here in this
6 State Senate. And today we are doing the one
7 thing that I know we were all brought here to do,
8 which is to help people.

9 And I want to thank Senator Hannon
10 for his efforts in bringing this bill to the
11 floor.

12 I know in my district, people that
13 have been suffering from chronic Lyme disease,
14 tick-borne illness, and other forms of Lyme
15 disease, have been asking us for a long time to
16 pass a bill like this. This will offer a great
17 amount of relief to families that are truly
18 suffering, that are going bankrupt, they're
19 mortgaging their homes, trying to find a way to
20 deal with this devastating disease.

21 This lays the foundation for more
22 work that we have to do in the future, and I will
23 be voting aye.

24 ACTING PRESIDENT GRIFFO: Senator
25 Gipson to be recorded in the affirmative.

1 Senator Hannon to explain his vote.

2 SENATOR LIBOUS: Mr. President, I'd
3 like some order in the chamber, please.

4 ACTING PRESIDENT GRIFFO: May we
5 have some order in the chamber, please.

6 Senator Hannon.

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

9 Today the Task Force of the Senate
10 Majority on Lyme and Tick-Borne Diseases made its
11 full recommendations public. Among those
12 recommendations are this very bill before us.
13 There will be also a resolution to the federal
14 government. And very importantly, there are
15 recommendations to be implemented by the state.

16 This bill -- and it was a result of
17 conversations by the members of the task force at
18 our meeting, with Senator LaValle and Senator
19 Little, Senator Carlucci, Senator Grisanti,
20 Senator Marchione, Senator Ball and Senator
21 Larkin -- embodies a set of principles that have
22 been adopted by the Office of Professional
23 Conduct as to how they would proceed in regard to
24 investigations, and basically says that they will
25 not go after any physician if that physician is

1 just solely pursuing a course of medical
2 treatment that, while not everybody believes in
3 it, that doctor does believe in it.

4 And for that reason we think it will
5 calm many fears, it will allow people to proceed
6 with fighting a very tough disease. Most people
7 who have to put up with the plague of ticks that
8 we find in New York are easily cured by either
9 removal or a short course of antibiotics; others
10 don't. And it's those other people who don't get
11 quick relief that suffer. We have advanced a
12 broad array of recommendations in order to try to
13 get an action plan for this state, deal with
14 prevention, deal with treatment, deal with
15 research.

16 So there's a lot more to do, but
17 this is the only piece of legislation from the
18 recommendations, and I'm glad we're passing it
19 tonight.

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

22 Senator LaValle to explain his vote.

23 SENATOR LaVALLE: Mr. President, I
24 want to take this opportunity to thank
25 Senator Hannon for his leadership.

1 And as part of that leadership, he
2 provided each member giving their input so that
3 there was, in the report that was issued today,
4 unanimity. And that's a great thing of
5 leadership.

6 And on that bill that we are passing
7 today, it's a very simple but effective approach
8 to a very, very knotty problem that impeded
9 physicians from moving forward to use a modality
10 that they felt or feel is a proper one. And so
11 it will allow physicians to be doctors and move
12 forward with the kinds of treatment that they
13 feel are the most effective for their patients.

14 I vote aye.

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

17 Announce the results.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1572, by Senator LaValle, Senate Print 7857, an
23 act to provide.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 Calendar Numbers 1573, 1574 and 1575
10 are all high.

11 Senator Libous, that completes the
12 noncontroversial reading of Senate Supplemental
13 Calendar 52C.

14 SENATOR LIBOUS: Thank you,
15 Mr. President.

16 At this time could we take up the
17 noncontroversial reading of Supplemental Calendar
18 52D.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will begin the noncontroversial reading
21 of Senate Supplemental Calendar 52D.

22 THE SECRETARY: Senator Grisanti
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 7963 and substitute it for
25 the identical Senate Bill Number 1598A, Third

1 Reading Calendar 1535.

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

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1535, by Member of the Assembly Magnarelli,
7 Assembly Print 7963, an act to amend the Labor
8 Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Senator
17 Grisanti to explain his vote.

18 Could I have some order in the
19 chamber again, please.

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

22 My fellow colleagues, we have had
23 probably three asbestos notification bills passed
24 in the last couple of months. This particular
25 piece of legislation, what it does is it gets rid

1 of an unfunded mandate on municipalities that
2 should no longer continue.

