NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 19, 2014

11:37 a.m.

REGULAR SESSION

SENATOR DAVID J. VALESKY, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT VALESKY: The Senate will come to order.

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

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

ACTING PRESIDENT VALESKY: Today we are joined by the Reverend Dr. Marie Innocent, of Christ International Outreach Ministries in Jamaica. She will give us our invocation.

REVEREND INNOCENT: Our Father in heaven, hallowed be Your name. Your kingdom come, Your will be done, on earth as it is in heaven.

Father God, we gather in Your presence today to pray for our Governor, this Senate and the Legislative Body. Give them patience, unity and love to continue the work of our forefathers.

We pray for our soldiers away from home. Give them the strength and the power to conquer the enemies. Bring them home safely.

Continue to bless our great nation in every way. The leaders that are here today, they are in Your hand. Give them guidance to go along in this journey. It will be impossible without You.

Give us today our daily bread and forgive our sin, for we also, we forgive everyone who is indebted us. And do not lead us into temptation, but deliver us from the evil.

God bless America, my home sweet home. God bless America, our home sweet home.

Amen.

ACTING PRESIDENT VALESKY: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 18th, the Senate met pursuant to adjournment. The Journal of Tuesday, June 17th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 16,

Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 1500A and substitute it for the identical Senate Bill Number 3600A, Third Reading Calendar 579.

On page 17, Senator LaValle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 8822B and substitute it for the identical Senate Bill Number 6630B, Third Reading Calendar 624.

On page 19, Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 8729 and substitute it for the identical Senate Bill Number 6457, Third Reading Calendar 681.

On page 20, Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 9302 and substitute it for the identical Senate Bill Number 6945, Third Reading Calendar 688.

On page 21, Senator Grisanti moves to discharge, from the Committee on Local Government, Assembly Bill Number 9035 and substitute it for the identical Senate Bill Number 6987, Third Reading Calendar 745.

On page 21, Senator Young moves to

discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 9363 and substitute it for the identical Senate Bill Number 7065, Third Reading Calendar 779.

On page 23, Senator Young moves to discharge, from the Committee on Local Government, Assembly Bill Number 9364 and substitute it for the identical Senate Bill Number 7021, Third Reading Calendar 890.

On page 25, Senator Perkins moves to discharge, from the Committee on Rules, Assembly Bill Number 9798 and substitute it for the identical Senate Bill Number 7384, Third Reading Calendar 983.

On page 26, Senator DeFrancisco moves to discharge, from the Committee on Rules, Assembly Bill Number 9643A and substitute it for the identical Senate Bill Number 7331A, Third Reading Calendar 995.

On page 27, Senator Little moves to discharge, from the Committee on Rules, Assembly Bill Number 9927A and substitute it for the identical Senate Bill Number 7643A, Third Reading Calendar 1021.

On page 27, Senator Flanagan moves to discharge, from the Committee on Rules, Assembly Bill Number 9570B and substitute it for the identical Senate Bill Number 7227B, Third Reading Calendar 1034.

On page 29, Senator Marcellino moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5959 and substitute it for the identical Senate Bill Number 4307, Third Reading Calendar 1071.

And on page 33, Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 8236C and substitute it for the identical Senate Bill Number 7418A, Third Reading Calendar 1303.

ACTING PRESIDENT VALESKY: Substitutions ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Mr. President, thank you.

I believe Senator Hoylman has a resolution that was previously adopted, Number 5665. Could you have the title read and then call on Senator Hoylman.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5665, by Senator Hoylman, memorializing Governor Andrew M. Cuomo to proclaim June 2014 as LGBT Pride Month in the State of New York.

ACTING PRESIDENT VALESKY: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise to resolve that the Governor proclaim June Pride Month in the State of New York. It's always interesting to me that the last weeks of session coincide with the weeks of Pride Month.

As you know, I represent Manhattan. Greenwich Village is in the heart of my district. That includes the Stonewall Inn. And

the rebellion at Stonewall Inn, which occurred 45 years ago this month, on Friday, June 27, 1969, lasted six days and launched the modern LGBT rights movement.

You know, Mr. President, in his inaugural address just this last year, President Obama linked what happened at Stonewall to the wider struggle for equality and justice for all people. The President said: "We, the people, declare today that the most evident of truths -- that all of us are created equal -- is the star that guides us still, just as it guided our forebears through Seneca Falls, and Selma, and Stonewall."

Seneca Falls, Selma, and Stonewall. All of us are created equal, the star that guides us still.

And I take great pride in the fact that Seneca Falls was mentioned in the President's remarks, but also Stonewall. And it's that historic link, Mr. President, I think that is the star that guides us still.

And we've made tremendous progress on LGBT rights, thanks so much to the work of this body and so many of my colleagues here and

in the Assembly, Governor Cuomo, and advocates like the Empire State Pride Agenda, some of whom are with us today, and so many committed activists and public servants.

And I know that many of my colleagues remember the evening three years ago, three years ago this session when New York became one of the first and the largest state in the country to pass legislation recognizing marriage equality on that date, June 24, 2011, 11:55 p.m. that evening.

And there were a number of courageous votes in this chamber, and I want to thank Senator Grisanti for his courageous vote that evening, as well as all of my other colleagues who were under a lot of different pressures to vote different ways.

The LGBT rights movement, though, Mr. President, is not over. And we all have seen throughout popular culture how gays and lesbians have become part of our daily lives, whether it's "Modern Family" or the program "Will & Grace." We have learned to live with our neighbors.

And I think so many of us here now

recognize gays and lesbians and transgenders in their own families, whether it's a brother or a sister, a niece, a nephew. And that has helped motivate us to progress.

There are of course a number of LGBT New Yorkers who are widely acclaimed across the world -- the poet, the writer and leading figure of the Harlem renaissance Langston Hughes. The artist Paul Cadmus. Stephen Sondheim, the composer and lyricist. Marc Jacobs, the fashion designer. Randi Weingarten, who's been in this chamber on numerous occasions, from the AFT. Larry Kramer. The Stonewall veteran and transgender activist Sylvia Rivera. And two New Yorkers in my district, Mr. President, who this past year have helped make marriage equality a reality for all Americans, Edie Windsor and her attorney Roberta Kaplan, who successfully argued before the Supreme Court. And that's just to name a few.

But as we recognize the successes and the famous people who are part of my community -- and I'm proud to be the only openly gay member of the State Senate, unless somebody wants to tell me otherwise. I'm giving you the

opportunity today.

(Laughter.)

SENATOR HOYLMAN: -- we have challenges ahead of us. And it really involves our young people.

You know, Mr. President, when we make our resolutions on the floor, I often wonder who's watching us in that camera besides a few dozen people on YouTube. And thank goodness for YouTube. I don't know what you guys did before YouTube in terms of resolutions.

But I listen to my colleagues when they talk about veterans or when they talk about athletes or high school students. And you do gather snippets of lives, lives led gracefully and courageously. Lives lived in New York. And I wanted to mention a few of those lives that you may not hear about so often, because these are transgender individuals who haven't had the opportunities that you or I have, haven't made their mark in society.

There's an established lawyer named Ally, published six law books, multiple articles in legal journals. After experimentation with female identity outside of the workplace, made a

male-to-female transition. Can you imagine how difficult that is, Mr. President, to come to those terms that you actually are different than the person you were born?

She was outed to her partner at her firm, who then threw her out of the practice. She said, "He decided that despite our success and great working relationship, he did not want to be my law partner anymore."

But since her transition, she's applied for over 300 jobs, has landed numerous interviews, but hasn't found a job, despite being overqualified.

A woman named Patty from Buffalo transitioned from male to female in 2004 at the age of 50. Now, to me, that's grace and courage, to make that decision after having lived 50 years. Was the vice president and head design engineer at a family-owned tool design company. When she came out to her family, who were also her fellow co-owners, she was immediately met, sadly, with dismissal and confrontation.

She pulled back from customer interactions. She had a hugely negative impact

on the business financially. Only recently has she been allowed to get back into the business on sales calls. She has had a life of grace and courage.

Rex and Karen, from Poughkeepsie, are two educators who became involved in the LGBT community after they learned they had a transgender daughter. But because of our laws, Mr. President, finding employment for her has been a struggle. She hasn't legally changed her sex, and therefore she's got to decide on whether to apply for a job as a man or a woman. Can you imagine that confrontation with oneself? She's been denied employment. It's a huge financial burden on her family.

And then, finally, Libby. She's a mother and college graduate, a diehard Mets fan, and the Long Island Railroad's first transgender conductor. Every day that she goes to work, though, she faces people who have never seen anybody like her. They mock her, she says. They've actually spat at her, photographed her. But she's supported by her coworkers at Long Island Railroad, who realize that she's entitled to the same rights and responsibilities

as everybody else.

And it's no wonder, Mr. President, that because of these personal struggles of grace and courage that the young people of our country and our state who are lesbian, gay, bisexual or transgender are four times more likely to have attempted suicide than kids in the general population. Four times.

And there's a practice that occurs, Mr. President, called gay conversion therapy. And I've spoken to some of my colleagues about it. It's when they tried to try to convert you from being gay to straight. And if you undergo that, you're eight times more likely to have attempted suicide, six times more likely, according to studies, to be depressed, and three times more likely to be using illegal drugs. It's no wonder that 20 percent of our gay and lesbian kids have attempted suicide.

So I speak today, Mr. President -- and I know we have a very important and worthy and lengthy agenda. But I speak to that kid who might be watching YouTube. And I say to him or her that we will continue to fight for your rights on the floor of this Senate, in this

great cathedral of democracy, that we aspire to do the right thing on behalf of all New Yorkers.

So I am honored to resolve the Governor to make June LGBT Pride Month and thank my colleagues for their support, their understanding, and their compassion for the LGBT community in the State of New York.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Hoylman.

(Applause from the galleries.)

ACTING PRESIDENT VALESKY: Senator Krueger on the previously adopted resolution.

SENATOR KRUEGER: Thank you.

First I rise to thank our colleague Brad Hoylman for being so articulate and broad in his presentation about not why this resolution is important, but why a greater understanding and need for improved legislation and respect for our LGBT brothers and sisters throughout New York State.

And he said that unless somebody wanted to get up and announce differently, he believed he was the only openly gay member of the Senate. Well, just for the record, his

predecessor, who's left us, Tom Duane, used to tell me that I was a gay man trapped in a straight woman's body.

And so I am proud to be here standing today in support of all of the people of New York State, whether they are straight or LGBT, whether they are comfortable coming out of the closet or not yet comfortable being able to express who they are to their friends and families and coworkers.

My brother was openly gay. And he came out very early, in the '70s. It wasn't the same world as today. Our youth have a much easier time expressing themselves, learning to be who they are, being able to move forward in life because of people like Brad Hoylman and the people he named here today.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Krueger.

Senator Montgomery on the resolution.

SENATOR MONTGOMERY: Yes, thank you, Mr. President. On the resolution.

I am very happy to join Senator

Hoylman in honoring this very special day and requesting that the Governor make June Gay Pride Month.

Mr. President, back in I believe possibly 1985, when I was very, very new in this business, in this Legislature, I was named, along with my attorney who represented me, Aaron Maslow, we were named by the Village Voice as Straights for Gay Rights. They had a special issue that they did, and they honored us as being people who had been very traditionally supportive of gay rights even back before that and indeed during that time.

I want to just also acknowledge that the LGBT community has been extremely important in our state, especially in our city, as it relates to their fight for looking for ways of addressing the problem of HIV and AIDS.

They were the ones who came to Albany in large numbers, consistently, in the organization of ACT UP. And that was before the high political organizing of the LGBT community. They were here, and they were there in the City of New York. They were responsible for us having a program that deals with making sure

that people who were using drugs had access to clean needles so that they would not continue to spread this awful disease.

I know that there is an organization that was in existence long before even ACT UP. It's the Gay Men's Health Crisis organization, GMHC. They have been on the front lines of providing services to people who were ill, and other services in our city.

