NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 18, 2014

11:27 a.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

Reverend.

REVEREND SMITH: Amen.

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Thank you, Reverend.

The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

On page 33, Senator Flanagan moves

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

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

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

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

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

Third Reading Calendar 1101.

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

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

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

meeting of the Rules Committee in Room 332.

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

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

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

(Pause.)

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

The Senate will now turn to motions and resolutions.

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: Thank you, Senator DeFrancisco.

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Kennedy on the resolution.

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

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

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

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

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

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

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

felony trials.

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

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

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

John has been married for nearly

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

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

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

Thank you very much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Kennedy.

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

Senator DeFrancisco.

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

its entirety.

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

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

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

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

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

country, the United States, the new home country.

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

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

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

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

The resolution was adopted on

June 17th of 2014.

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

The resolution was adopted

previously on June 17th of 2014.

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Sanders.

SENATOR SANDERS: Thank you, Mr. President.

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

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

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

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

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

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

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

Thank you very much, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Sanders.

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

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: The Senate will stand at ease.

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

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

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

it, to let the desk know, please.

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

Senator Libous.

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

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

The Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Senate 7775, by Senator Ritchie, an

act to amend the Agriculture and Markets Law;

Senate 7787, by Senator Larkin, an act to amend the Criminal Procedure Law;

Senate 7808, by Senator Squadron, an act in relation to authorizing;

Senate 7811, by Senator Savino, an act to amend the Public Service Law;

Senate 7812, by Senator Grisanti, an act to amend the Executive Law;

Senate 7818, by Senator Young, an act to amend the Correction Law;

Senate 7820, by Senator Ritchie, an act to amend the Uniform City Court Act;

Senate 7836, by Senator Farley, an act to establish;

And Senate 7843, by Senator Lanza, an act to amend a chapter of the Laws of 2014.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator Libous.

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

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

(Pause.)

ACTING PRESIDENT GRIFFO: The Secretary will reannounce the results.

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

Ayes, 35. Nays, 24.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

amend Chapter 890 of the Laws of 1982.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 52. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Also Senator Farley. Also Senator Nozzolio.

(Pause.)

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

Ayes, 49. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR SERRANO: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to explain his vote.

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

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

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

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

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

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is fit and passed.

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

SENATOR LIBOUS: Lay the bill aside temporarily.

ACTING PRESIDENT GRIFFO: Lay the bill aside temporarily.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 52. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator

Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

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

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

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

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

I'll vote no. Thank you.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

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

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Can we have some order in the house, please.

The Secretary will continue.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 48. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Substitution ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Griffo moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 7673 and substitute it for the identical Senate Bill Number 5700, Third Reading Calendar 1486.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1.

Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

The Secretary will continue.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 49. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Boyle to explain his vote.

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

order.

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

Senator Boyle.

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

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

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

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

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

I strongly vote in the affirmative.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Substitution so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

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

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

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

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 36. Nays, 23.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Hoylman.

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

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

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

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

I vote aye, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Hoylman.

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

The Secretary will reannounce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Gipson to explain his vote.

SENATOR GIPSON: Thank you, Mr. President.

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

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

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

I will be voting yes.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Substitution ordered.

The Secretary will read.

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

Code of the City of New York.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Young to explain her vote.

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

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

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

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

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

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

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

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

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

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Substitution so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the

noncontroversial reading of Senate Supplemental Calendar 52A.

Could I have order in the house, please.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

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

The Secretary will read.

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

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT GRIFFO: An explanation has been requested.

Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Carlucci.

Senator Krueger.

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

ACTING PRESIDENT GRIFFO: Senator Carlucci, do you yield?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: Senator

Carlucci yields.

Senator Krueger.

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

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

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

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

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

SENATOR KRUEGER: Thank you.

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

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

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

SENATOR KRUEGER: Thank you.

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

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

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

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

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

SENATOR CARLUCCI: That's right.

SENATOR KRUEGER: Thank you.

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

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

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

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

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

family relatives.

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

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

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

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

Thank you, Mr. President.

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

Senator Tkaczyk.

SENATOR TKACZYK: Thank you, Mr. President.

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

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

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

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

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

Thank you.

ACTING PRESIDENT GRIFFO: Is there

any other Senator wishing to be heard?

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

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

The Secretary will announce the results.

THE SECRETARY: Ayes, 57.

Absent from voting: Senators Sampson and Young.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous.

SENATOR LIBOUS: Mr. President, I

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

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

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

The Secretary will read.

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

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

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

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

SENATOR DeFRANCISCO: Yes.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: Thank you.

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

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

SENATOR DeFRANCISCO: Yes.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

SENATOR KRUEGER: Thank you.

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

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

liquor products?

SENATOR DeFRANCISCO: No.

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

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

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

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

SENATOR KRUEGER: Thank you.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

approximately 5 percent of the alcohol sales.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

they're described in a similar fashion.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

SENATOR DeFRANCISCO: I have no idea.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

to our community.

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

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

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

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

Manhattan, of which you may be familiar.

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

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

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

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

ACTING PRESIDENT GRIFFO: Apologies accepted.

(Laughter.)

SENATOR KRUEGER: It's the section --

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

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

SENATOR DeFRANCISCO: Yes, I yield.