3 When you have an asbestos structure,
4 if you had several structures together, or a
5 garage, municipalities and the contractors would
6 have to pay separate notification fees on each
7 one of those structures. This now gets rid of
8 that and gets rid of an unfunded mandate.

9 I vote aye. Thank you,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Grisanti to be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 58. Nays, 1.
15 Senator Hassell-Thompson recorded in the
16 negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1576, by Senator Bonacic, Senate Print 6458, an
21 act to authorize.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 58. Nays, 1.
5 Senator Gipson recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 The Secretary will reannounce the
9 results.

10 THE SECRETARY: Ayes, 57. Nays, 2.
11 Senators Gipson and Hassell-Thompson recorded in
12 the negative.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Senator Libous
16 moves to discharge, from the Committee on Rules,
17 Assembly Bill Number 9977A and substitute it for
18 the identical Senate Bill Number 6818A, Third
19 Reading Calendar 1577.

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

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1577, by the Assembly Committee on Rules,
25 Assembly Print 9977A, an act to provide.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 SENATOR HASSELL-THOMPSON: Point of
12 order.

13 ACTING PRESIDENT GRIFFO: A point
14 of order is raised by Senator Hassell-Thompson.
15 What is your point of order?

16 SENATOR HASSELL-THOMPSON: I
17 apologize. My no vote was supposed to go against
18 Calendar Number 1535.

19 Thank you.

20 ACTING PRESIDENT GRIFFO: Senator
21 Hassell-Thompson, the no vote was to be recorded
22 at 1535, not 1576? Is that correct?

23 SENATOR HASSELL-THOMPSON: Yes.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will so record.

1 Calendar Number 1578.

2 THE SECRETARY: Calendar Number
3 1578, by Senator Flanagan, Senate Print 7680, an
4 act to amend the Education Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

7 THE SECRETARY: Section 35. This
8 act shall take effect July 1, 2015.

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1579, by Senator Avella, Senate Print 7759A, an
17 act to amend the Education Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect July 1, 2016.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Senator

1 DeFrancisco to explain his vote.

2 SENATOR DeFRANCISCO: Yes, I vote
3 no. Not because this topic is not an important
4 one, but I can't imagine this legislative body
5 dictating what is taught. I think that's the
6 Board of Regents' responsibility.

7 And it just opens the door for any
8 group of parts of education that any individual
9 here might think is a good thing to teach. And I
10 don't think that's the way to set a curriculum.

11 So for that reason, I vote no.

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

14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 1579, those recorded in the negative are
17 Senators Ball, Bonacic, DeFrancisco, Flanagan,
18 Gallivan, Griffio, Hannon, Lanza, Libous, Little,
19 Marcellino, Marchione, Nozzolio, Ritchie, Seward
20 and Zeldin. Also Senator Larkin. Also Senator
21 Farley.

22 Ayes, 41. Nays, 18.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 Calendar Number 1580 is high.

1 Calendar Number 1581 is high. Calendar Number
2 1582 is high. Calendar Number 1583 is high.

3 The Secretary will read 1584, which
4 is the substitution from the Assembly which has
5 aged.

6 The Secretary will read.

7 THE SECRETARY: Senator Squadron
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 10108 and substitute it for
10 the identical Senate Bill Number 7873, Third
11 Reading Calendar 1584.

12 ACTING PRESIDENT GRIFFO: Could I
13 have some order in the house, please.

14 The substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1584, by the Assembly Committee on Rules,
18 Assembly Bill 10108, an act to amend the Public
19 Authorities Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator
3 Squadron to explain his vote.

4 SENATOR SQUADRON: Thank you very
5 much, Mr. President.

6 You know, for years in
7 Lower Manhattan there's been a school
8 overcrowding task force convened by Speaker
9 Silver in which folks have participated. The
10 reason we've had that is we have a residential
11 population that is expanding enormously and with
12 it, in a way that I think people may never have
13 predicted, a school-age population that is
14 expanding enormously.

15 In fact, when you talk about the
16 prediction of that school-age population
17 expansion, the Department of Education and the
18 School Construction Authority literally did not
19 predict it. Again and again and again, their
20 projections vastly underestimated the
21 expectations of what we were going to have for a
22 school-age population in Lower Manhattan.