I'm also acknowledging the organizing of the Gay Men of African Descent, which also is in my district, and the Rainbow organization, as well as the GRIOTs. These are organizations that have come together, come into being specifically to provide services and support and assistance to men in the LGBT community. But they also, in doing that, they represent the best of all of us in terms of the fact that they not only look to their own community and providing, but they also reach out to others, and thereby have become a significant part of the fabric of the community that is concerning to all of us, addressing issues of concern to all of us.

So I thank them. And I think that

this is a very apropos time to acknowledge them and to celebrate those in the community who have been so much a part of building a stronger community for all citizens, but especially LGBT members of our state.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Montgomery.

Senator Perkins.

SENATOR PERKINS: I'd like to speak on the resolution.

ACTING PRESIDENT VALESKY: Senator Perkins on the resolution.

SENATOR PERKINS: First I want to thank Senator Hoylman for this resolution, and especially for the hearing that he organized.

And I just wanted to, you know, recognize how important that hearing was for me and for so many of us to understand the issues that the young members of the gay, lesbian and transgender community are going through.

And I also wanted to publicly admit that I'm an honorary gay, as per your predecessor, Tom Duane.

So thank you very much again for

the resolution.

ACTING PRESIDENT VALESKY: Thank you, Senator Perkins.

Senator Peralta on the resolution.

SENATOR PERALTA: Thank you, Mr. President.

I wanted to stand up and thank Senator Hoylman for this resolution.

For those who don't know, I represent Jackson Heights, where you have a big LGBT march every year. And it came about because there were two individuals in my district, Edgar Garzón and Julio Rivera, who were both killed simply because of the fact that they were gay. And the community galvanized around these killings and began this parade. And now, in honor of them, the parade keeps on growing and growing and growing.

The LGBT community is a strong part of the fabric in my district. And whether it's marriage equality, whether it's SONDA, which it's GENDA, those are issues that on a state level have evolved, and it's good to know that we have evolved. The fact that we have finally passed marriage in this chamber was a historic

moment for all New Yorkers. Now we have to make sure that the tax issue is fixed for those individuals that are paying the price, but that's on a federal level.

But I think the bottom line is that as we learn, as we evolve, as we talk about issues that matter to the LGBT community, that we understand that we're all created equal, that we're all part of society, and we all can contribute positive things to the State of New York.

So I want to thank Senator Hoylman for bringing this issue up and ensuring that June will be LGBT Pride Month.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Peralta.

Senator Serrano on the resolution.

SENATOR SERRANO: Thank you, Mr. President.

And I just want to echo the words of my colleagues and especially thank Senator Hoylman for his leadership on this issue and this resolution, and thank Senator Krueger for her courageous statement and her remarks.

And, you know, I too, very happy to celebrate the importance of this. And I just wanted to mention that when we think about how far we as a state have come on issues involving LGBT rights and so on, it's so easy to forget that not very long ago it was the complete opposite. Back in the '80s and '90s, the amount of stigma, the amount of misinformation, the amount of discrimination was incredible.

And a lot of folks know that prior to becoming an elected official I worked in theater for many years. And having worked with artists back in the '90s and being very much engaged in the arts prior to that, I have always found that the artist community are usually the ones who are the most courageous in saying and fighting for the things, especially on issues of social justice, before anyone else can. Or anyone else does.

And I will really want to extend my congratulations and thanks to the many artists -- the playwrights, the poets, all of the artists throughout all communities -- for fighting very hard to ensure that mainstream America learned about the plight and the

discrimination against the LGBT community. Through their works of art, they were able to portray and convey a very strong social message.

And that's one of the reasons why I'm such a strong proponent of the arts, because they indeed contribute significantly to the fabric of our society.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Serrano.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Thank you, Mr. President.

And thank you, Senator Hoylman, for your comments.

And I particularly want to mention Senator Hoylman's predecessor who served in this chamber for many years, Senator Duane. He did a great deal to not just speak out on the issues, but to educate us, to tell us why discrimination is wrong.

I voted for the marriage equality bill for one reason primarily, and that's I support the Constitution that says that everybody is entitled to equal protection under

the law. It means that we can't discriminate against one group without discriminating against everybody.

Discrimination is wrong if it's against my ancestors, who were Jewish, or somebody else's, who were African-American. Whatever the group, discrimination is wrong. And I thank Senator Hoylman for again reminding us of our obligation to protect everybody.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Stavisky.

This resolution was adopted by the Senate on June 10th.

Senator Libous.

SENATOR LIBOUS: Senator Valesky. At this time could we please take up the active list for today, the noncontroversial reading.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 95, by Senator Klein, Senate Print 5668, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 233, by Senator Lanza, Senate Print 2474, an act to amend the New York City Health and Hospitals Corporation Act.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 233, those recorded in the negative are Senators Ball, Gipson, Krueger, Latimer, Rivera and Serrano.

Ayes, 49. Nays, 6.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 402, by Senator Martins, Senate Print 6990, an act to amend the Economic Development Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 492, by Senator Seward, Senate Print 6917, an act to amend the Insurance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 550, by Senator LaValle, Senate Print 1566, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 572, by Senator Marcellino, Senate Print 1495, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Marcellino to explain his vote.

SENATOR MARCELLINO: Thank you, Mr. President.

I rise to speak on this bill because we've had it before us on more than one occasion. It has passed overwhelmingly in this house each and every time. And it goes nowhere in the other house, and I don't understand why.

The bill, if you look at it -- and some may say, well, it's the pet-stealing bill, and you're making it an E felony, and why are you going overboard on these creatures, and what's the big deal?

These critters, these creatures are part and parcel of our families. They become an integral -- an integral -- it's my upper plate. They become a part of the family that is irreplaceable. And when they're lost or stolen, there is a tremendous hole in the family structure.

I remember my mother crying for weeks when the parakeet that she had brought back from Florida, that hatched from an egg that

she witnessed, for whatever reason decided to leave the house one day and didn't come back. She was devastated by the loss.

If anyone in here has lost a pet or has had to be at the vet's when the pet had to be put down because they were too old or infirm or injured, you know the feeling, you understand the feeling.

Many of these creatures that are stolen are stolen and used for training of dogs in dog fighting. And they are destroyed in a horrible way. The families are left to deal with that, and that loss.

I feel that this bill is important because it will protect these creatures from that kind of behavior. It will encourage the licensing of the animals, which I think is something that has been falling off of late, but we would like them licensed and it's a good thing to have them licensed. But the fact is that it's needed to protect and preserve these creatures who are extremely important to our families.

So, Mr. President, I'm going to vote aye on this. I urge everyone in this house

to vote aye, because these creatures deserve our protection and deserve our care.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Marcellino to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 53. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 579, substituted earlier by Member of the Assembly Gunther, Assembly Print 1500A, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

Tkaczyk.

Ayes, 50. Nays, 5.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 588, by Senator Nozzolio, Senate Print 7023, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 588, those recorded in the negative are Senators Hoylman, Krueger, Perkins and Squadron.

Ayes, 51. Nays, 4.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 615, by Senator Bonacic, Senate Print 7076, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 623, by Senator Savino, Senate Print 6617B, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 19. This act shall take effect on the 180th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 624, substituted earlier by Member of the

Assembly Thiele, Assembly Print 8822B, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52. Nays, 3. Senators Hoylman, Perkins and Serrano recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 681, substituted earlier by Member of the Assembly DiPietro, Assembly Print 8729, an act to amend Chapter 185 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 682, by Senator Tkaczyk, Senate Print 6498, an act to amend Chapter 218 of the Laws of 2009.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 683, by Senator Seward, Senate Print 6549, an act to amend Chapter 549 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 684, by Senator Little, Senate Print 6587, an act to amend Chapter 368 of the Laws of 2008.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 685, by Senator Breslin, Senate Print 6723, an act to amend Chapter 105 of the Laws of 2009.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 2. Senators Ball and LaValle recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 686, by Senator O'Mara, Senate Print 6840, an act to amend Chapter 366 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 687, by Senator Breslin, Senate Print 6925, an act to amend Chapter 405 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 688, substituted earlier by Member of the Assembly Palmesano, Assembly Print 9302, an act to amend Chapter 365 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 745, substituted earlier by Member of the Assembly Magnarelli, Assembly Print 9035, an act to amend Chapter 492 of the Laws of 1993.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 779, substituted earlier by Member of the Assembly Mosley, Assembly Print 9363, an act to amend Chapter 84 of the Laws of 1993.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 822, by Senator Golden, Senate Print 5100, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52. Nays, 4. Senators Ball, Dilan, Martins and Perkins recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 825, by Senator Gallivan, Senate Print 6528, an

act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Dilan recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Also Senator Martins in the negative.

Ayes, 54. Nays, 2.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 829, by Senator Robach, Senate Print 7272, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53. Nays, 3. Senators Ball, Marchione and Ritchie recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 874, by Senator Hannon, Senate Print 7262A, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 890, substituted earlier by Member of the Assembly Wright, Assembly Print Number 9364, an act to amend Chapter 613 of the Laws of 1996.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 912, by Senator Grisanti, Senate Print 7344D, an act to amend the Financial Services Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect July 1, 2016.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Grisanti to explain his vote.

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

My colleagues, this legislation,

it's a step in the right direction. Other states are actually doing this. When you have youth in a summer youth employment program -- especially in the summertime, we have a lot of our youths that are out of school, they're looking for work. When they have that job, there's a program that teaches them financial literacy and the importance of money and spending. And what it means that if you only have a dollar, you can't spend a dollar-fifty.

So it's an important program. We worked on the amendments with the Assembly. This is something that hopefully the Assembly passes as well. I vote aye. But it's great for our summer youth how to be financially viable and stable in their lives moving forward.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 983, substituted earlier by Member of the

Assembly Brennan, Assembly Print Number 9798, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Perkins to explain his vote.

SENATOR PERKINS: I rise to speak on behalf of a number of local merchants who decided to make a personal and professional home in my district on 125th Street decades ago. Pioneers such as Ron Walton and Tounkara Massamakan have offered the gifts of African fabrics and Caribbean food to the Harlem community and the city in general for well over a generation and have become beloved institutions in our neighborhood.

So last summer, when a massive redevelopment project was designated, one which would take a wrecking ball to their

long-standing businesses and forever displace them, they were the last to know about it. That's because the public outreach provisions of the Urban Development Corporation, also known as UDC, are entirely inadequate in terms of informing, engaging, and empowering the community that will be affected by major projects.

Right now UDC has only to give 10 days notice of a public hearing, and they do not have to disseminate this notice widely. Thus, as UDC's chief of staff has candidly admitted, it is a common occurrence that no one attends their public hearings.

The legislation before us establishes a 30-day window between notice of the project and the public hearing. This would allow community boards, advocacy organizations, elected officials and other stakeholders to spread the word in our communities that substantial projects are pending and everyone's voice must be heard.

Massive projects that are rubber-stamped in silent halls is antithetical to democracy and to the intent of the UDC Act.

It is not the case that people do not want to participate 59 these hearings. It is the case that the current system thrives on keeping the public in the dark.

Last fall, with just three weeks' notice, we brought 300 people out to give UDC hundreds of pages of feedback. Subsequently, we brought the affected merchants before the Public Authorities Control Board, and for the first time in the history of the PACB, regular hardworking folks from the community gave testimony before the board. Shadow government exposed to the light for the first time.

In sum, as it relates to projects all across this state, a community planning process born of and enriched by the actual folks who have lived, worked and invested in the community for generations, is the only way to proceed.

We get a little bit closer to that today. I thank Assemblymember Jim Brennan for carrying and passing this legislation in the Assembly. And I appreciate the support received from Chair Ranzenhofer and the members of the Corporations Committee. As well, I would like

to acknowledge and express appreciation to Senator DeFrancisco for helping us navigate in process.

I enthusiastically vote aye.