ACTING PRESIDENT GRIFFO: The sponsor yields. Continue.

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

(Laughter.)

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

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

(Laughter.)

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

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank the sponsor for his answers.

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

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

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

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

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

I also don't think it's the

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger.

Senator DeFrancisco.

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

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

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

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

passed.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator DeFrancisco.

Is any other Senator that wishes to be heard?

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Absent from voting: Senator Sampson.

Ayes, 53. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

ACTING PRESIDENT GRIFFO: We will return to motions.

Senator Gianaris.

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

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

Senator Libous.

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

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

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

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

(Laughter.)

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

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

SENATOR SERRANO: Yes.

ACTING PRESIDENT GRIFFO: Senator Serrano.

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

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

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

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

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

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

SENATOR LIBOUS: Mr. President.
ACTING PRESIDENT GRIFFO: The Senate will come to order.
Senator Libous.
SENATOR LIBOUS: There will be an immediate meeting of the Rules Committee in Room 332.
ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Rules Committee in Room 332.
The Senate will stand at ease.
(Whereupon, the Senate stood at ease at 5:07 p.m.)
(Whereupon, the Senate reconvened at 5:27 p.m.)
ACTING PRESIDENT GRIFFO: The Senate will come to order.
Senator Libous.
SENATOR LIBOUS: Mr. President, is there a Rules report at the desk?
ACTING PRESIDENT GRIFFO: There is a Rules report at the desk.
SENATOR LIBOUS: Can we have it read at this time.
ACTING PRESIDENT GRIFFO: The

Secretary will read.

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

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

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

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

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

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

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

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

Senate 6816, by Senator Avella, an act directing;

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

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

Senate 7320A, by Senator Seward, an

act to amend the Insurance Law;

Senate 7374, by Senator Bonacic, an act to amend the Mental Hygiene Law;

Senate 7432, by Senator Valesky, an act to amend the Agriculture and Markets Law;

Senate 7569A, by Senator Lanza, an act to amend the Penal Law;

Senate 7679, by Senator LaValle, an act making certain findings;

Senate 7719, by Senator Klein, an act to amend the Real Property Tax Law;

Senate 7758, by Senator Flanagan, an act to amend the Education Law;

Senate 7763, by Senator Valesky, an act to amend the Tax Law;

Senate 7801, by Senator Golden, an act to amend the Civil Service Law;

Senate 7821, by Senator O'Mara, an act to amend the Social Services Law;

Senate 7838, by Senator Ranzenhofer, an act to amend the Not-For-Profit Corporation Law;

And Senate 7874, by Senator Maziarz, an act to authorize.

All bills reported direct to third

reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator Libous.

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

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

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

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

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

I vote no, Mr. President.

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

Senator Ranzenhofer to explain his vote.

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

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

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

So I'll be voting yes. Thank you.

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

Announce the results.

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

Ayes, 41. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you,

Mr. President.

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

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

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

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

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

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

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

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

Thank you, Mr. President.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

Ayes, 56. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is still passed.

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

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

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Flanagan

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you,

Mr. President.

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

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

I'll vote no, Mr. President.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1552 is high on the calendar.

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

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

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

ACTING PRESIDENT GRIFFO: We shall return to motions.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: So ordered.

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

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

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous.

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

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

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

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

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

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

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

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

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

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

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

The Senate is at ease.

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

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

SENATOR LIBOUS: Thank you, Mr. President.

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

The Secretary will read.

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

Senate Print 2210B, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 4391A, by Senator O'Brien, an act to amend the Penal Law;

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

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

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

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

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

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

Senate 6595A, by Senator Flanagan,

an act to amend the General Municipal Law;

Senate 6679A, by Senator Marchione, an act to amend the Executive Law;

Senate 6680A, by Senator Marchione, an act to amend the Executive Law;

Senate 6887A, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 7371A, by Senator Martins, an act to amend Chapter 359 of the Laws of 2010;

Senate 7386, by the Committee on Rules, an act to amend the Tax Law;

Senate 7470, by Senator Boyle, an act to amend the Criminal Procedure Law;

Senate 7481A, by Senator Hannon, an act to amend the Mental Hygiene Law;

Senate 7554A, by Senator Lanza, an act to amend the Public Housing Law;

Senate 7703, by the Committee on Rules, an act to amend Chapter 746 of the Laws of 1988;

Senate 7778, by Senator Nozzolio, an act to amend the Education Law;

Senate 7854, by Senator Hannon, an act to amend the Public Health Law;

Senate 7857, by Senator LaValle, an

act to provide;

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

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

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

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

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

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

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

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

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

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

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

Senate 7871, by Senator Flanagan, an

act relating to regional tuition;

Senate 7873, by Senator Squadron, an act to amend the Public Authorities Law;

Senate 7875, by Senator Flanagan, an act to amend the Real Property Tax Law;

Senate 7876, by Senator Golden, an act to amend the Insurance Law;

Senate 7877, by Senator Grisanti, an act to amend the Labor Law;

Senate 7878, by Senator Grisanti, an act to amend Part H of Chapter 1 of the Laws of 2003;

Senate 7885, by Senator Gallivan, an act to amend the Correction Law;

Senate 7893, by Senator Valesky, an act to amend the Insurance Law;

Senate 7898, by Senator Young, an act to amend the Correction Law;

Senate 7900, by Senator Lanza, an act to amend the Labor Law;

And Senate 6732A, by Senator Díaz, an act to amend the General Business Law.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator

Libous, you have a motion?