23 But someone did predict it
24 accurately. A local constituent, a guy named
25 Eric Greenleaf, again and again and again over

1 the last seven years has predicted the population
2 growth of the school-age population much more
3 accurately than the School Construction
4 Authority. He didn't do it through wizardry or
5 magic, though it sometimes appeared to be, he did
6 it by using data from the Department of Health
7 and Mental Hygiene and the Department of City
8 Planning and the Department of Housing
9 Preservation and Development, the Department of
10 Buildings. And he actually looked at what we
11 should expect in Lower Manhattan when it came to
12 the school-age population.

13 For years the School Construction
14 Authority and the Department of Education ignored
15 his projections. More recently, to their great
16 credit, they have started to use some of the same
17 methodology that Eric Greenleaf has been using
18 through the school overcrowding task force that
19 Speaker Silver has convened.

20 But well beyond Lower Manhattan,
21 across the bridges in my district in Brooklyn,
22 we're seeing overcrowding that breaks any
23 expectation and prediction. In the districts of
24 many of my colleagues across the City of
25 New York, we have seen school-age populations

1 where the Department of Education and the School
2 Construction Authority seem shocked and
3 unprepared for the kind of school-age population
4 we have.

5 What this bill does is it requires
6 for the first time that all of those other
7 agencies, all of the best information on the
8 school-age population is used when the five-year
9 capital plan for school construction comes out.
10 It requires that when school sitings happen, that
11 same data is used.

12 And it goes beyond that. For the
13 first time that data is going to be distributed
14 not just for school districts -- and school
15 districts are pretty wacky lines. They cross
16 neighborhoods, they across all over the place --
17 it's going to be done on the community board
18 level. That means that community boards and
19 communities are going to know what the projection
20 for school population is in their neighborhoods
21 for the first time ever, on the five-year capital
22 plan and on individual sitings.

23 And when those public hearings
24 happen, when the plans are being finalized, for
25 the first time the School Construction Authority

1 is going to have to respond to the public comment
2 they get. So that people like Eric Greenleaf or
3 the other experts, local community members that
4 are doing a better job of projecting school-age
5 population than the agency is, can no longer be
6 ignored and can no longer be forgotten.

7 Look, we have a good problem. We
8 have more and more families who want to stay in
9 New York City, more and more families who want to
10 send their kids to the public schools in New York
11 City. But that's a problem that means we need to
12 do a better job as a government of predicting
13 where we're going to have a need to educate those
14 kids. Overcrowded schools damage every student's
15 education who attends those schools and begin to
16 tear communities apart.

17 People like my wife and I, whose
18 oldest son is three, the knowledge that you're
19 going to have a seat in your local school is
20 fundamental to your ability to make a life and
21 invest in your community in New York City.

22 This bill will make the projections
23 and the plans for school population much better.
24 I want to thank all the members of this house for
25 supporting this bill. I want to thank Senator

1 Golden for working with me on this bill. I'll be
2 voting aye.

3 And for all of us who worry about
4 school overcrowding, not just in our families but
5 in our communities and our districts, this will
6 hopefully make it a lot clearer, a lot better and
7 a lot less likely we have overcrowded schools.

8 Thank you, Mr. President.

9 ACTING PRESIDENT GRIFFO: Senator
10 Squadron to be recorded in the affirmative.

11 Announce the results.

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

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 Calendar Numbers 1585, 1586, 1587,
17 1588, 1589, 1590 and 1591 are all high.

18 The Secretary will read Calendar
19 Number 1592, which is an aged substitution from
20 the Assembly.

21 THE SECRETARY: Senator Lanza moves
22 to discharge, from the Committee on Rules,
23 Assembly Bill Number 10014 and substitute it for
24 the identical Senate Bill Number 7900, Third
25 Reading Calendar 1592.

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

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 1592, by the Assembly Committee on Rules,
6 Assembly Print 10014, an act to amend the
7 Labor Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 59.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Senator Díaz moves
19 to discharge, from the Committee on Rules,
20 Assembly Bill Number 8974B and substitute it for
21 the identical Senate Bill Number 6732A,
22 Third Reading Calendar 1593.

23 ACTING PRESIDENT GRIFFO: The
24 substitution is so ordered.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1593, by Member of the Assembly Crespo,
3 Assembly Print Number 8974B, an act to amend the
4 General Business Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Announce
13 the results.