ACTING PRESIDENT VALESKY: Senator Perkins in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 54. Nays, 3. Senators Ball, O'Mara and Zeldin recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 986, by Senator DeFrancisco, Senate Print 4732, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 995, substituted earlier by Member of the Assembly Farrell, Assembly Print 9643A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1021, substituted earlier by the Assembly Committee on Rules, Assembly Print Number 9927A, an act to amend the Navigation Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Little to explain her vote.

SENATOR LITTLE: Thank you, Mr. President.

And to all of my colleagues, thank you for voting for the passage of this bill.

This is an important part of New York State's fight against invasive species. We all have lakes within our districts and bodies of water, and we know how important they are for recreational opportunities, for boating, for fishing, just for people to be able to be at those lakes and enjoy the benefits of being around such a wonderful place.

However, invasive species such as milfoil, Asian clams, zebra mussels, quagga mussels and all of those things have been found in lakes in New York State. What we need to do is prevent them from being transferred from one lake to another.

And this bill would require DEC to develop a signage, which they have developed, and the theme is "clean, drain and dry": To make sure that your boat is clean, it's drained

of all water, and it is dry. If it's dry, the invasives cannot live on that boat, and that's important for it.

Every public boat launch in this state will have benefit of this DEC sign. The signs will be on the Internet, they will be able to print them out, have them in poster size, and to be able to post them at every public boat launch in New York State. And hopefully, through education, we will have more prevention, more responsible boating, and certainly keep our lakes clean.

Thank you very much. And I vote aye.

ACTING PRESIDENT VALESKY: Senator Little in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1034, substituted earlier by Member of the Assembly Paulin, Assembly Print Number 9570B, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1062, by Senator Perkins, Senate Print 1550B, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Perkins to explain his vote.

SENATOR PERKINS: Thank you.

Public housing in New York City is the last true bastion of permanent affordability across the five boroughs. I serve 22

developments in my Senate district alone.

The New York City Housing Authority provides homes and a sense of community for over 600,000 New Yorkers -- for working families, for seniors, for those who came here to start a better life, for vulnerable populations, and for those who want to grow into the middle class. These hardworking folks pay upwards of one-third of their income towards rent and have been enriching our city for decades.

The New York City Housing Authority is an invaluable resource that we need to protect. Despite efforts to dismantle them and to defund them, New York City has refused to heed this destructive call and instead has worked to preserve public housing as a bulwark against the unyielding forces of gentrification, displacement, Mitchell-Lama privatization, and market rate rents gone wild.

This legislation at hand seeks to strengthen and enhance the operation of the New York City Housing Authority by ensuring they are subject to oversight by the authority's budget office, ABO. Presently housing authorities are exempt from essential ABO

provisions, which means they do not have to open their books or submit financial statements to the Comptroller or comply with other important regulations concerning land use disposition, MWBE participation, board governance best practices, whistle-blower protections and operating transparency.

Absent these protections, we have seen the New York City Housing Authority under then Mayor Bloomberg and Mayor Giuliani before him, prefer to operate in absolute secrecy, keeping residents, auditors, oversight agencies and policymakers in the dark.

Just last year the New York City Housing Authority proposed an in-fill program which would have destroyed community centers, parks, open spaces, baseball fields and other cardinal resources simply to erect market-rate towers on public land. The authority attempted to fast-track this proposal until residents, advocates and whole communities became fundamentally involved.

The New York City Housing Authority says they learned their lesson. This legislation ensures that they will never forget

it. An open, accountable and transparent New York City Housing Authority will enhance their standing not only with our residents, who have a passion for and knowledge of our communities that is unparalleled, but will signal to the City Council and state and federal government that the New York City Housing Authority is an institution worth of substantial investment for generations of New Yorkers to come.

Again, I thank Assemblymember Jim Brennan for carrying this legislation in the Assembly, and I appreciate the support received from Chair Ranzenhofer and members of the Corporations Committee as well.

I enthusiastically vote aye.

ACTING PRESIDENT VALESKY: Senator Perkins in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1071, substituted earlier by Member of the Assembly Farrell, Assembly Print 5959, an act to

amend the Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1086, by Senator Grisanti, Senate Print 6985A, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. I rise to explain why I'm voting

no for this bill.

This bill would allow a public authority that's been created specifically to fund infrastructure water protection projects to instead use some of its money on totally unrelated projects.

Now, if we thought we had completed our assignment of addressing the very serious problem of infrastructure for clean water throughout our state, I might argue, well, there's a reason to allow this money to be used in another way.

But in fact a 2008 DEC report projected that New York State had, over the next 20 years then, over $36 billion in infrastructure projects that would need funding to protect the clean water of our state. And actually we have fallen behind on that projection since 2008, and now our numbers are even greater.

So I cannot in good faith support allowing funds intended for one underfunded assignment to be instead used for something else. My understanding is that they would use this new power to fund demolition of the old

Tappan Zee Bridge. I'm certainly a supporter of getting the Tappan Zee built as quickly as possible. But I am one of many legislators who continue to seek information about how we are going to actually pay for that project, and I feel quite strongly that should be a transparent process using the correct funding streams of the State of New York, not taking or borrowing from Peter to pay for Paul.

To some degree this is a one-shot that many of us have objected to in any number of variations each and every year in the context of budgets or other freestanding bills. So I'm not in opposition to the building of the Tappan Zee Bridge, but I can't support taking environmental funds intended to address the infrastructure crisis for clean water in the state and use it for another purpose.

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

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

Announce the results.

THE SECRETARY: In relation to Calendar 1086, those recorded in the negative

are Senators Avella, Boyle, Gianaris, Gipson, Hoylman, Kennedy, Krueger, Latimer, Martins, O'Brien, Peralta, Perkins, Rivera, Serrano, Squadron, Stavisky and Tkaczyk. Also Senator Montgomery. Also Senator Marcellino. Also Senator Hannon.

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1086, those recorded in the negative are Senators Avella, Boyle, Breslin, Gianaris, Gipson, Hannon, Hoylman, Kennedy, Krueger, Latimer, LaValle, Marcellino, Martins, Montgomery, O'Brien, Peralta, Perkins, Rivera, Serrano, Squadron, Stavisky and Tkaczyk. Also Senator Addabbo. Also Senator Smith. Also Senator Dilan.

Ayes, 32. Nays, 25.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1089, by Senator Krueger, Senate Print 7234B, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the 180th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you.

Just briefly, I want to say how much I appreciate everyone's vote on this bill. We passed a variation on it last year that had some technical issues that have been resolved.

I want to thank Senator Hannon for his help with this, and to just let everyone know that maternal depression is a very serious and real issue in each of our districts. And when this law is implemented, it will assure that women have easier access to diagnosis. And when they are diagnosed, there are in fact incredibly effective treatment options that make a huge difference for their children, their families, and themselves.

I want to specifically recognize Sonia Murdock of the Postpartum Resource Center of New York, Paige Bellenbaum, and the

Wachenheim family for doing such incredible and heroic work, not only to help this bill become law but on behalf of women who have suffered from this disease throughout the state.

Thank you. I vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1110, by Senator Savino, Senate Print 3667D, an act to amend the Labor Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

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

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1178, by Senator Carlucci, Senate Print 6995, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, thank you, Mr. President, to explain my vote on this legislation. Which would, in effect, as I read it, it would extend the function of Medicaid fraud investigations to those prosecutors that are not now currently designated as people who are responsible for Medicaid fraud control.

There is in the Attorney General's office, based on legislation that we've passed, a specific unit that is required to investigate all reports of Medicaid fraud in our state. That unit is the unit that is acknowledged by both the federal government as well as the State of New York as the place where the total responsibility of investigating Medicaid fraud exists.

The Attorney General is not supporting this legislation because he feels that in his office is where we should be directing all cases of Medicaid fraud. So for that reason, I am opposing this legislation, as a number of us have in the past, because we know that this unit is very, very efficient and we want it to continue to be the place where we can have some relief from this terrible problem of

Medicaid fraud throughout the state.

So I'm voting no on this legislation, Mr. President.

ACTING PRESIDENT VALESKY: Senator Montgomery to be recorded in the negative.

Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

In New York State we spend about $55 billion a year on Medicaid. And the taxpayers of New York I believe really want to make sure that that money is going to the people that need it. And we have to do everything possible to make sure that the hardworking taxpayers of New York, that $55 billion is going to the people that need it, to the poor families to feed their children, to our most vulnerable populations.

And we've got to make sure that we do everything possible to cut out fraud and abuse. And this legislation will do that by giving a tool to the Office of the Medicaid Inspector General to allow them to refer cases to our local district attorneys.

Our local Social Service departments are the ones on the front lines dealing with Medicaid here in New York. We spend more money than any other state in the nation when it comes to Medicaid, so we've got to make sure that we're following those dollars. We've got to make sure that every dollar that's spent in Medicaid goes to the families, to the individuals around this state that need it most.

So I want to thank my colleagues for voting for this legislation, look forward to working with all of you to make sure that Medicaid dollars in New York State are well spent and we do everything possible to cut out fraud and abuse. I'll be voting in the affirmative.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Carlucci to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1178, those recorded in the negative are Senators Breslin, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Serrano, Squadron and Stavisky.

Ayes, 45. Nays, 12.

ACTING PRESIDENT VALESKY: The bill is passed.

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

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Nozzolio to explain his vote.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President and my colleagues, this bill sends a strong signal and ensures that the criminal laws of this state indicate clearly that harassment will not be tolerated. That harassment, particularly in the form of harassment of those who have seen domestic violence disturbances, the harassment element will not allow those additional protections to

those who have been victimized and are current or potential victims of domestic violence.

Now, this bill was required because of a recent Court of Appeals decision. And I greatly appreciate the effort on the part of this house, as well as the Assembly and the Governor, for pulling together to ensure that a signal is sent, a criminal law is firmly defined that harassment will not be allowed in New York State, will not be tolerated in our state, and with particular regard to those who have been victimized by the heinous crimes of domestic violence.

Thank you, Mr. President. I support this measure. I'm glad to bring it before the body for consideration. And I appreciate the support of the Senate in seeing it enacted.

ACTING PRESIDENT VALESKY: Senator Nozzolio will be recorded in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. I rise to explain my vote no.

I appreciate Senator Nozzolio's

analysis. I think that that is, this amended version is less of a concern to me than earlier versions. And I do understand that the courts have struck down our statute and we need to address that in some way.

But I have been advised by quite a few experts that this version too is unconstitutional and would violate the First Amendment right to free speech. Even when speech is not something that I agree with, I take very seriously not outlawing the ability of those of us, even though of us I don't like or agree with's right to use that speech.

I'm assuming this will become law despite my no vote. And perhaps we will find ourselves sometime soon with a new constitutional decision overturning this and we'll have another opportunity to try again.

Thank you, Mr. President. No.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1224, those recorded in the negative are Senators Gianaris, Hoylman, Krueger,

Montgomery, Parker, Perkins, Rivera, Serrano and Squadron.

Ayes, 48. Nays, 9.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1303, substituted earlier by Member of the Assembly Otis, Assembly Print 8236C, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Grisanti to explain his vote.

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

My colleagues, this legislation is way overdue. I mean, in today's technology the strength of laser pointers by, in my estimation, sick individuals that are aiming them at aircraft, there's a huge increase of this

happening all across the state.

I want to thank the cosponsor of this legislation, Senator Sanders, who represents Kennedy Airport. I'm in Buffalo. The federal government just came out with an increase in their penalties because of the rise of laser pointers being pointed at aircraft, just like Robach is doing to me right now.

But the simple fact of the matter is that when that laser hits the windshield of the aircraft, it spreads out like a prism and it blinds and interferes with the flight and jeopardizes not only the safety of the crew but of the passengers.

So, you know, this is not a joke. I mean, this is something where you could actually have an interference such as that and bring down an aircraft that can be a devastating effect for all involved.

A misdemeanor if you disrupt it or interfere with it, felony class if you cause a significant change of course. Something that's well overdue.