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The reports of the Rules Committee are accepted and before the house.

SENATOR LIBOUS: Mr. President, I should stand up and -- I don't want to be disrespectful of you, Mr. President.

We will now take up Senate Supplemental Calendar Number 52C, the noncontroversial reading.

ACTING PRESIDENT GRIFFO: The Secretary will refer to Senate Supplemental Calendar 52C.

The Secretary will read.

THE SECRETARY: Calendar Number 1545, by Senator Ranzenhofer, Senate Print 2210B,

an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer to explain his vote.

SENATOR RANZENHOFER: Thank you, Mr. President.

Just very briefly, this is an item that we've been working on for many years. This will allow children with severe allergies, especially food allergies, to have an epinephrine pen with them, which is going to protect their safety and their health and ultimately their lives.

This is a very good bill, and I would urge my colleagues to vote in favor of it.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1553, by Senator O'Brien, Senate Print 4391A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1554, by Senator Martins, Senate Print 5584A, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1555 is high. The Secretary will read Calendar 1556.

THE SECRETARY: Senator LaValle moves to discharge, from the Committee on Local Government, Assembly Bill Number 8009 and substitute it for the identical Senate Bill Number 5777, Third Reading Calendar 1556.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1556, by Member of the Assembly Thiele, Assembly Print 8009, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Flanagan moves to discharge, from the Committee on Education, Assembly Bill Number 4054A and substitute it for the identical Senate Bill Number 5791A, Third Reading Calendar 1557.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1557, by Member of the Assembly Weisenberg, Assembly Print 4054A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 4.

Senators Ball, Krueger, Marchione and Tkaczyk recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Valesky moves to discharge, from the Committee on Rules, Assembly Bill Number 8137A and substitute it for the identical Senate Bill Number 5937A, Third Reading Calendar 1558.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1558, by Member of the Assembly Magnarelli, Assembly Print 8137A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Marchione recorded in the

negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1559, by Senator Ball, Senate Print 6425A, an act to amend the Town Law.

ACTING PRESIDENT GRIFFO: The bill is high and will be put aside.

The Secretary will read Calendar Number 1560.

THE SECRETARY: Senator Flanagan moves to discharge, from the Committee on Local Government, Assembly Bill Number 8661A and substitute it for the identical Senate Bill Number 6595A, Third Reading Calendar 1560.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1560, by Member of the Assembly Paulin, Assembly Print 8661A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar 1561 and Calendar 1562 are high.

The Secretary will read Calendar Number 1563.

THE SECRETARY: Calendar Number 1563, by Senator Ranzenhofer, Senate Print 6887A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer to explain his vote.

SENATOR RANZENHOFER: Thank you, Mr. President.

Just very briefly, up until today New York was one of only four states that did not participate in the Interstate Compact on Educational Opportunities for Military Children. That is no longer the case.

By passing this legislation today, the transitions that children in military families have to make will be much easier and much more seamless than they have been in the past. I vote aye, and I encourage my colleagues to do the same.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Martins moves to discharge, from the Committee on Rules, Assembly Bill Number 9321A and substitute it for the identical Senate Bill Number 7371A, Third Reading Calendar 1564.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1564, by Member of the Assembly Schimel, Assembly Print 9321A, an act to amend Chapter 359 of the Laws of 2010.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Krueger and Tkaczyk recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1564, those recorded in the negative are Senators Hoylman, Krueger, Squadron and Tkaczyk.

Ayes, 55. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Skelos

moves to discharge, from the Committee on Rules, Assembly Bill Number --

SENATOR LIBOUS: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: We're going to do the substitution first, Senator Libous.

THE SECRETARY: Senator Skelos moves to discharge, from the Committee on Rules, assembly Bill Number 9462 and substitute it for the identical Senate Bill Number 7386, Third Reading Calendar 1565.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The bill is laid aside for the day.

THE SECRETARY: Calendar Number 1566, by Senator Boyle, Senate Print 7470, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 4. Senators Krueger, Montgomery, Perkins and Rivera recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Hannon moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 9768A and substitute it for the identical Senate Bill Number 7481A, Third Reading Calendar 1567.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1567, by Member of the Assembly Gunther, Assembly Print Number 9768A, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1568 is high. The Secretary will continue.

THE SECRETARY: Calendar Number 1569, by the Senate Committee on Rules, Senate Print 7703, an act to amend Chapter 746 of the Laws of 1988.

SENATOR LIBOUS: Lay it aside for the day.

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

The bill will be laid aside for the day.

THE SECRETARY: Senator Nozzolio moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9928 and substitute it for the identical Senate Bill Number 7778, Third Reading Calendar 1570.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1570, by the Assembly Committee on Rules,

Assembly Print 9928, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1571, by Senator Hannon, Senate Print 7854, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Gipson to explain his vote.

SENATOR GIPSON: Thank you, Mr. President.