14 THE SECRETARY: Ayes, 54. Nays, 5.
15 Senators Grisanti, Marchione, Nozzolio,
16 Ranzenhofer and Zeldin recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 Senator Libous, that completes the
20 noncontroversial reading of Senate Supplemental
21 Calendar 52D.

22 SENATOR LIBOUS: I'll be with you
23 in a second, Mr. President. We're in a very
24 important discussion.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will reannounce the results of the last
2 bill. The Secretary will re-tally Calendar
3 Number 1593.

4 THE SECRETARY: In relation to
5 Calendar Number 1593, those recorded in the
6 negative are Senators Ball, Grisanti, Marchione,
7 Maziarz, Nozzolio, Ranzenhofer, Young and Zeldin.

8 Ayes, 51. Nays, 8.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 That is the completion of Senate
12 Supplemental Calendar 52D.

13 SENATOR LIBOUS: All right,
14 Mr. President. We're going to get everybody out
15 of here soon, but not yet.

16 ACTING PRESIDENT GRIFFO: Senator
17 Libous.

18 SENATOR LIBOUS: We're going to
19 call a Finance Committee meeting in Room 332 as
20 soon as I'm done talking.

21 But before I finish, I want to take
22 up the supplemental active list for June 18th.
23 And we're going to take up the noncontroversial
24 while members are in Finance. And if anybody
25 when they come out, if for whatever reason they

1 wish to vote no on a bill, please let your
2 respective leadership desk and counsel know, and
3 we will take care of that.

4 But I'd like to bring a bill up out
5 of order, because Senator Krueger would like to
6 speak on it. So if we could take up the
7 noncontroversial reading of the active list for
8 June 18th, and if we could take up
9 Calendar Number 1093 first and then call on
10 Senator Krueger to explain her vote.

11 ACTING PRESIDENT GRIFFO: The
12 Senate will take up the supplemental active list
13 of Wednesday, June 18th, and we will move to
14 Calendar Number 1093.

15 The Secretary will read.

16 THE SECRETARY: On page 35, Senator
17 Krueger moves to discharge, from the Committee on
18 Rules, Assembly Bill Number 8201A and substitute
19 it for the identical Senate Bill Number 5951A,
20 Third Reading Calendar 1093.

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

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1093, by Member of the Assembly O'Donnell,

1 Assembly Print 8201A, an act to amend the
2 Executive Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator
11 Krueger to explain her vote.

12 Again, I'm going to ask for some
13 order in the house. There's a great many people
14 in the chamber right now. I'm going to ask for
15 members and staff to take conversations outside
16 the chamber so we can hear the members discuss or
17 deliberate on the bills.

18 Senator Krueger.

19 SENATOR KRUEGER: Thank you,
20 Mr. President, on the bill.

21 I am very happy this house is
22 passing this bill tonight. It has passed the
23 Assembly, and I am quite sure that the Governor
24 will sign this bill. It's a very simple bill.
25 It says that an unpaid intern shall be covered by

1 the same legal protections against harassment and
2 abuse in the workplace as paid interns.

3 Now, most of us didn't even realize
4 that was an issue. I don't think any of us
5 imagined that if you had an unpaid intern they
6 didn't have equal rights and protections as paid
7 interns. Ironically, they already were doing
8 this work without getting paid.

9 And yet we've discovered any number
10 of states don't have this protection in law, and
11 there were cases brought through the courts in
12 New York State where judges have determined that
13 it was clear to them the abuses took place but
14 unfortunately, because the intern doesn't receive
15 a paycheck, there was nothing the court system
16 could do.

17 So happily, after this becomes law,
18 we can all be assured that unpaid interns have
19 the same rights and protections as paid interns.
20 Unhappily, we will probably discover we need this
21 law, because unfortunately we still find cases
22 where people treat interns without the respect
23 they are due.

24 So I vote yes. Thank you very much.

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 57. Nays, 2.
4 Senators Ball and Zeldin recorded in the
5 negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 There's an immediate meeting of the
9 Finance Committee in Room 332.

10 Those individuals who are on the
11 Finance Committee, if you choose to designate a
12 negative vote, please consult with your floor
13 leader and counsel.

14 The Finance Committee will meet in
15 Room 332 immediately, and the reading of the
16 calendar active list will continue.