I vote aye, Mr. President. It falls in line with what the federal government

recently just enacted as well. Thank you.

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

Senator Smith to explain his vote.

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

And I too want to congratulate Senator Sanders, as one who formerly represented the Kennedy Airport area and have had a number of individuals come to my office as well stating they've had some concerns overseeing individuals who have been shooting lasers at jets as they come in, very low-flying.

I think this is a very important legislation. Many may not realize the impact that it has had and the devastation that it could cause. And I think today is a good day for Senator Sanders and this piece of legislation, and I look forward to voting aye.

ACTING PRESIDENT VALESKY: Senator Smith in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1348, by Senator LaValle, Senate Print 6942, an act to amend the Domestic Relations Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1565, substituted earlier by Member of the Assembly Silver --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT VALESKY: Senator Libous.

SENATOR LIBOUS: I would like to call an immediate Republican conference in Room 332. And if you would join me in that, and

then we will stand at ease.

ACTING PRESIDENT VALESKY: There will be an immediate Republican conference in Room 332.

SENATOR LIBOUS: Anybody else want to call a conference? I guess we're the only ones that will call conference for now.

ACTING PRESIDENT VALESKY: The Republicans will conference in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:51 p.m.)

(Whereupon, the Senate reconvened at 4:47 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 4:47 p.m.)

(Whereupon, the Senate reconvened at 5:33 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Mr. President, could we go to motions for a minute.

ACTING PRESIDENT VALESKY: Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator DeFrancisco, I wish to call up his bill, Senate Print 4732, recalled from the Assembly, and it's now at the desk.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 986, by Senator DeFrancisco, Senate Print 4732, an act to amend the Retirement and Social Security Law.

SENATOR LIBOUS: I now move to

reconsider the vote by which this bill was passed.

ACTING PRESIDENT VALESKY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

SENATOR LIBOUS: I now offer the following amendments.

ACTING PRESIDENT VALESKY: The amendments are received.

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

ACTING PRESIDENT VALESKY: The Secretary will read.

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

Senate Print 398A, by Senator Dilan, an act to amend the Vehicle and Traffic Law;

Senate 410, by Senator Dilan, an act to amend the General Municipal Law;

Senate 2360B, by Senator Klein, an

act to amend the Workers' Compensation Law;

Senate 2518B, by Senator Savino, an act to amend the Penal Law;

Senate 2688, by Senator Young, an act to amend the Agriculture and Markets Law;

Senate 3657, by Senator Seward, an act to amend the Alcoholic Beverage Control Law;

Senate 3815A, by Senator Seward, an act to grant;

Senate 4235B, by Senator Latimer, an act to amend the Insurance Law;

Senate 4819A, by Senator Lanza, an act to amend the Military Law;

Senate 5284, by Senator Kennedy, an act to amend the Penal Law;

Senate 5885B, by Senator Savino, an act to amend the Labor Law;

Senate 5944B, by Senator Addabbo, an act to amend the Tax Law;

Senate 5966C, by Senator Valesky, an act to amend the Education Law;

Senate 6201A, by Senator Avella, an act to amend the Lien Law;

Senate 6403B, by Senator Carlucci, an act to amend the General Business Law;

Senate 6643, by Senator Lanza, an act to amend the Agriculture and Markets Law;

Senate 6894, by Senator Gianaris, an act to amend the New York City Civil Court Act;

Senate 7051, by Senator Felder, an act to amend the Family Court Act;

Senate 7112, by Senator Griffo, an act to amend the Banking Law;

Senate 7168, by Senator DeFrancisco, an act to amend the Judiciary Law;

Senate 7258, by Senator Tkaczyk, an act to amend the Village Law;

Senate 7356, by Senator Felder, an act to amend the Education Law;

Senate 7389A, by Senator Gallivan, an act to amend General Business Law;

Senate 7524, by Senator Golden, an act to amend the Social Services Law;

Senate 7547A, by Senator Gallivan, an act authorizing;

Senate 7664, by Senator Golden, an act to amend the Administrative Code of the City of New York;

Senate 7667, by Senator Felder, an

act to amend the Social Services Law;

Senate 7736, by Senator Golden, an act to amend the Administrative Code of the City of New York;

Senate 7809, by Senator Boyle, an act authorizing;

Senate 7842, by Senator Stewart-Cousins, an act in relation to the substitution of certain parkland;

Senate 7849A, by Senator Lanza, an act relating to joint bidding;

Senate 7859A, by Senator Robach, an act to amend Chapter 416 of the Laws of 2007;

Senate 7860, by Senator Savino, an act to amend the Vehicle and Traffic Law;

Senate 7864, by Senator Sanders, an act to amend the Executive Law;

Senate 7888, by Senator Nozzolio, an act to amend the Penal Law;

Senate 7902, by Senator Hannon, an act to amend the Penal Law;

Senate 7903, by Senator Carlucci, an act to amend the Mental Hygiene Law;

Senate 7904, by Senator Hannon, an act to amend the Mental Hygiene Law;

Senate 7905, by Senator Marchione, an act to amend the Public Health Law;

Senate 7906, by Senator Martins, an act to amend the Public Health Law;

Senate 7907, by Senator Marcellino, an act to amend the Penal Law;

Senate 7908, by Senator Hannon, an act to amend the Criminal Procedure Law;

Senate 7909, by Senator Felder, an act to amend the Family Court Act;

Senate 7910, by Senator Martins, an act to amend the Education Law;

Senate 7911, by Senator Boyle, an act to amend the Mental Hygiene Law;

And Senate 7912, by Senator Seward, an act to amend the Insurance Law.

All bills reported direct to third reading.

SENATOR LIBOUS: Could we move to accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY:

Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The report of the Rules Committee is accepted.

Senator Libous.

SENATOR LIBOUS: Mr. President, could we do the noncontroversial reading of Supplemental Calendar 53A, please.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the noncontroversial reading of Senate Supplemental Calendar 53A.

THE SECRETARY: Calendar Number 1594, by Senator Dilan, Senate Print 398A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

1595, by Senator Dilan, Senate Print 410, an act to amend the General Municipal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Klein moves to discharge, from the Committee on Rules, Assembly Bill Number 5299B and substitute it for the identical Senate Bill Number 2360B, Third Reading Calendar 1596.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1596, by Member of the Assembly Pretlow, Assembly Print 5299B, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1597, by Senator Savino, Senate Print 2518B, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1598, by Senator Young, Senate Print 2688, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 3. Senators Hoylman, Perkins and Serrano recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1599, by Senator Seward, Senate Print 3657, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1600, by Senator Seward, Senate Print 3815A, an act to grant.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Latimer moves to discharge, from the Committee on Rules, Assembly Bill Number 1093C and substitute it for the identical Senate Bill 4235B, Third Reading Calendar 1602.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1602, by Member of the Assembly Skoufis, Assembly Print 1093C, an act to amend the Insurance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 6914A and substitute it for the identical Senate Bill Number 4819A, Third Reading Calendar 1603.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1603, by Member of the Assembly Rosenthal,

Assembly Print 6914A, an act to amend the Military Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1604, by Senator Kennedy, Senate Print 5284, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you very

much, Mr. President.

I'm very proud to carry this bill today, and I urge my colleagues to join me in favor of passing this legislation.

New York State currently has one of the weakest child pornography, possession and promotion laws. In the past it's been the FBI's role to apprehend these criminals under the stronger federal child porn statutes. But with dwindling federal resources, law enforcement is more and more relying on the state to investigate these offenders and crack down on these predators.

The state's laws, however, are not strong enough. And those convicted under the state penal code often plead down from a felony to a misdemeanor. This results in the offender avoiding placement on the New York State Sex Offender Registry, enabling them to work and live near our schools, playgrounds and daycare centers, despite the danger they pose to our community and our children.

With this legislation we seek to strengthen the penalties for those found guilty of possession or promotion of child pornography,

primarily to prevent such people from harming children in our neighborhoods. The Federal Bureau of Prisons indicated that 76 percent of offenders convicted of Internet-related child pornography reported having sexual contact with children in the past and had an average of over 30 child sexual victims each. That is intolerable and unacceptable.

Evidence gathered from law enforcement investigations has indicated that offenders who promote or possess child pornography often also actively pursue sexual acts with children. Therefore, those in the criminal justice field agree that owning and viewing child pornography typically extends beyond viewing pictures and most often involves the actual sexual abuse of these children.

This bill seeks to ensure that those found guilty of possession or promotion of child pornography will be identified and registered as a sex offender under the New York State Sex Offender Registry to further protect potential victims.

We need to stop these predators from abusing our children, and this bill is

important. And it's important that we move forward in New York State and take a step in the right direction to do just that.

Mr. President, I vote aye, and I ask my colleagues to do the same.

Thank you.

ACTING PRESIDENT VALESKY: Senator Kennedy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 8106C and substitute it for the identical Senate Bill Number 5885B, Third Reading Calendar 1605.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1605, by Member of the Assembly Heastie, Assembly Print 8106C, an act to amend the Labor Law.

ACTING PRESIDENT VALESKY: Read

the last section.

THE SECRETARY: Section 13. This act shall take effect on the 60th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

In 2010 I was very proud to sponsor the New York State Wage Theft Prevention Act, one of the most comprehensive wage theft statutes ever enacted in this country.

Since that time, though, there have been some changes to the act that have been requested by people on both sides of the issue. And I'm a firm believer that in the art of compromise we can often find ways to come to agreement.

So earlier this year, several people set out to make compromise on this issue. And today I am proud to say that I am carrying this bill, an amendment to the Wage Theft Prevention Act, and I have in my possession

something I never thought that I would receive in my career in the State Senate, and that is a memo in support from the New York State Business Council, who participated in the negotiation, where both sides got what they wanted.

So we have increased penalties for employers who would violate the Wage Theft Prevention Act, and we have eliminated the onerous annual notice that employers have to provide to workers, because it really doesn't provide anything. So everybody got a little bit of what they want.

So I am very happy, and I would urge my colleagues who almost think they're supposed to vote against this to think twice, because everybody likes this bill.

Thank you, Mr. President.

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

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: I voted against the original wage theft bill because it had some provisions in it that made little sense, having employers have to provide notices

to their employees as to what their wages are when they were getting pay stubs. It was a perfect example of a bill that went overboard in correcting a problem that was basically, if there was one, limited to one region of the State of New York.

And over the last several years until we got to this point, I've carried a bill to try to eliminate this onerous burden, needless burden, costly burden on employers throughout the state.

I'm very happy that finally a bill was done that gets rid of that onerous requirement and relieves businesses from the cost of needless notifications, especially, especially since they've spent untold dollars that could have gone towards employing people in providing these notifications since the day the bill was passed.

So I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 1606, by Senator Addabbo, Senate Print 5944B, an act to amend the Tax Law.

ACTING PRESIDENT VALESKY: That bill is high.

We'll move to 1607.

THE SECRETARY: Calendar Number 1607, by Senator Valesky, Senate Print 5966C, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1608, by Senator Avella, Senate Print 6201A, an act to amend the Lien Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1, 2016.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Bonacic to explain his vote.

SENATOR BONACIC: Yes. Back about 20 years ago I used to own a self-storage business, and I'm very familiar with the process.

What this bill does is negatively hurt that whole industry. For those that are not familiar with self-storage units, if you come in to rent one, you're normally renting it for 30 days. You're paying for something probably less than a hundred dollars, depending on the size of the unit you want.

The key to the self-storage business, if that tenant doesn't pay, you have to be able to have access to that storage and try to collect whatever rents they owe. Most of the time you don't collect the rent, and most of the time the units are empty or the stuff that's in there is junk.

The sponsor talks of TV shows, reality shows, that somehow there's a windfall to the landlord. That's not true in reality. In reality, if that was the case, if there were contents that were valuable, when they go through the Lien Law auction, any extra money goes back to the owner. So the idea that you're protecting the tenant, you're really not. It's overkill.