I just want to take a brief moment to state how much this bill exemplifies everything that we should be doing here in this State Senate. And today we are doing the one thing that I know we were all brought here to do, which is to help people.

And I want to thank Senator Hannon for his efforts in bringing this bill to the floor.

I know in my district, people that have been suffering from chronic Lyme disease, tick-borne illness, and other forms of Lyme disease, have been asking us for a long time to pass a bill like this. This will offer a great amount of relief to families that are truly suffering, that are going bankrupt, they're mortgaging their homes, trying to find a way to deal with this devastating disease.

This lays the foundation for more work that we have to do in the future, and I will be voting aye.

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

Senator Hannon to explain his vote.

SENATOR LIBOUS: Mr. President, I'd like some order in the chamber, please.

ACTING PRESIDENT GRIFFO: May we have some order in the chamber, please.

Senator Hannon.

SENATOR HANNON: Thank you, Mr. President.

Today the Task Force of the Senate Majority on Lyme and Tick-Borne Diseases made its full recommendations public. Among those recommendations are this very bill before us. There will be also a resolution to the federal government. And very importantly, there are recommendations to be implemented by the state.

This bill -- and it was a result of conversations by the members of the task force at our meeting, with Senator LaValle and Senator Little, Senator Carlucci, Senator Grisanti, Senator Marchione, Senator Ball and Senator Larkin -- embodies a set of principles that have been adopted by the Office of Professional Conduct as to how they would proceed in regard to investigations, and basically says that they will not go after any physician if that physician is

just solely pursuing a course of medical treatment that, while not everybody believes in it, that doctor does believe in it.

And for that reason we think it will calm many fears, it will allow people to proceed with fighting a very tough disease. Most people who have to put up with the plague of ticks that we find in New York are easily cured by either removal or a short course of antibiotics; others don't. And it's those other people who don't get quick relief that suffer. We have advanced a broad array of recommendations in order to try to get an action plan for this state, deal with prevention, deal with treatment, deal with research.

So there's a lot more to do, but this is the only piece of legislation from the recommendations, and I'm glad we're passing it tonight.

ACTING PRESIDENT GRIFFO: Senator Hannon to be recorded in the affirmative.

Senator LaValle to explain his vote.

SENATOR LaVALLE: Mr. President, I want to take this opportunity to thank Senator Hannon for his leadership.

And as part of that leadership, he provided each member giving their input so that there was, in the report that was issued today, unanimity. And that's a great thing of leadership.

And on that bill that we are passing today, it's a very simple but effective approach to a very, very knotty problem that impeded physicians from moving forward to use a modality that they felt or feel is a proper one. And so it will allow physicians to be doctors and move forward with the kinds of treatment that they feel are the most effective for their patients.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator LaValle to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1572, by Senator LaValle, Senate Print 7857, an act to provide.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Numbers 1573, 1574 and 1575 are all high.

Senator Libous, that completes the noncontroversial reading of Senate Supplemental Calendar 52C.

SENATOR LIBOUS: Thank you, Mr. President.

At this time could we take up the noncontroversial reading of Supplemental Calendar 52D.

ACTING PRESIDENT GRIFFO: The Secretary will begin the noncontroversial reading of Senate Supplemental Calendar 52D.

THE SECRETARY: Senator Grisanti moves to discharge, from the Committee on Rules, Assembly Bill Number 7963 and substitute it for the identical Senate Bill Number 1598A, Third

Reading Calendar 1535.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1535, by Member of the Assembly Magnarelli, Assembly Print 7963, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Grisanti to explain his vote.

Could I have some order in the chamber again, please.

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

My fellow colleagues, we have had probably three asbestos notification bills passed in the last couple of months. This particular piece of legislation, what it does is it gets rid

of an unfunded mandate on municipalities that should no longer continue.

When you have an asbestos structure, if you had several structures together, or a garage, municipalities and the contractors would have to pay separate notification fees on each one of those structures. This now gets rid of that and gets rid of an unfunded mandate.

I vote aye. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 1. Senator Hassell-Thompson recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1576, by Senator Bonacic, Senate Print 6458, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will reannounce the results.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Gipson and Hassell-Thompson recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Libous moves to discharge, from the Committee on Rules, Assembly Bill Number 9977A and substitute it for the identical Senate Bill Number 6818A, Third Reading Calendar 1577.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1577, by the Assembly Committee on Rules, Assembly Print 9977A, an act to provide.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR HASSELL-THOMPSON: Point of order.

ACTING PRESIDENT GRIFFO: A point of order is raised by Senator Hassell-Thompson. What is your point of order?

SENATOR HASSELL-THOMPSON: I apologize. My no vote was supposed to go against Calendar Number 1535.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Hassell-Thompson, the no vote was to be recorded at 1535, not 1576? Is that correct?

SENATOR HASSELL-THOMPSON: Yes.

ACTING PRESIDENT GRIFFO: The Secretary will so record.

Calendar Number 1578.

THE SECRETARY: Calendar Number 1578, by Senator Flanagan, Senate Print 7680, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 35. This act shall take effect July 1, 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1579, by Senator Avella, Senate Print 7759A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2016.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator

DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I vote no. Not because this topic is not an important one, but I can't imagine this legislative body dictating what is taught. I think that's the Board of Regents' responsibility.