17 We'll move to Calendar Number 33,
18 and the Secretary will read.

19 The Secretary will reannounce the
20 results on Senator Krueger's bill, Calendar
21 Number 1093.

22 THE SECRETARY: In relation to
23 Calendar 1093: Ayes, 57. Nays, 2. Senators
24 DeFrancisco and Zeldin recorded in the negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 We will now go to the supplemental
3 active list of June 18th and begin the
4 noncontroversial reading with Calendar Number 33.

5 Finance Committee members are
6 instructed to go to Room 332.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number 33,
9 by Senator Flanagan, Senate Print 1528, an act to
10 amend the General Business Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Announce
19 the results.

20 THE SECRETARY: Those recorded in
21 the negative are Senators Gallivan,
22 Hassell-Thompson and Marchione. Also Senator
23 Ranzenhofer.

24 Ayes, 55. Nays, 4.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number 37,
3 by Senator Little, Senate Print 1365, an act to
4 amend the Environmental Conservation Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: On page 5, Senator
16 Martins moves to discharge, from the Committee on
17 Rules, Assembly Bill Number 3303B and substitute
18 it for the identical Senate Bill Number 1178B,
19 Third Reading Calendar 78.

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

22 The Secretary will read.

23 THE SECRETARY: Calendar Number 78,
24 by Member of the Assembly Abbate, Assembly Print
25 Number 3303B, an act to amend the General

1 Obligations Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Martins to explain his vote.

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

13 It's unfortunate that oftentimes we
14 have to legislate common decency. The simple act
15 of someone making a phone call or rendering
16 assistance to someone in need shouldn't be
17 something that we have to legislate. But here we
18 are again.

19 This bill would do nothing else --
20 and frankly nothing more -- than to ensure that
21 when we have someone in our homes that needs
22 assistance, that we simply can't ignore them,
23 that we have to render assistance. That we have
24 an obligation, frankly all of us, to ensure that
25 if there is someone in need, whether either

1 outside or certainly in our own homes, that a
2 call is made, at a minimum.

3 Steven Kovacs would have been
4 27 years old today. He died in July of 2009 on
5 the couch at a friend's house after having OD'd
6 on a mixture of various drugs. He graduated from
7 Binghamton University with honors. He was going
8 to graduate school. There were people in the
9 house that could have made a call. They chose
10 not to. He died.

11 If this law were in place, hopefully
12 that standard would have been different, the call
13 would have been made, he would have been here
14 with us today.

15 So I want to thank my colleagues for
16 supporting this bill. It sends a clear message
17 that in New York State there are minimum
18 requirements for decency.

19 I vote aye.

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

22 Announce the results.

23 THE SECRETARY: Those recorded in
24 the negative are Senators DeFrancisco,
25 Hassell-Thompson, Krueger, Libous and Zeldin.

1 Also Senator Maziarz.

2 Ayes, 53. Nays, 6.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number 83,
6 by Senator LaValle, Senate Print 1555, an act to
7 amend the Education Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 57. Nays, 2.
16 Senators DeFrancisco and Ball recorded in the
17 negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 312, by Senator Gallivan, Senate Print 4924A, an
22 act to amend the Real Property Tax Law.

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

25 The Secretary will read.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

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

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 504, by Senator LaValle, Senate Print 6418A, an
12 act to amend the Agriculture and Markets Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 551, by Senator LaValle, Senate Print 1650A, an
25 act to amend the Education Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

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

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 555, by Senator Ranzenhofer, Senate Print 6158,
14 an act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Those recorded in
23 the negative are Senators Ball, Rivera and
24 Seward.

25 Ayes, 56. Nays, 3.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: On page 20, Senator
4 Golden moves to discharge, from the Committee on
5 Aging, Assembly Bill Number 1859B and substitute
6 it for the identical Senate Bill Number 7057B,
7 Third Reading Calendar 641.

8 ACTING PRESIDENT GRIFFO: The
9 substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 641, by Member of the Assembly Millman, Assembly
13 Print 1859B, an act to amend the Real Property
14 Tax Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: On page 23, Senator

1 Flanagan moves to discharge, from the Committee
2 on Rules, Assembly Bill Number 9749 and
3 substitute it for the identical Senate Bill
4 Number 5356, Third Reading Calendar 696.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 696, by Member of the Assembly Thiele,
10 Assembly Print Number 9749, an act to amend the
11 Education Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 826, by Senator Martins, Senate Print 6603A, an
24 act to amend the Highway Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Those recorded in
8 the negative are Senators Ball, Krueger and
9 Perkins.