The second aspect of this legislation, if I come in to rent that unit as a tenant, I'm required to write an alternative person, under this legislation, that's not part of the occupancy agreement.

So you have a tenant saying Joe Blow -- whether the tenant knows Joe below or not, who knows. But that landlord then has a requirement to send Joe Blow information about the unit. And that's a privacy issue to Joe Blow, who doesn't know what's going on, possibly.

And it requires two notices, not one, to the tenant and Joe Blow, delaying the process even further, jacking up the amount of money owed to the landlord which they wouldn't

recover anyway. And you're usually not dealing with a lot of money.

This is a bad, bad bill for the industry. I vote no.

ACTING PRESIDENT VALESKY: Senator Bonacic to be recorded in the negative.

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: I vote in the favor of the landlord over Joe Blow.

(Laughter.)

ACTING PRESIDENT VALESKY: Senator DeFrancisco to be recorded in the negative.

Senator Avella to explain his vote.

SENATOR AVELLA: Thank you, Mr. President.

I wasn't intending to talk on the bill, but I just wanted to address some of the comments that have been made.

This is actually a consumer protection bill, and it just puts into the law protections for the person who leases the unit. And I'd be happy to talk to Senator Bonacic about some of the issues in the bill, but I think some of the comments he made are actually

not correct as it relates to the legislation.
But I'll talk to him afterwards.
But I would urge my colleagues to vote for this.
ACTING PRESIDENT VALESKY: Senator Avella will be recorded in the affirmative.
(Pause.)
ACTING PRESIDENT VALESKY: Senator Carlucci.
SENATOR CARLUCCI: Thank you, Mr. President.
I'd like to withdraw the roll call and lay the bill aside for the day.
ACTING PRESIDENT VALESKY: The roll call is withdrawn, and the bill is laid aside for the day.
The Secretary will continue to read.
THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 2727B and substitute it for the identical Senate Bill Number 6403B, Third Reading Calendar 1609.
ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1609, by Member of the Assembly Weisenberg, Assembly Print 2727B, an act to amend the General Business Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect two years after it shall have become a law.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I just want to make sure. This is the Senator Carlucci bill on sunscreen labeling?

ACTING PRESIDENT VALESKY: Correct. Correct.

SENATOR DeFRANCISCO: I'm going to vote no because we happen to live in a country that promotes interstate commerce. In a country that promotes interstate commerce, you can't have different rules in every state about every

type of notification that has to be on an item.

We do have the FDA that actually has regulations on expiration dates, and those regulations say that you don't have to put an expiration date if the item has at least a three-year life expectancy or more.

This would require additional labeling on those from one to three years even when scientifically it's been determined that that's not necessary.

I think we should follow the FDA on this, not create our own standard which will impair businesses, again, in interstate commerce who do employ people and we want to have those businesses here in the state. So I would vote no for those reasons.

ACTING PRESIDENT VALESKY: Senator DeFrancisco to be recorded in the negative.

Senator Boyle to explain his vote.

SENATOR BOYLE: Thank you, Mr. President.

I just wanted to thank Senator Carlucci for sponsoring this legislation and also to commend the Assembly sponsor, Assemblyman Harvey Weisenberg, who has been a

long advocate for this piece of legislation, is retiring now after 25 years. Harvey has been a champion of the disabled. He achieved great accolades in the Assembly, and we should also recognize his long service here for the disabled, for our children. And this is a perfect example of legislation that does just that.

I vote in the affirmative, and thank you, Harvey.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1609, those recorded in the negative are Senators Ball, DeFrancisco, Farley, Grisanti, Hannon, Little, Marchione, Martins, O'Mara and Ranzenhofer.

(Pause.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1609, those recorded in the negative are Senators Ball, DeFrancisco, Farley, Grisanti, Hannon, Larkin, Libous, Little,

Marchione, Martins, O'Mara, Ranzenhofer, Seward and Young. Also Senator Nozzolio.

Ayes, 42. Nays, 15.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1610, by Senator Lanza, Senate Print 6643, an act to amend the Agriculture and Markets Law.

SENATOR LIBOUS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1611, by Senator Gianaris, Senate Print 6894, an act to amend the New York City Civil Court Act.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Felder moves to discharge, from the Committee on Children and Families, Assembly Bill Number 9720 and substitute it for the identical Senate Bill Number 7051, Third Reading Calendar 1612.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1612, by Member of the Assembly Lupardo --

SENATOR LIBOUS: Lay it aside for the day.

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

THE SECRETARY: Senator Griffo moves to discharge, from the Committee on Rules, Assembly Bill Number 9408 and substitute it for the identical Senate Bill Number 7112, Third Reading Calendar 1613.

ACTING PRESIDENT VALESKY: Substitution ordered.

THE SECRETARY: Calendar Number 1613, by Member of the Assembly Robinson, Assembly Print 9408, an act to amend the Banking Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, Mr. President, I rise to support this legislation and thank Senator Griffo for the fact that he is paying particular attention to credit unions in our state.

It is my understanding that this bill would allow state-chartered credit unions to apply to the superintendent of the Department of Financial Services to request a membership that includes groups based on employment, association and community.

I'm very pleased that the Senator is expanding the membership to community in particular. I have a couple of community credit unions in my own district. And I believe across the State of New York credit unions serve people

who are not really even welcome nor do they fare well in the regular large commercial banks.

And in many cases, as in the case with me, one of my banks has in fact closed my account because I didn't have enough money in it. So I'm a very happy supporter of credit unions. And basically, for the most part, my banking is done with credit unions, both state and in New York City.

So thank you, Senator Griffo, and I gladly support this legislation that you're putting forth today.

Thanks, Mr. President.

ACTING PRESIDENT VALESKY: Senator Montgomery to be recorded in the affirmative.

Announce the results.

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1614, by Senator DeFrancisco, Senate Print 7168, an act to amend the Judiciary Law.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Tkaczyk moves to discharge, from the Committee on Rules, Assembly Bill Number 9572 and substitute it for the identical Senate Bill Number 7258, Third Reading Calendar 1616.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1616, by Member of the Assembly Santabarbara, Assembly Print 9572, an act to amend the Village Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1617, by Senator Felder, Senate Print 7356, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1618, by Senator Gallivan, Senate Print 7389A --

SENATOR LIBOUS: Lay that bill aside temporarily.

ACTING PRESIDENT VALESKY: The bill is laid aside temporarily.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9873 and substitute it for the identical Senate Bill Number 7524, Third Reading Calendar 1619.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1619, by Member of the Assembly Lupardo, Assembly Print 9873, an act to amend the Social Services Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Kennedy to explain his vote.

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

This is an extremely important bill and an imperative step that the state is taking

in the right direction to help to keep our children safe all across the State of New York.

Improved transparency is a key component of our ongoing efforts to improve Child Protective Services in this great state, and this legislation will improve oversight and shed light on any local needs for increased funding or additional resources. And we're going to fight to assure that those needs are addressed.

In Erie County and in many counties across the state, Child Protective Service workers are overburdened with extremely heavy caseloads that far exceed the state's recommended levels. Caseloads for some workers in Erie County CPS are as high as 40 or 50, and we've heard reports that those numbers are even doubled further.

The bottom line is the caseloads are way too high. New York State recommends workers' caseloads remain between 12 to 15 cases. CPS caseworkers have an extremely difficult and important job to do, and it becomes even more difficult to thoroughly investigate every case when their caseloads are

excessively high, especially if their caseloads are three to 10 times higher than the state recommends they should be.

State law does not require local agencies to fully disclose worker caseloads, and this bill will change just that, by directing local Departments of Social Services to release an annual report that outlines average caseloads for workers. And local agencies will be required to detail the steps they'll take to lower the average caseloads for CPS workers. This will better inform the State Legislature of necessary reforms and ensure counties in the state are aware of any need for additional resources with specific outcomes.

It's imperative that Child Protective Services is provided with the resources they need to protect our children and help keep our families safe throughout the State of New York. This legislation will advance this important cause.

And with that, Mr. President, I vote aye. Thank you.

ACTING PRESIDENT VALESKY: Senator Kennedy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 9812 and substitute it for the identical Senate Bill Number 7547A, Third Reading Calendar 1620.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1620, by Member of the Assembly Zebrowski, Assembly Print 9812, an act authorizing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1621, by Senator Golden, Senate Print 7664, an act to amend the Administrative Code of the City of New York.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Felder moves to discharge, from the Committee on Social Services, Assembly Bill Number 9702 and substitute it for the identical Senate Bill Number 7667, Third Reading Calendar 1622.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1622, by Member of the Assembly Lupardo,

Assembly Print 9702, an act to amend the Social Services Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1624, by Senator Golden, Senate Print 7736, an act to amend the Administrative Code of the City of New York.

SENATOR LIBOUS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1625, by Senator Boyle, Senate Print 7809, an act authorizing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1625, those recorded in the negative are Senators Ball, Bonacic, Larkin, Nozzolio and O'Mara.

Ayes, 52. Nays, 5.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1627, by Senator Stewart-Cousins, Senate Print 7842, an act in relation to the substitution.

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

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

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

THE SECRETARY: Calendar Number 1628, by Senator Lanza, Senate Print 7849A, an act relating to joint bidding.

ACTING PRESIDENT VALESKY: There

is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1629, by Senator Robach, Senate Print 7859A, an act to amend Chapter 416 of the Laws of 2007.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1630, by Senator Savino, Senate Print 7860, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1631, by Senator Sanders, Senate Print 7864, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 1632, by Senator Nozzolio, Senate Print 7888, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar 1632, those recorded in the negative are Senators Ball, Breslin, Dilan, Hoylman, Krueger, LaValle, Marcellino, Montgomery, Parker, Perkins, Rivera, Serrano and Stavisky.

Ayes, 44. Nays, 13.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1633, by Senator Hannon, Senate Print 7902, an act to amend the Penal Law.

SENATOR LIBOUS: Mr. President, is

there a message of necessity at the desk?

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

SENATOR LIBOUS: I move to accept the message.

ACTING PRESIDENT VALESKY: All those in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message from the Governor is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1634, by Senator Carlucci, Senate Print 7903, an

act to amend the Mental Hygiene Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message.

ACTING PRESIDENT VALESKY: All those in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1635, by Senator Hannon, Senate Print 7904, an act to amend the Mental Hygiene Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1636, by Senator Marchione, Senate Print 7905, an act to amend the Public Health Law.

SENATOR LIBOUS: Is there a message of necessity at the desk?

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

SENATOR LIBOUS: Mr. President, I move to accept the message, sir.

ACTING PRESIDENT VALESKY: All in favor of accepting the message signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1637, by Senator Martins, Senate Print 7906, an act to amend the Public Health Law.

SENATOR LIBOUS: Is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1638, by Senator Marcellino, Senate Print 7907, an act to amend the Penal Law.

SENATOR LIBOUS: Is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message, Mr. President.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 2. Senators Hoylman and Rivera recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1639, by Senator Hannon, Senate Print 7908, an act to amend the Criminal Procedure Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move that we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY:

Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1640, by Senator Felder, Senate Print 7909, an act to amend the Family Court Act.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message signify by saying

aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1641, by Senator Martins, Senate Print 7910, an act to amend the Education Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1642, by Senator Boyle, Senate Print 7911, an act to amend the Mental Hygiene Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: I move we accept the message, sir.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1643, by Senator Seward, Senate Print 7912, an act to amend the Insurance Law.

SENATOR LIBOUS: Mr. President, is there a message of necessity at the desk?

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

SENATOR LIBOUS: Mr. President, I move that we accept the message.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Seward to explain his vote.

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

You know, heroin addiction is a menace that is infiltrating all social, economic

and geographic sectors of our state, and it's taking a deadly toll.

You know, with the good work of the Senate Task Force on Heroin and Opioid Addiction, chaired by Senator Boyle -- a number of us were members of that -- and the fact that we now have a three-way agreement on a package of bills that we're passing at this time, we now have a multipronged strategy to combat this epidemic that includes education and prevention, treatment and law enforcement.