And it just opens the door for any group of parts of education that any individual here might think is a good thing to teach. And I don't think that's the way to set a curriculum.

So for that reason, I vote no.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1579, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Flanagan, Gallivan, Griffo, Hannon, Lanza, Libous, Little, Marcellino, Marchione, Nozzolio, Ritchie, Seward and Zeldin. Also Senator Larkin. Also Senator Farley.

Ayes, 41. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1580 is high.

Calendar Number 1581 is high. Calendar Number 1582 is high. Calendar Number 1583 is high.

The Secretary will read 1584, which is the substitution from the Assembly which has aged.

The Secretary will read.

THE SECRETARY: Senator Squadron moves to discharge, from the Committee on Rules, Assembly Bill Number 10108 and substitute it for the identical Senate Bill Number 7873, Third Reading Calendar 1584.

ACTING PRESIDENT GRIFFO: Could I have some order in the house, please.

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1584, by the Assembly Committee on Rules, Assembly Bill 10108, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you very much, Mr. President.

You know, for years in Lower Manhattan there's been a school overcrowding task force convened by Speaker Silver in which folks have participated. The reason we've had that is we have a residential population that is expanding enormously and with it, in a way that I think people may never have predicted, a school-age population that is expanding enormously.

In fact, when you talk about the prediction of that school-age population expansion, the Department of Education and the School Construction Authority literally did not predict it. Again and again and again, their projections vastly underestimated the expectations of what we were going to have for a school-age population in Lower Manhattan.

But someone did predict it accurately. A local constituent, a guy named Eric Greenleaf, again and again and again over

the last seven years has predicted the population growth of the school-age population much more accurately than the School Construction Authority. He didn't do it through wizardry or magic, though it sometimes appeared to be, he did it by using data from the Department of Health and Mental Hygiene and the Department of City Planning and the Department of Housing Preservation and Development, the Department of Buildings. And he actually looked at what we should expect in Lower Manhattan when it came to the school-age population.

For years the School Construction Authority and the Department of Education ignored his projections. More recently, to their great credit, they have started to use some of the same methodology that Eric Greenleaf has been using through the school overcrowding task force that Speaker Silver has convened.

But well beyond Lower Manhattan, across the bridges in my district in Brooklyn, we're seeing overcrowding that breaks any expectation and prediction. In the districts of many of my colleagues across the City of New York, we have seen school-age populations

where the Department of Education and the School Construction Authority seem shocked and unprepared for the kind of school-age population we have.

What this bill does is it requires for the first time that all of those other agencies, all of the best information on the school-age population is used when the five-year capital plan for school construction comes out. It requires that when school sitings happen, that same data is used.

And it goes beyond that. For the first time that data is going to be distributed not just for school districts -- and school districts are pretty wacky lines. They cross neighborhoods, they across all over the place -- it's going to be done on the community board level. That means that community boards and communities are going to know what the projection for school population is in their neighborhoods for the first time ever, on the five-year capital plan and on individual sitings.

And when those public hearings happen, when the plans are being finalized, for the first time the School Construction Authority

is going to have to respond to the public comment they get. So that people like Eric Greenleaf or the other experts, local community members that are doing a better job of projecting school-age population than the agency is, can no longer be ignored and can no longer be forgotten.

Look, we have a good problem. We have more and more families who want to stay in New York City, more and more families who want to send their kids to the public schools in New York City. But that's a problem that means we need to do a better job as a government of predicting where we're going to have a need to educate those kids. Overcrowded schools damage every student's education who attends those schools and begin to tear communities apart.

People like my wife and I, whose oldest son is three, the knowledge that you're going to have a seat in your local school is fundamental to your ability to make a life and invest in your community in New York City.

This bill will make the projections and the plans for school population much better. I want to thank all the members of this house for supporting this bill. I want to thank Senator

Golden for working with me on this bill. I'll be voting aye.

And for all of us who worry about school overcrowding, not just in our families but in our communities and our districts, this will hopefully make it a lot clearer, a lot better and a lot less likely we have overcrowded schools.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Squadron to be recorded in the affirmative.

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Numbers 1585, 1586, 1587, 1588, 1589, 1590 and 1591 are all high.

The Secretary will read Calendar Number 1592, which is an aged substitution from the Assembly.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 10014 and substitute it for the identical Senate Bill Number 7900, Third Reading Calendar 1592.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1592, by the Assembly Committee on Rules, Assembly Print 10014, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Díaz moves to discharge, from the Committee on Rules, Assembly Bill Number 8974B and substitute it for the identical Senate Bill Number 6732A, Third Reading Calendar 1593.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1593, by Member of the Assembly Crespo, Assembly Print Number 8974B, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: Ayes, 54. Nays, 5. Senators Grisanti, Marchione, Nozzolio, Ranzenhofer and Zeldin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the noncontroversial reading of Senate Supplemental Calendar 52D.

SENATOR LIBOUS: I'll be with you in a second, Mr. President. We're in a very important discussion.

ACTING PRESIDENT GRIFFO: The

Secretary will reannounce the results of the last bill. The Secretary will re-tally Calendar Number 1593.