10 Ayes, 56. Nays, 3.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 849, by Senator Larkin, Senate Print 5782, an act
15 to amend the Navigation Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

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

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: On page 27, Senator
3 O'Mara moves to discharge, from the Committee on
4 Rules, Assembly Bill Number 4778A and substitute
5 it for the identical Senate Bill Number 3913A,
6 Third Reading Calendar 883.

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

9 The substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 883, by Member of the Assembly Palmesano,
13 Assembly Print 4778A, an act to legalize,
14 validate, ratify and confirm.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

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

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 904, by Senator Nozzolio, Senate Print 5109, an
3 act to amend the Criminal Procedure Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 57. Nays, 2.
12 Senators Ball and Rivera recorded in the
13 negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: On page 28, Senator
17 Young moves to discharge, from the Committee on
18 Finance, Assembly Bill Number 7916A and
19 substitute it for the identical Senate Bill
20 Number 4610A, Third Reading Calendar 945.

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

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 945, by Member of the Assembly Morelle, Assembly

1 Print 7916A, an act to amend the General Business
2 Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 945, those recorded in the negative are
14 Senators Ball, Bonacic, DeFrancisco, Gallivan,
15 Griffo, Grisanti, Libous, Little, Marchione,
16 Maziarz and Ranzenhofer. Also Senator Farley.
17 Also Senator Nozzolio.

18 ACTING PRESIDENT GRIFFO: Announce
19 the results.

20 I'm going to need some order in the
21 house.

22 The Secretary will reannounce.

23 THE SECRETARY: In relation to
24 Calendar 945, those recorded in the negative are
25 Senators Ball, Bonacic, DeFrancisco, Farley,

1 Gallivan, Griffio, Grisanti, Kennedy, LaValle,
2 Libous, Little, Marchione, Maziarz, Nozzolio and
3 Ranzenhofer. Also Senator Larkin. Also Senator
4 Seward.

5 Ayes, 42. Nays, 17.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 962, by Senator Maziarz, Senate Print 5248, an
10 act to amend the Alcoholic Beverage Control Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: On page 30, Senator
22 Golden moves to discharge, from the Committee on
23 Civil Service and Pensions, Assembly Bill Number
24 9493 and substitute it for the identical Senate
25 Bill Number 7274, Third Reading Calendar 994.

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

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 994, by Member of the Assembly Abbate, Assembly
6 Print Number 9493, an act to amend the Civil
7 Service Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 59.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1059, by Senator Grisanti, Senate Print 870C, an
20 act to amend the Vehicle and Traffic Law.

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

23 Read the last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: Senator
5 Grisanti to explain his vote.

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

8 My fellow colleagues, we've actually
9 passed this legislation in the Senate on numerous
10 occasions. And it's about time that the Assembly
11 caught up and actually conformed their bill to
12 ours.

13 Basically this legislation allows
14 the City of Buffalo the same authority offered in
15 surrounding suburbs, and that's adjudicating
16 traffic tickets or plea bargaining in the City of
17 Buffalo. It's a request of the City of Buffalo.

18 New York State currently holds all
19 the hearings in Buffalo without the options of a
20 plea bargaining system. Basically you're
21 99.9 percent guilty, which results then in two
22 problems. One, higher insurance rates in
23 Buffalo. And two, you actually have violators
24 that do not actually get training where you can
25 go to driving school, take certain courses that

1 allow you to be a better driver.

2 This will allow that to happen. So
3 the City of Buffalo residents will now have this
4 opportunity to keep their insurance rates low and
5 keep points off their license and allowing those
6 funds to stay actually in the municipality and
7 the City of Buffalo to be used for community
8 block grants or up the ante with the police
9 department or the district attorney's office.

10 So I vote aye, Mr. President. Thank
11 you very much.

12 ACTING PRESIDENT GRIFFO: Senator
13 Grisanti is recorded in the affirmative.

14 Senator Kennedy to explain his vote.

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

17 I too will be voting in favor of
18 this legislation I'm proud to be a cosponsor of.
19 I want to thank the bill's sponsor in this house.

20 And I too would like to call on the
21 Assembly to follow suit. This is a priority
22 piece of legislation for the City of Buffalo.
23 This is something that they actually worked into
24 their bottom line, into their budget.