This particular bill before us at this time improves insurance coverage for substance abuse disorder treatment by strengthening and standardizing the utilization review process by which our health plans determine coverage for substance abuse treatment services.

It also creates an expedited appeals process and requires the insurers to continue to provide coverage and to reimburse for treatment throughout the entire appeals process.

It does so by requiring the plans to use healthcare providers who specialize in

substance abuse disorder treatment when making coverage determinations. It also requires OASAS to provide a standard set of evidence-based peer review criteria for plans to use when making treatment determinations.

You know, when a heroin addict decides to seek treatment, it's crucial that the services are made available in a timely manner. It may be a turning point in that person's life, and I don't want that moment to pass because of insurance paperwork or denial of services made by a nonmedically qualified staff member at the insurance company or a drawn-out appeals process.

You know, this legislation before us now addresses all of these concerns. And, Mr. President, I vote aye.

ACTING PRESIDENT VALESKY: Senator Seward to be recorded in the affirmative.

Senator Bonacic to explain his vote.

SENATOR BONACIC: Thank you, Mr. President.

I want to thank my colleagues here in both houses. We just passed 11 pieces of

legislation to combat opioids and heroin. And I want to say that government can only go so far, and this is a good first step.

I want to thank Senator Boyle for chairing the task force that went across the whole state and took input on all the forums; Senator Mike Nozzolio, Senator Carlucci, they co-chaired it; and all of the task force members.

And it's not only about taking credit, it's about getting ahead of this heroin epidemic. And we're going to need more than just government to pass laws. We're going to need the help of communities and all of the people in the communities to work together to get ahead of this heroin epidemic.

I vote yes. Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Bonacic to be recorded in the affirmative.

Senator Hannon to explain his vote.

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

This is the last bill of several that we introduced in regard to the heroin task

force.

I believe that the impetus to move this legislation is not only the underlying heroin epidemic, but the fact that it was carefully and thoughtfully brought to the attention of New Yorkers by Senator Phil Boyle in 18 hearings that were done throughout the state. It wasn't just regular hearings, but it brought the communities together and it really brought home to policymakers and opinion makers how much we had to move.

So today the bill that is sponsored by Senator Seward, which would enhance and increase the availability of insurance coverage for those seeking for overdose treatment, is a very key part of this. But so too will be the search for what is a cure for addiction, what is a good treatment for addiction, what is something likely to succeed, not likely to fail.

There's also other provisions in here I've sponsored, but one of the most important is in regard to an alternate treatment program so we don't have people who are experiencing acute cases going to the ER. A diversion program.

We've put money in the budget, and I look to have new thinking on this, not something traditional that we've had from OASAS in the past. We desperately need it.

And finally, having sponsored many years ago the naloxone bill for those with emergency services, which has saved countless lives, I'm calling on the Governor to sign something we've already passed which would expand naloxone to drug rehab groups, to parents who have children who are already addicted and likely to go through an overdose, because with the epidemic we need that expansion.

But I thank you very much and urge support for this legislation.

ACTING PRESIDENT VALESKY: Senator Hannon to be recorded in the affirmative.

Senator Nozzolio to explain his vote.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President and my colleagues, I wish to thank Senator Bonacic for his comments regarding the work of the task force, a task force chaired, as we all know, by Senator Boyle,

who did such an outstanding job. Of all the task forces that I've been part of through these years, I say that this task force worked so well.

Mr. President, you participated in a number of the hearings. And I want to thank also, across the aisle, Senator Carlucci for his participation.

It was unlike any other task force I've seen because it didn't focus on a hearing, people just presenting testimony, it really focused on the entire nature of the problem, the problem that we see communities facing. It was engaging in dialogue. Whether it was in Manhattan or in Auburn or in Elmira or in Western New York, it was a dialogue sensing individual problems of individual communities.

What we found, as you heard the testimony in Auburn, Mr. President, the focus was not just on the larger cities of our state but also how this problem has permeated into the suburban areas, our rural areas, small towns -- no longer just an inner-city problem.

These legislative measures go a long way in addressing the problems. We still

need to focus on additional funds for treatment. And I think that that certainly will be a focus of the next legislative session as well, to see how resources can be better utilized, how our correctional system can be more adapted, how former correctional facilities can be looked at as places of treatment, not through the prison system but through the OASAS system in our state as well as private treatment providers.

Mr. President, I'm very proud of the work that this Legislature is doing on this problem. It is so multifaceted that these legislative measures, although great first initiatives, will need to have additional work in the months ahead. And I certainly look forward to that because the seriousness of this problem are extreme.

Governor Cuomo said this yesterday. He said the costs that are part and parcel of the measures put forward pale in comparison to the costs to our society because of this heroin epidemic. And that we must do all we can to eliminate that problem, reduce the societal costs, and all of us will be better off.

So thank you, Mr. President. That

it is indeed an honor to serve on this task force and to work in its development of these important legislative measures.

ACTING PRESIDENT VALESKY: Senator Nozzolio to be recorded in the affirmative.

Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

And I too want to rise and thank my colleagues for participating in this very important effort, particularly to Chairman Boyle, who chaired the task force, and Senator Nozzolio, the cochair, and all the members that participated.

Through the many hearings that I was able to attend we heard so many different stories from different people. And one of the pieces of legislation that's so important were addressing the insurance concerns that we heard from hearing to hearing.

And one of the other important things that we have to take into consideration when we're talking about heroin and opiate addiction, right now 467,000 Americans are

addicted to heroin. And what we find is those that are seeking help, that are trying to get over that addiction, that they're 80 percent more likely to relapse than other addicts.

And in this legislation that we address when we talk about wraparound services for people that are leaving outpatient treatment, that with the wraparound that we'll provide, they'll be able to have access to a jobs counselor, transportation services, childcare services, making sure that we treat addiction for what it is, for the disease that it is, and make sure that people finally can get better. This is really a relapse prevention program and will make sure that people are on their way to a healthy life.

So I want to thank my colleagues for working so hard on this legislation and look forward to seeing some real results in making sure that we get people off of this horrible disease that we've seen.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Carlucci to be recorded in the affirmative.

Senator Kennedy to explain his

vote.

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

First and foremost, I want to give credit where credit's due to all of my colleagues on both sides of the aisle that worked so hard all across this state to bring this legislation to the forefront, to bring this legislation to a vote here tonight.

There have been so many deaths attributed to heroin and to opiate addiction that we must act, we must act decisively, and we must act immediately. And because of the good work of so many of my colleagues with the parents that have suffered losses of their children, community leaders, drug rehab professionals that have come to the table all across New York State, we're advancing comprehensive legislation that will undoubtedly save lives all across New York State and make New York State a leader in the nation when it comes to fighting this heroin epidemic and this opiate epidemic.

Twenty-nine individuals died in Erie County in 2013, an increase of 45 percent

from just the year prior. One hundred six deaths in Erie County, skyrocketing from just five years earlier. Why? Because heroin is becoming more and more available to those individuals that are suffering from this addiction. It's cheaper, it's easily accessible, and we must address this problem. And we're doing it here tonight.

I thank my colleagues again on both sides of the aisle for all of their work in bringing this instrumental legislation to the floor and helping to save lives in New York State.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT VALESKY: Senator Kennedy in the affirmative.

Senator Boyle to explain his vote.

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

I'd like to thank the Majority Coalition leaders, Senator Skelos and Senator Klein, the Heroin Task Force members, my cochairs Senator Nozzolio and Senator Carlucci, and all the task force members, and all of my

friends on both sides of the aisle, for bringing us here this evening.

Also I'd like to give praise to the Governor for his leadership on this issue, and Assembly Speaker Silver for coming upon this three-way agreement for a package of legislation that is truly going to make a difference in people's lives.

In the 18 forums we held around the state we heard from family members, from friends of those suffering from addiction, and from addicts themselves. We had witnesses in the hundreds of treatment providers, prevention providers, and law enforcement officials.

This is a comprehensive package which was done probably in record legislative time to combat perhaps the biggest threat to many of our communities today. And I want to thank all of my colleagues for helping to bring this about, doing it in near-unanimous fashion, and to say that we know that you are suffering from heroin or opioid addiction problems in your communities.

I can say that one of the biggest challenges we faced in these forums was the idea

of stigma. So many parents said that they were ashamed that their child was an addict or they actually didn't believe it. Some of the testimony I heard, one was the sheriff of Sullivan County acknowledging that his daughter was a heroin addict. One father came up to us and said that all his friends told him "Your son is on heroin," and he refused to believe it. His son died of an overdose, and it was too late.

It's not too late for the rest of our children in New York State. It's not too late for friends and families, brothers and sisters, mothers and fathers. This package of legislation will make a difference. We need to erase the stigma. We understand that this is a disease. If you need help, you can get help. This legislative package is going to help you do that.

This is not the end of the heroin epidemic in New York State, but it is the beginning of the end. And thank you to all of my colleagues for passing this legislation tonight.

I vote in the affirmative.

ACTING PRESIDENT VALESKY: Senator Boyle in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Well, many people have spoken. I just stand to recognize the work of my colleague Neil Breslin in bringing these critical issues to the attention of our conference first and having hearings to deal with documenting the problems and ending up with a series of proposals not dissimilar from the bills that we are passing here today.

So I want to also recognize and thank Senator Breslin.

ACTING PRESIDENT VALESKY: Senator Krueger in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Libous.

SENATOR LIBOUS: Mr. President, if we can go back to Calendar 1618, I'd like to lay that aside for the day. Originally we laid it aside temporarily.

ACTING PRESIDENT VALESKY:

Calendar Number 1618 will be laid aside for the day.

Senator Libous.

SENATOR LIBOUS: Mr. President, there will be a Finance Committee meeting at 6:45 in Room 332. And then when the Finance Committee is complete, we'll come back and take up those nominees.

ACTING PRESIDENT VALESKY: Meeting of the Senate Finance Committee at 6:45 in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 6:35 p.m.)

(Whereupon, the Senate reconvened at 7:42 p.m.)

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Mr. President, would you call on Senator DeFrancisco.

ACTING PRESIDENT CARLUCCI:

Senator DeFrancisco.

SENATOR DeFRANCISCO: I believe

there's a report of the Finance Committee at the desk. May we have it read.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nominations.

As member and chair of the Industrial Board of Appeals: Vilda Mayuga, of New York.

As director of the New York City Convention Center Operating Corporation: Gary Lavine, of Fayetteville.

As member of the New York State Olympic Regional Development Authority: Joseph Vernon Lamb III, of Lake Placid.

As member of the State Park, Recreation and Historic Preservation Commission for the City of New York: Lata N. Reddy, of New York.

As members of the Central New York Developmental Disabilities Services Office Board of Visitors: Laura Kiefer, of Little Falls; Jan A. Klesse, of New Hartford; and Carol K. Neveu, of Oneida.

As members of the Public Health and Health Planning Council: Jo Ivey Boufford, M.D., of New York, and Carla Boutin-Foster, M.D., of Brooklyn.

As members of the State Board of Real Property Tax Services: Judith A. Dagostino, of Schenectady, and Eugenio (Gene) Martinez, of New York.

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: I would like to move each of the nominees as read.

ACTING PRESIDENT CARLUCCI: The question is on the nomination of the nominees read by the Secretary of the Senate. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The nominees are confirmed.

SENATOR DeFRANCISCO: Thank you.

ACTING PRESIDENT CARLUCCI: Senator Libous.

SENATOR LIBOUS: The Senate will stand at ease.

ACTING PRESIDENT CARLUCCI: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 7:44 p.m.)

(Whereupon, the Senate reconvened at 9:34 p.m.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

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

ACTING PRESIDENT CARLUCCI: 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 9:35 p.m.)

(Whereupon, the Senate reconvened at 10:05 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come to order.

Senator Hannon.

SENATOR HANNON: Mr. President, we have to make sure we have the calendars out so we can accept the Rules report.