THE SECRETARY: In relation to Calendar Number 1593, those recorded in the negative are Senators Ball, Grisanti, Marchione, Maziarz, Nozzolio, Ranzenhofer, Young and Zeldin.

Ayes, 51. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

That is the completion of Senate Supplemental Calendar 52D.

SENATOR LIBOUS: All right, Mr. President. We're going to get everybody out of here soon, but not yet.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: We're going to call a Finance Committee meeting in Room 332 as soon as I'm done talking.

But before I finish, I want to take up the supplemental active list for June 18th. And we're going to take up the noncontroversial while members are in Finance. And if anybody when they come out, if for whatever reason they

wish to vote no on a bill, please let your respective leadership desk and counsel know, and we will take care of that.

But I'd like to bring a bill up out of order, because Senator Krueger would like to speak on it. So if we could take up the noncontroversial reading of the active list for June 18th, and if we could take up Calendar Number 1093 first and then call on Senator Krueger to explain her vote.

ACTING PRESIDENT GRIFFO: The Senate will take up the supplemental active list of Wednesday, June 18th, and we will move to Calendar Number 1093.

The Secretary will read.

THE SECRETARY: On page 35, Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 8201A and substitute it for the identical Senate Bill Number 5951A, Third Reading Calendar 1093.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1093, by Member of the Assembly O'Donnell,

Assembly Print 8201A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

Again, I'm going to ask for some order in the house. There's a great many people in the chamber right now. I'm going to ask for members and staff to take conversations outside the chamber so we can hear the members discuss or deliberate on the bills.

Senator Krueger.

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

I am very happy this house is passing this bill tonight. It has passed the Assembly, and I am quite sure that the Governor will sign this bill. It's a very simple bill. It says that an unpaid intern shall be covered by

the same legal protections against harassment and abuse in the workplace as paid interns.

Now, most of us didn't even realize that was an issue. I don't think any of us imagined that if you had an unpaid intern they didn't have equal rights and protections as paid interns. Ironically, they already were doing this work without getting paid.

And yet we've discovered any number of states don't have this protection in law, and there were cases brought through the courts in New York State where judges have determined that it was clear to them the abuses took place but unfortunately, because the intern doesn't receive a paycheck, there was nothing the court system could do.

So happily, after this becomes law, we can all be assured that unpaid interns have the same rights and protections as paid interns. Unhappily, we will probably discover we need this law, because unfortunately we still find cases where people treat interns without the respect they are due.

So I vote yes. Thank you very much.

ACTING PRESIDENT GRIFFO: Senator

Krueger to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Zeldin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

There's an immediate meeting of the Finance Committee in Room 332.

Those individuals who are on the Finance Committee, if you choose to designate a negative vote, please consult with your floor leader and counsel.

The Finance Committee will meet in Room 332 immediately, and the reading of the calendar active list will continue.

We'll move to Calendar Number 33, and the Secretary will read.

The Secretary will reannounce the results on Senator Krueger's bill, Calendar Number 1093.

THE SECRETARY: In relation to Calendar 1093: Ayes, 57. Nays, 2. Senators DeFrancisco and Zeldin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill

is passed.

We will now go to the supplemental active list of June 18th and begin the noncontroversial reading with Calendar Number 33.

Finance Committee members are instructed to go to Room 332.

The Secretary will read.

THE SECRETARY: Calendar Number 33, by Senator Flanagan, Senate Print 1528, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: Those recorded in the negative are Senators Gallivan, Hassell-Thompson and Marchione. Also Senator Ranzenhofer.

Ayes, 55. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 37, by Senator Little, Senate Print 1365, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 5, Senator Martins moves to discharge, from the Committee on Rules, Assembly Bill Number 3303B and substitute it for the identical Senate Bill Number 1178B, Third Reading Calendar 78.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 78, by Member of the Assembly Abbate, Assembly Print Number 3303B, an act to amend the General

Obligations Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

It's unfortunate that oftentimes we have to legislate common decency. The simple act of someone making a phone call or rendering assistance to someone in need shouldn't be something that we have to legislate. But here we are again.

This bill would do nothing else -- and frankly nothing more -- than to ensure that when we have someone in our homes that needs assistance, that we simply can't ignore them, that we have to render assistance. That we have an obligation, frankly all of us, to ensure that if there is someone in need, whether either

outside or certainly in our own homes, that a call is made, at a minimum.

Steven Kovacs would have been 27 years old today. He died in July of 2009 on the couch at a friend's house after having OD'd on a mixture of various drugs. He graduated from Binghamton University with honors. He was going to graduate school. There were people in the house that could have made a call. They chose not to. He died.

If this law were in place, hopefully that standard would have been different, the call would have been made, he would have been here with us today.

So I want to thank my colleagues for supporting this bill. It sends a clear message that in New York State there are minimum requirements for decency.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Martins to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Those recorded in the negative are Senators DeFrancisco, Hassell-Thompson, Krueger, Libous and Zeldin.

Also Senator Maziarz.

Ayes, 53. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 83, by Senator LaValle, Senate Print 1555, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators DeFrancisco and Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 312, by Senator Gallivan, Senate Print 4924A, an act to amend the Real Property Tax Law.