25 And I know that the mayor of the

1 City of Buffalo and the council has been working
2 vigorously with us here in this house, with the
3 Assembly, with the Governor's office, in order to
4 enact this legislation that will not only have a
5 positive impact on the bottom line in the City of
6 Buffalo, allowing the City of Buffalo to
7 ultimately bring in over \$2.5 million into their
8 bottom line.

9 But most importantly, this is going
10 to help individuals in the City of Buffalo,
11 taxpayers in the City of Buffalo, have the equal
12 footing as they have in the suburbs. It's going
13 to help to bring convenience to those
14 individuals. When they go to traffic court, they
15 don't have to travel outside of the City of
16 Buffalo in order to get their traffic tickets
17 dealt with, they'll be able to go to the
18 convenience of their own community, our own
19 community.

20 So again, this is very important to
21 all of us in Western New York, especially in the
22 City of Buffalo. With that, I vote aye.

23 ACTING PRESIDENT GRIFFO: Senator
24 Kennedy to be recorded in the affirmative.

25 There is a home-rule message at the

1 desk.

2 The Secretary will announce the
3 results.

4 THE SECRETARY: Ayes, 57. Nays, 2.
5 Senators Avella and Ball recorded in the
6 negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: On page 35, Senator
10 DeFrancisco moves to discharge, from the
11 Committee on Finance, Assembly Bill Number 9248A
12 and substitute it for the identical Senate Bill
13 Number 6967A, Third Reading Calendar 1085.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1085, by Member of the Assembly Englebright,
19 Assembly Print 9248A, an act to amend Chapter 1
20 of the Laws of 2005.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 Calendar Number 1093 was dealt with
7 earlier.

8 We'll go to Calendar 1182, and the
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 1182, by Senator Golden, Senate Print 6143A, an
12 act to amend the Vehicle and Traffic Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 58. Nays, 1.
21 Senator Ball recorded in the negative.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 Senator Libous, that completes the
25 noncontroversial reading of the supplemental

1 active list of Wednesday, June 18th.

2 SENATOR LIBOUS: Thank you,
3 Mr. President.

4 I believe there's a report of
5 Finance Committee at the desk.

6 ACTING PRESIDENT GRIFFO: There is
7 a report of the Finance Committee at the desk.

8 SENATOR LIBOUS: I ask that it be
9 read at this time.

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will read the entire report.

12 THE SECRETARY: Senator
13 DeFrancisco, from the Committee on Finance,
14 reports the following nominations.

15 As member of the Adirondack Park
16 Agency: Richard Booth, of Ithaca.

17 As members of the Advisory Council
18 on Agriculture: Frank Beyrodt, Jr., of Baiting
19 Hollow; Jim Bittner, of Appleton; Amy Machamer,
20 of Holley; Neal Rea, of Cambridge; and Kimberly
21 Ann Wagner, of Marlboro.

22 As members of the Capital District
23 Transportation Authority: Corey Bixby, of
24 Latham, and Joseph M. Spairana, Jr., of
25 Wynantskill.

1 As member of the Central New York
2 Regional Transportation Authority: Donna M.
3 Reese, of Syracuse.

4 As members of the Council on Human
5 Blood and Transfusion Services: Rachel C. Elder,
6 M.D., of Canastota; Kathleen M. Grima, M.D., of
7 Rye; and Scott Allan Kirkley, M.D., of Rochester.

8 As members of the Industrial Board
9 of Appeals: Frances Abriola, of Canastota, and
10 Michael A. Arcuri, of Utica.

11 As member of the Lake George Park
12 Commission: William Mason, of Cleverdale.

13 As directors of the New York
14 Convention Center Operating Corporation: Hugh L.
15 Carey, II, of New York, and Eric R. Kometee, of
16 Brooklyn.

17 As member and chair of the Niagara
18 Frontier State Park, Recreation and Historic
19 Preservation Commission: Lucinda Abbott Letro,
20 of Buffalo.

21 As members of the Niagara Frontier
22 State Park, Recreation and Historic Preservation
23 Commission: Donna M. Gioia, of Buffalo, and Jean
24 Read Knox, of Williamsville.