(Pause.)

SENATOR HANNON: Mr. President.

ACTING PRESIDENT VALESKY: Senator Hannon.

SENATOR HANNON: If there is a report of the Rules Committee at the desk, I'd ask that the Rules Committee report be read. And there may be another supplemental Rules Committee report after that.

ACTING PRESIDENT VALESKY: There is a report of the Rules Committee at the desk.

The Secretary will read.

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

Senate Print 3633A, by Senator Golden, an act to amend the Public Authorities Law;

Senate 4830A, by Senator Savino, an act to amend the Social Services Law;

Senate 6880A, by Senator Ritchie, an act to amend the Agriculture and Markets Law;

Senate 7028B, by Senator Klein, an act to amend the Transportation Law;

Senate 7145, by Senator Young, an act in relation to redistributing;

Senate 7200, by Senator Gallivan, an act to amend the Tax Law;

Senate 7314, by Senator Hassell-Thompson, an act to amend the Executive Law;

Senate 7685, by Senator Skelos, an act to authorize;

Senate 7756, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 7757, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 7813A, by Senator Marcellino, an act to amend the Alcoholic Beverage Control Law;

Senate 7816, by Senator Farley, an act to amend the Uniform Commercial Code;

Senate 7817, by the Committee on Rules, an act to amend Part A of Chapter 56 of the Laws of 2014;

Senate 7824, by Senator Seward, an act to amend the Highway Law;

Senate 7837, by Senator Squadron, an act to amend the Alcoholic Beverage Control Law;

Senate 7846, by Senator Libous, an act to amend the General Business Law;

Senate 7890, by Senator Lanza, an act to amend the Environmental Conservation Law;

And Senate 7892, by Senator Klein, an act to amend the Vehicle and Traffic Law;

All bills reported direct to third reading.

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The report of the Rules Committee is accepted.

Senator Hannon.

SENATOR HANNON: If we could just stand at ease for a few moments, Mr. President.

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

(Whereupon, the Senate stood at ease at 10:08 p.m.)

(Whereupon, the Senate reconvened at 10:12 p.m.)

ACTING PRESIDENT VALESKY: Senator Hannon.

SENATOR HANNON: Mr. President, I believe on the desks for everybody is the bills for the supplemental calendar.

I would ask that that Rules report be read by the clerk.

ACTING PRESIDENT VALESKY: The Secretary will read.

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

Senate Print 7921, by Senator Flanagan, an act relating to temporary provisions;

And Senate 7923, by Senator Savino, an act to amend the Public Health Law.

Both bills reported direct to third reading.

ACTING PRESIDENT VALESKY: Senator Hannon.

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

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The report of the Rules Committee is accepted.

SENATOR HANNON: Mr. President, would you call on Senator Gianaris.

ACTING PRESIDENT VALESKY: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

On behalf of Senator Serrano, there will be an immediate meeting of the Democratic Conference in the Democratic Conference Room.

ACTING PRESIDENT VALESKY: There's an immediate meeting of the Senate

Democratic Conference Room in the Democratic Conference Room.

Senator Hannon.

SENATOR HANNON: And there will be an immediate meeting of the Republican Conference in the Republican Conference Room.

ACTING PRESIDENT VALESKY: Immediate meeting of the Republican Conference in the Republican Conference Room.

The Senate will stand at ease.

SENATOR HANNON: Thank you.

(Whereupon, the Senate stood at ease at 10:13 p.m.)

(Whereupon, the Senate reconvened at 11:57 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come to order.

Senator Hannon.

SENATOR HANNON: Mr. President, before we proceed with other matters -- calendars and bills -- we need to make a motion to continue the session for the day past midnight, pursuant to the rules of the Senate.

ACTING PRESIDENT VALESKY: All in favor of continuing Thursday's session indicate

by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: Senator LaValle, why do you rise?

SENATOR LaVALLE: I wanted to speak on the motion.

ACTING PRESIDENT VALESKY: Senator LaValle on the motion.

SENATOR LaVALLE: Thank you.

I'm going to support the motion on the basis of what I believe the time period is. The rules of this house were set in place because what we call the Tully Rule, who passed away in the belief that working late into the night led to his death.

But my understanding is that we're coming back at a later time today to finish our work and that the schedule is limited, so I'm supporting this motion on that belief.

ACTING PRESIDENT VALESKY: Thank you, Senator LaValle.

The question was called on the

motion. The motion carries.

Senator Hannon.

SENATOR HANNON: Thank you, Mr. President.

In order to accommodate the different schedules of the two houses, we're going to ask before we take up bills that we deal with some Assembly hand-downs. Now, these hand-downs are three bills, and each of them have been placed on the members' desks.

And I believe people are familiar with them, and I'd ask that the clerk read them.

ACTING PRESIDENT VALESKY: Returning to messages from the Assembly, the Secretary will read.

THE SECRETARY: The Assembly sent for concurrence the following bill. On motion by Senator Skelos and Senator Klein, the rules were suspended and said bill ordered to third reading: Assembly Bill Number 8097.

The Assembly sent for concurrence the following bill. On motion by Senator Skelos and Senator Klein, the rules were suspended and said bill ordered to a third reading: Assembly Bill Number 8821A.

The Assembly sent for concurrence the following bill. On motion by Senator Skelos and Senator Klein, the rules were suspended and said bill ordered to third reading: Assembly Bill Number 9217B.

ACTING PRESIDENT VALESKY: So ordered.

Senator Hannon.

SENATOR HANNON: Mr. President, could we now have a noncontroversial reading of those hand-down bills by the clerk.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 1660, by Member of the Assembly Hooper, Assembly Print 8097, an act to amend the General Municipal Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to

Calendar 1660, those recorded in the negative are Senators Ball, Flanagan, Krueger, Marcellino and Martins.

(Pause.)

THE SECRETARY: In relation to Calendar 1660, those recorded in the negative are Senators Ball, Boyle, DeFrancisco, Felder, Flanagan, Griffo, Krueger, Marcellino, Martins and Zeldin.

(Pause.)

THE SECRETARY: In relation to Calendar 1660, those recorded in the negative are Senators Ball, Boyle, DeFrancisco, Felder, Flanagan, Griffo, Krueger, Larkin, Marcellino, Marchione, Martins, Nozzolio, O'Mara, Ranzenhofer and Zeldin. Also Senator Bonacic.

Ayes, 44. Nays, 16.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1661, by Member of the Assembly Hooper, Assembly Print Number 8821A, an act to authorize.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1661, those recorded in the negative are Senators Ball, Boyle, Flanagan, Marcellino, Martins and Zeldin.

Ayes, 54. Nays, 6.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1662, by Member of the Assembly Aubry, Assembly Print 9217B, an act to amend Chapter 164 of the Laws of 1907.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Mr. President.

This important legislation responds to a particular crisis we had in the Queens Library system recently where there was a problem with the president of the Queens Library and the accountability of the board in general.

This bill will impose new audit requirements, tough conflict-of-interest laws, and restrictions on outside income that will go a long way towards improving things and preventing similar controversies and scandals in the future.

I want to thank a lot of people who were involved in this -- the borough president of Queens and Assemblyman Aubry most notably, but also all of my colleagues from Queens in this body, particularly Senator Avella, who put in a tremendous amount of work on this himself. And I'm glad we were able to come to terms on an agreeable solution that will put the interests of the library system and the people of Queens first.

Thank you.

ACTING PRESIDENT VALESKY: Senator

Gianaris to be recorded in the affirmative.

Senator Avella to explain his vote.

SENATOR AVELLA: Thank you, Mr. President.

And I want to thank Senator Gianaris for his comments.

This is a very important bill in terms of reforming the Queens Borough Public Library. I'm happy that we were able to work with Assemblyman Aubry and put in more strict regulations.

And we will be coming back to this piece of legislation in next session to put in even stronger regulations to make sure that the Queens Borough Public Library, which receives 90 percent of its money from city, state and federal grants, works for the betterment of the people and not itself.

I urge my colleagues to vote in favor of this.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Avella in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays,

1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Hannon, that completes action on the Assembly hand-downs.

SENATOR HANNON: Yes, Mr. President. I'd ask if we could move to Senate Supplemental Calendar 53B and have the clerk read it on a consent basis.

ACTING PRESIDENT VALESKY: The Secretary will read Senate Supplemental Calendar 53B.

THE SECRETARY: Calendar Number 1601, by Senator Golden, Senate Print 3633A, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I'm

going to vote no.

I understand that it's a good thing to help the Metropolitan Transportation Authority save money for the benefit of its consumers and its travelers, but there are other authorities that also issue bonds. And one that comes to mind that services upstate New York is the Thruway Authority. And I understand there may be other bills like this coming up very soon for specific authorities.

I just think if you're going to waive the fees for one, it should be across the board and the fees on these bonds should be waived for all. So I vote no on that basis.

ACTING PRESIDENT VALESKY: Senator DeFrancisco in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1601, those recorded in the negative are Senators Ball, DeFrancisco, Gipson and Marchione. Also Senator Bonacic.

Ayes, 55. Nays, 5.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

1615, by Senator Savino, Senate Print 4830A, an act to amend the Social Services Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 5. Senators Ball, Gipson, O'Brien, Tkaczyk and Zeldin recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Ritchie moves to discharge, from the Committee on Rules, Assembly Bill Number 9288A and substitute it for the identical Senate Bill Number 6880A, Third Reading Calendar 1623.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1623, by Member of the Assembly Magee, Assembly Print Number 9288A, an act to amend the

Agriculture and Markets Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1626, by Senator Klein, Senate Print 7028B, an act to amend the Transportation Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Klein to explain his vote.

SENATOR KLEIN: Thank you, Mr. President.

This legislation comes about, unfortunately, through a number of tragedies and potential tragedies that have taken place around New York over the last several years. This is the whole issue of party buses.

While a lot of these buses have very benign intent, unfortunately over the last couple of years teenagers are using these buses for no other reason than to break the law and to drink illegally. I think everyone probably heard out on Long Island, in Southampton, 40 high schoolers were found in various levels of intoxication after police were called to respond after a bus was forced off the road and destroyed by the teenagers on board.

Two years ago a 16-year-old from Woodside, Queens, was not so fortunate when he was killed on board a double-decker party bus when he stuck out his head out of a safety hatch which wasn't locked.

Before we have any more of these tragedies, I think we have to do some strict regulation of these party buses. Like I said before, in some cases there isn't any problem, but unfortunately a lot of times these buses are

used really for an excuse of underage drinking.

This legislation is rather simple, but I think it will go a long way towards protecting individuals when they actually contract out for one these party buses.

What we need to do first is make sure that a driver is alerted when any emergency exit has been opened without authorization. In many cases the only adult on board these buses is actually the driver. So if he's actually driving the bus, he or she, there's no way of telling if a door is opened, a hatch is opened or anything else. So this would require a warning system as well as red lights and sound alert for the driver.

Second, and probably most important, it would require supervision for any group of passengers under the age of 21. There would be two options: A parent or adult over 21 would have to be on one of these buses if there's minors on board, or they can actually get an adult chaperone, which would be provided by the bus company. Right now that is not a requirement, and that's why we run into all sorts of problems.

This legislation I think is long overdue, and I think it's going to go a long way to ensure that we're not banning these party buses but, when they are contracted out, they're safe and secure and don't cause any more additional problems or, God forbid, taking any more lives.

So, Mr. President, I of course vote yes on this legislation.

ACTING PRESIDENT VALESKY: Senator Klein in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1626, those recorded in the negative are Senators Ball, Little, Marchione and Zeldin.