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 504, by Senator LaValle, Senate Print 6418A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 551, by Senator LaValle, Senate Print 1650A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 555, by Senator Ranzenhofer, Senate Print 6158, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative are Senators Ball, Rivera and Seward.

Ayes, 56. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 20, Senator Golden moves to discharge, from the Committee on Aging, Assembly Bill Number 1859B and substitute it for the identical Senate Bill Number 7057B, Third Reading Calendar 641.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 641, by Member of the Assembly Millman, Assembly Print 1859B, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 23, Senator

Flanagan moves to discharge, from the Committee on Rules, Assembly Bill Number 9749 and substitute it for the identical Senate Bill Number 5356, Third Reading Calendar 696.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 696, by Member of the Assembly Thiele, Assembly Print Number 9749, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 826, by Senator Martins, Senate Print 6603A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative are Senators Ball, Krueger and Perkins.

Ayes, 56. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 849, by Senator Larkin, Senate Print 5782, an act to amend the Navigation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: On page 27, Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 4778A and substitute it for the identical Senate Bill Number 3913A, Third Reading Calendar 883.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 883, by Member of the Assembly Palmesano, Assembly Print 4778A, an act to legalize, validate, ratify and confirm.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 904, by Senator Nozzolio, Senate Print 5109, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Rivera recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 28, Senator Young moves to discharge, from the Committee on Finance, Assembly Bill Number 7916A and substitute it for the identical Senate Bill Number 4610A, Third Reading Calendar 945.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 945, by Member of the Assembly Morelle, Assembly

Print 7916A, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 945, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Gallivan, Griffo, Grisanti, Libous, Little, Marchione, Maziarz and Ranzenhofer. Also Senator Farley. Also Senator Nozzolio.

ACTING PRESIDENT GRIFFO: Announce the results.

I'm going to need some order in the house.

The Secretary will reannounce.

THE SECRETARY: In relation to Calendar 945, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Farley,

Gallivan, Griffo, Grisanti, Kennedy, LaValle, Libous, Little, Marchione, Maziarz, Nozzolio and Ranzenhofer. Also Senator Larkin. Also Senator Seward.

Ayes, 42. Nays, 17.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 962, by Senator Maziarz, Senate Print 5248, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 30, Senator Golden moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 9493 and substitute it for the identical Senate Bill Number 7274, Third Reading Calendar 994.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 994, by Member of the Assembly Abbate, Assembly Print Number 9493, an act to amend the Civil Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1059, by Senator Grisanti, Senate Print 870C, an act to amend the Vehicle and Traffic Law.

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Grisanti to explain his vote.

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

My fellow colleagues, we've actually passed this legislation in the Senate on numerous occasions. And it's about time that the Assembly caught up and actually conformed their bill to ours.

Basically this legislation allows the City of Buffalo the same authority offered in surrounding suburbs, and that's adjudicating traffic tickets or plea bargaining in the City of Buffalo. It's a request of the City of Buffalo.

New York State currently holds all the hearings in Buffalo without the options of a plea bargaining system. Basically you're 99.9 percent guilty, which results then in two problems. One, higher insurance rates in Buffalo. And two, you actually have violators that do not actually get training where you can go to driving school, take certain courses that

allow you to be a better driver.

This will allow that to happen. So the City of Buffalo residents will now have this opportunity to keep their insurance rates low and keep points off their license and allowing those funds to stay actually in the municipality and the City of Buffalo to be used for community block grants or up the ante with the police department or the district attorney's office.

So I vote aye, Mr. President. Thank you very much.

ACTING PRESIDENT GRIFFO: Senator Grisanti is recorded in the affirmative.

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I too will be voting in favor of this legislation I'm proud to be a cosponsor of. I want to thank the bill's sponsor in this house.

And I too would like to call on the Assembly to follow suit. This is a priority piece of legislation for the City of Buffalo. This is something that they actually worked into their bottom line, into their budget.

And I know that the mayor of the

City of Buffalo and the council has been working vigorously with us here in this house, with the Assembly, with the Governor's office, in order to enact this legislation that will not only have a positive impact on the bottom line in the City of Buffalo, allowing the City of Buffalo to ultimately bring in over $2.5 million into their bottom line.

But most importantly, this is going to help individuals in the City of Buffalo, taxpayers in the City of Buffalo, have the equal footing as they have in the suburbs. It's going to help to bring convenience to those individuals. When they go to traffic court, they don't have to travel outside of the City of Buffalo in order to get their traffic tickets dealt with, they'll be able to go to the convenience of their own community, our own community.

So again, this is very important to all of us in Western New York, especially in the City of Buffalo. With that, I vote aye.

ACTING PRESIDENT GRIFFO: Senator Kennedy to be recorded in the affirmative.

There is a home-rule message at the

desk.

The Secretary will announce the results.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Avella and Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 35, Senator DeFrancisco moves to discharge, from the Committee on Finance, Assembly Bill Number 9248A and substitute it for the identical Senate Bill Number 6967A, Third Reading Calendar 1085.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1085, by Member of the Assembly Englebright, Assembly Print 9248A, an act to amend Chapter 1 of the Laws of 2005.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1093 was dealt with earlier.

We'll go to Calendar 1182, and the Secretary will read.