25 As commissioner of the Ohio River

1 Valley Water Sanitation Commission: Douglas E.
2 Conroe, of Maple Springs.

3 As member of the Palisades
4 Interstate Park Commission: David H. Mortimer,
5 of New York.

6 As member and chairman of the
7 Passenger Tramway Advisory Council: James R.
8 Ruhl, Ph.D., of Ballston Lake.

9 As members of the Passenger Tramway
10 Advisory Council: Russell R. Coloton, Jr., of
11 Hunter; Gerald R. Fielding, of Monticello; Wesley
12 A. Kryger, of Cortland; Bernard P. McGarry, of
13 Albany; and Tom Sanford, of Ballston Spa.

14 As members of the Public Health and
15 Health Planning Council: Kim Fine, of Clifton
16 Park; Ellen E. Grant, Ph.D., of Grand Island;
17 Thomas E. Holt, of Jamestown; Glenn A. Martin,
18 M.D., of Forest Hills; Ellen R. Rautenberg, of
19 New York; and Peter G. Robinson, of Pittsford.

20 As member of the Rochester-Genesee
21 Regional Transportation Authority: Tracie Green,
22 of Rochester.

23 As members of the State Camp
24 Advisory Council: Eric A. Bacon, of Camillus;
25 Milton Frischman, of Brooklyn; Robert C.

1 Scheinfeld, of New Rochelle; and Thomas R. Welch,
2 M.D., of Jamesville.

3 As member of the New York State
4 Council on the Arts: Jonathan Bard Sheffer, of
5 New York.

6 As member of the State Fire
7 Prevention and Building Code Council: William W.
8 Tuyn, of Williamsville.

9 As member of the Stewart Airport
10 Commission: Louis Heimbach, of Warwick.

11 As member of the Veterans' Affairs
12 Commission: Michael R. Militello, of Snyder.

13 ACTING PRESIDENT GRIFFO: Senator
14 DeFrancisco.

15 SENATOR DeFRANCISCO: Yes, I would
16 move all the nominations that were just reported
17 from the most recent report of the Finance
18 Committee and just speak on behalf of one
19 individual, Donna Reese, who's from my district,
20 who's being appointed to the Central New York
21 Regional Transportation Authority.

22 She's been a community advocate for
23 many, many years. And unfortunately in later
24 years she began losing her vision and is now
25 visually impaired, but that hasn't stopped her

1 one bit. She'll be a great addition, in view of
2 her limitation on the Central Authority.

3 So I'm very pleased that this
4 nomination took place, and I congratulate her on
5 her continued work in the community.

6 ACTING PRESIDENT GRIFFO: Senator
7 Little.

8 SENATOR LITTLE: Thank you,
9 Mr. President. I know it's late, and I'll be
10 brief, but I just like to speak and thank the
11 Governor for the nomination of William Mason as a
12 member of the Lake George Park Commission.

13 It's interesting that Mr. Mason's
14 father was also a member of the Lake George Park
15 Commission, appointed by Governor Rockefeller.
16 His name was Alger Mason. They're lifelong Lake
17 George residents, and he will do a great job on
18 the park commission.

19 So thank you. I'm honored to see
20 him nominated.

21 ACTING PRESIDENT GRIFFO: Thank
22 you, Senator Little.

23 Is there any other Senator wishing
24 to be heard on the nominations?

25 Then the question is on the motion

1 on the names that have been read by the Secretary
2 as presented for the positions designated. All
3 those in favor indicate by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT GRIFFO: Opposed?

6 (No response.)

7 ACTING PRESIDENT GRIFFO: All the
8 names read by the Secretary for the positions
9 designated are hereby confirmed.

10 Senator Libous.

11 SENATOR LIBOUS: Mr. President,
12 before we do the five more Rules reports
13 tonight --

14 (Laughter.)

15 SENATOR LIBOUS: Is there any
16 further business at the desk, sir?

17 (Cheers, applause.)

18 ACTING PRESIDENT GRIFFO: There is
19 no further business before the desk.

20 SENATOR LIBOUS: There being no
21 further business, Mr. President, I move that the
22 Senate adjourn till June 19, that's tomorrow, at
23 11:00 a.m.

24 ACTING PRESIDENT GRIFFO: On
25 motion, the Senate stands adjourned until

1 Thursday, June 19th, at 11:00 a.m.

2 Senate adjourned.

3 (Whereupon, at 10:26 p.m., the
4 Senate adjourned.)

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