THE SECRETARY: Calendar Number 1182, by Senator Golden, Senate Print 6143A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the noncontroversial reading of the supplemental

active list of Wednesday, June 18th.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a report of Finance Committee at the desk.

ACTING PRESIDENT GRIFFO: There is a report of the Finance Committee at the desk.

SENATOR LIBOUS: I ask that it be read at this time.

ACTING PRESIDENT GRIFFO: The Secretary will read the entire report.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nominations.

As member of the Adirondack Park Agency: Richard Booth, of Ithaca.

As members of the Advisory Council on Agriculture: Frank Beyrodt, Jr., of Baiting Hollow; Jim Bittner, of Appleton; Amy Machamer, of Holley; Neal Rea, of Cambridge; and Kimberly Ann Wagner, of Marlboro.

As members of the Capital District Transportation Authority: Corey Bixby, of Latham, and Joseph M. Spairana, Jr., of Wynantskill.

As member of the Central New York Regional Transportation Authority: Donna M. Reese, of Syracuse.

As members of the Council on Human Blood and Transfusion Services: Rachel C. Elder, M.D., of Canastota; Kathleen M. Grima, M.D., of Rye; and Scott Allan Kirkley, M.D., of Rochester.

As members of the Industrial Board of Appeals: Frances Abriola, of Canastota, and Michael A. Arcuri, of Utica.

As member of the Lake George Park Commission: William Mason, of Cleverdale.

As directors of the New York Convention Center Operating Corporation: Hugh L. Carey, II, of New York, and Eric R. Kometee, of Brooklyn.

As member and chair of the Niagara Frontier State Park, Recreation and Historic Preservation Commission: Lucinda Abbott Letro, of Buffalo.

As members of the Niagara Frontier State Park, Recreation and Historic Preservation Commission: Donna M. Gioia, of Buffalo, and Jean Read Knox, of Williamsville.

As commissioner of the Ohio River

Valley Water Sanitation Commission: Douglas E. Conroe, of Maple Springs.

As member of the Palisades Interstate Park Commission: David H. Mortimer, of New York.

As member and chairman of the Passenger Tramway Advisory Council: James R. Ruhl, Ph.D., of Ballston Lake.

As members of the Passenger Tramway Advisory Council: Russell R. Coloton, Jr., of Hunter; Gerald R. Fielding, of Monticello; Wesley A. Kryger, of Cortland; Bernard P. McGarry, of Albany; and Tom Sanford, of Ballston Spa.

As members of the Public Health and Health Planning Council: Kim Fine, of Clifton Park; Ellen E. Grant, Ph.D., of Grand Island; Thomas E. Holt, of Jamestown; Glenn A. Martin, M.D., of Forest Hills; Ellen R. Rautenberg, of New York; and Peter G. Robinson, of Pittsford.

As member of the Rochester-Genesee Regional Transportation Authority: Tracie Green, of Rochester.

As members of the State Camp Advisory Council: Eric A. Bacon, of Camillus; Milton Frischman, of Brooklyn; Robert C.

Scheinfeld, of New Rochelle; and Thomas R. Welch, M.D., of Jamesville.

As member of the New York State Council on the Arts: Jonathan Bard Sheffer, of New York.

As member of the State Fire Prevention and Building Code Council: William W. Tuyn, of Williamsville.

As member of the Stewart Airport Commission: Louis Heimbach, of Warwick.

As member of the Veterans' Affairs Commission: Michael R. Militello, of Snyder.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I would move all the nominations that were just reported from the most recent report of the Finance Committee and just speak on behalf of one individual, Donna Reese, who's from my district, who's being appointed to the Central New York Regional Transportation Authority.

She's been a community advocate for many, many years. And unfortunately in later years she began losing her vision and is now visually impaired, but that hasn't stopped her

one bit. She'll be a great addition, in view of her limitation on the Central Authority.

So I'm very pleased that this nomination took place, and I congratulate her on her continued work in the community.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you, Mr. President. I know it's late, and I'll be brief, but I just like to speak and thank the Governor for the nomination of William Mason as a member of the Lake George Park Commission.

It's interesting that Mr. Mason's father was also a member of the Lake George Park Commission, appointed by Governor Rockefeller. His name was Alger Mason. They're lifelong Lake George residents, and he will do a great job on the park commission.

So thank you. I'm honored to see him nominated.

ACTING PRESIDENT GRIFFO: Thank you, Senator Little.

Is there any other Senator wishing to be heard on the nominations?

Then the question is on the motion

on the names that have been read by the Secretary as presented for the positions designated. All those in favor indicate by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: All the names read by the Secretary for the positions designated are hereby confirmed.

Senator Libous.

SENATOR LIBOUS: Mr. President, before we do the five more Rules reports tonight --

(Laughter.)

SENATOR LIBOUS: Is there any further business at the desk, sir?

(Cheers, applause.)

ACTING PRESIDENT GRIFFO: There is no further business before the desk.

SENATOR LIBOUS: There being no further business, Mr. President, I move that the Senate adjourn till June 19, that's tomorrow, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate stands adjourned until

Thursday, June 19th, at 11:00 a.m.

Senate adjourned.

(Whereupon, at 10:26 p.m., the Senate adjourned.)