Ayes, 56. Nays, 4.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Young moves to discharge, from the Committee on Finance, Assembly Bill Number 9033 and substitute it for the identical Senate Bill Number 7145, Third Reading Calendar 1644.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1644, by Member of the Assembly Magnarelli, Assembly Print Number 9033, an act in relation to redistributing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1645, by Senator Gallivan, Senate Print 7200, an act to amend the Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2014.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Hassell-Thompson moves to discharge, from the Committee on Rules, Assembly Bill Number 9668 and substitute it for the identical Senate Bill Number 7314, Third Reading Calendar 1646.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1646, by Member of the Assembly Rodriguez, Assembly Print 9668, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1647, by Senator Skelos, Senate Print 7685, an act to authorize.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 3. Senators Bonacic, Larkin and O'Mara recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9952 and substitute it for the identical Senate Bill Number 7756, Third Reading Calendar 1648.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1648, by the Assembly Committee on Rules, Assembly Print 9952, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1649, by Senator Golden, Senate Print 7757, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Little recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Marcellino moves to discharge, from the Committee on Rules, Assembly Bill Number 10122 and substitute it for the identical Senate Bill Number 7813A, Third Reading Calendar 1650.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1650, by the Assembly Committee on Rules, Assembly Bill 10122, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 26. This act shall take effect on the 30th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Senator Farley moves to discharge, from the Committee on Rules, Assembly Bill Number 9933 and substitute it for the identical Senate Bill Number 7816, Third Reading Calendar 1651.

ACTING PRESIDENT VALESKY: Substitution ordered.

THE SECRETARY: Calendar Number 1651, by the Assembly Committee on Rules, Assembly Bill 9933, an act to amend the Uniform Commercial Code.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Farley to explain his vote.

SENATOR FARLEY: Thank you, Mr. President.

My colleagues, this is a very significant bill, one that has been long overdue

in coming, where New York has been infamous for being the un-Uniform Commercial Code state. And this would modernize three articles of the Uniform Commercial Code, and it would bring New York into compliance with most of the other states in the nation.

This bill passed the Assembly unanimously. And let me pay tribute to the New York City Bar Association, because they've been the impetus to really make this happen.

And historically, New York has been a leading state for commercial law, and this statute generates economic activity and employment in this state. I've taught in the commercial law for several decades, and it was always embarrassing how different we were with the rest of the nation. We've fallen significantly behind other states in modernizing our commercial code, and it places New York at risk as being a less desirable place for commercial transactions.

Actually, this legislation will facilitate commerce, ease transactions, and enactment of these provisions and amendments will make commercial transactions more

predictable and will bring New York law into accord with almost every other state. And I urge my colleagues to support this legislation.

Thank you very much.

ACTING PRESIDENT VALESKY: Senator Farley in the affirmative.

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I want to agree with and congratulate Senator Farley.

You know, it seems in this day and age there's an "issue of the day" every other day. This has been a issue of decades where we've been out of whack with the commercial code of every other state in the Union. And we're supposed to be the commercial giant.

We've got one little problem, however. We still have Article 2 that hasn't been conformed to the rest of the states. Don't know quite why. Hopefully we won't have to wait another three decades to address an issue that's so important to people conducting commercial transactions in the state.

I vote aye.

ACTING PRESIDENT VALESKY: Senator

DeFrancisco in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Skelos moves to discharge, from the Committee on Rules, Assembly Bill Number 10069 and substitute it for the identical Senate Bill Number 7817, Third Reading Calendar 1652.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1652, by the Assembly Committee on Rules, Assembly Bill 10069, an act to amend Part A of Chapter 56 of the Laws of 2014.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 1653, by Senator Seward, Senate Print 7824, an act to amend the Highway Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Squadron moves to discharge, from the Committee on Rules, Assembly Bill Number 10094 and substitute it for the identical Senate Bill Number 7837, Third Reading Calendar 1654.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1654, by the Assembly Committee on Rules,

Assembly Print Number 10094, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Libous moves to discharge, from the Committee on Rules, Assembly Bill Number 4735A and substitute it for the identical Senate Bill Number 7846, Third Reading Calendar 1655.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1655, by Member of the Assembly Perry, Assembly Print 4735A, an act to amend the General Business Law.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 10143 and substitute it for the identical Senate Bill Number 7890, Third Reading Calendar 1656.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1656, by the Assembly Committee on Rules, Assembly Print 10143, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I rise to thank Senator Lanza for the bill and to highlight that there also, hopefully tomorrow, will be a chapter amendment brought to us that I worked on with Senator Lanza. It has been given to us with a message of necessity.

Just to clarify, all this chapter amendment would do -- but it's very important that we do that as well -- is include several museums who were accidentally left out of this bill because they are chartered by the Legislature rather than the Regents.

So we will complete our assignment for this piece of legislation tomorrow. But I'm very glad to see the house passing it.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator

Krueger in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1656, those recorded in the negative are Senators Ball, Farley, Gallivan, Griffo, Larkin, Little, Maziarz, O'Mara, Ranzenhofer, Ritchie, Seward, Young and Zeldin. Also Senator Nozzolio. Also Senator Bonacic.

ACTING PRESIDENT VALESKY: Senator Ball to explain his vote.

SENATOR BALL: Just really quick, just to clarify.

I also want to thank Senator Lanza for his efforts. There were certain concerns raised by the National Rifle Association.

Just really quickly, just to read, ivory is commonly found in homes and businesses throughout New York State. It's used in art, furniture, musical instruments, jewelry, as well inlays. Without the ability to legally transfer these items, they'd be essentially valueless.

There are a few other points. My hope was that we could have worked out these measures a little bit earlier.

And I certainly support the

conservation efforts and understand the problem, but because of the technical complications in the bill, I won't be able to support it.

Thanks.

ACTING PRESIDENT VALESKY: Senator Ball to be recorded in the negative.

Reannounce the results.

THE SECRETARY: In relation to Calendar 1656, those recorded in the negative are Senators Ball, Bonacic, Farley, Gallivan, Griffo, Larkin, Libous, Little, Marchione, Maziarz, Nozzolio, O'Mara, Ranzenhofer, Ritchie, Seward, Young and Zeldin.

Ayes, 43. Nays, 17.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Senator Klein moves to discharge, from the Committee on Transportation, Assembly Bill Number 10144 and substitute it for the identical Senate Bill Number 7892, Third Reading Calendar 1657.

ACTING PRESIDENT VALESKY: Substitution ordered.

There is a home-rule message at the desk.

The Secretary will read.

THE SECRETARY: Calendar Number 1657, by the Assembly Committee on Rules, Assembly Print 10144, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Klein to explain his vote.

SENATOR KLEIN: Thank you, Mr. President.

This bill will make sure that the City of New York streets are safer by allowing the City Department of Transportation to reduce the speed limit to 25 miles per hour on all roadways where no signs are posted or where it's currently 30 miles an hour. This is part of the mayor of the City of New York's Vision Zero plan.

Many of you probably know that last

year there was a pilot program by then-Mayor Bloomberg that did 20 speed cameras around schools. This year, as a part of the budget, we added another 120 speed cameras around schools, so now we have 140 within the City of New York.

The overall plan is to reduce traffic fatalities in the City of New York, which unfortunately are on the rise. Statistics show that lowering the speed limit to 25 miles per hour dramatically reduces the chance of a pedestrian car-related fatality to one in 10.

This builds on the work we did earlier, as I said, on the speed cameras. And I think overall this is a comprehensive approach we're now taking to really make our streets safer in the City of New York.

One of the issues that I got involved to I think strengthen this legislation was to make sure we have community input. Originally the bill was silent on community boards having any type of input in the City of New York. As many of you may know, community boards around the City of New York play a very important role in advising the Department of Transportation in many cases on what is the best

way to make sure that traffic fatalities or the roadways within their community boards are safer.

So I think, all in all, by giving the community boards input in really telling the Department of Transportation how we can best make individual streets safer, I think is a very important approach that I'm glad we're now taking.

The bottom line, my colleagues, is that our streets shouldn't be considered raceways by New York drivers, and I think this bill makes sure that our pedestrians have an added layer of protection.

I vote yes, Mr. President.

ACTING PRESIDENT VALESKY: Senator Klein in the affirmative.

Senator Dilan to explain his vote.

SENATOR DILAN: Yes, Mr. President. I rise also in support of this piece of legislation.

As many of you may know, I have similar legislation before this body. However, this piece of legislation does accomplish the same goal by saving lives by authorizing the

City of New York to reduce the speed limit in the City of New York on designated roads to 25 miles per hour.

Many of the victims' families have also supported this piece of legislation, as well as the City of New York and many transportation advocates.

So in that sense, since it does accomplish the same, and I've had many victims within my Senate district, for those reasons I support this piece of legislation.

Thank you.

ACTING PRESIDENT VALESKY: Senator Dilan in the affirmative.

Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise also to support this bill, thanking my colleagues Senator Klein, Senator Dilan, Senator Lanza for moving this bill.

There were a number of important players on this floor. But as Senator Dilan has pointed out, the activists who have fought for this legislation for the last several months

deserve our highest praise.

I wanted to mention in particular the Cohen/Eckstein family, who lost their son, Sammy Cohen Eckstein, a couple of months before his bar mitzvah. They have turned a tragedy into activism. They have done a terrific job in making this issue at the forefront of our minds, for the reason that the leading cause of injury-related deaths for children under 14 are car crashes.

And to be clear, Mr. President, there are no such things as car accidents. They are car crashes. And by lowering the speed limit, we will reduce them. I in my district have the most dangerous intersection, according to statistics, at 57th Street and Eighth Avenue. So this is a welcome bill, and it will be a welcome law.

So thank you, Senators, for your support. And I vote aye.

ACTING PRESIDENT VALESKY: Senator Hoylman in the affirmative.

Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you very

much.

And I'd like to join in congratulating my colleagues, thanking Senator Dilan for his work, congratulating Senator Klein and Senator Lanza for moving this bill.

A couple more statistics, and these hit home, as the father of two young children in the city. In addition to being the number-one cause of injury-related death, at 40 miles an hour a car is 98 percent likely to cause a fatality, as opposed to the 10 percent that Senator Klein cited previously.

There are 70 deaths a year that they believe will be prevented by this bill. That's 70 deaths a year, 70 people whose lives will likely be saved.

And for those who wonder whether it's going to make congestion worse, the average car trip in New York City is about 3 miles, which means this will increase the average car trip by about a minute if people comply with the law. And it will mean many fewer people are in that really fatal speed between 30 and 40 miles an hour. Which means all of us who use the streets, all of us whose hearts jump a little

bit when we grab onto our child's hand to take them to school or to the subway, will feel a little bit safer.

So I thank Mayor de Blasio for making this a top priority, and my colleagues in on both sides of the aisle in both houses for allowing this vote.

I vote aye, Mr. President.

ACTING PRESIDENT VALESKY: Senator Squadron in the affirmative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

I too rise to pay tribute to a little girl, Allison Liao, who was killed on the streets of Flushing on her way home from school with her grandmother. But Amy Tam and Hsi-Pei Liao turned a tragedy into less of a tragedy, founding a group called Families for Safe Streets. And it's through their efforts that we have highlighted the need for traffic safety.

And I vote aye. Thank you.

ACTING PRESIDENT VALESKY: Senator Stavisky in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 2. Senators Ball and Zeldin recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Hannon, that completes the noncontroversial reading of Senate Supplemental Calendar 53B.

SENATOR HANNON: Mr. President, could we go to the calendar and take up Calendar Number 1581, by Senator Klein.

ACTING PRESIDENT VALESKY: The Secretary will read, from the supplemental active list, Calendar 1581.

THE SECRETARY: Calendar Number 1581, by Senator Klein, Senate Print 7868, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Klein to explain his vote.

SENATOR KLEIN: Thank you, Mr. President.

This is a very important piece of legislation because it closes a glaring loophole that presently exists in a law that we passed several years ago.

Currently a sex offender is banned from knowingly being within a thousand feet of any school. That's a Level 2 and 3 sexual predator. Unfortunately, we found out recently that the Penal Law defines school grounds to include public and private elementary and secondary schools but does not include preschools. So kindergarten and UPK are excluded.

Needless to say, what we found over the last six months is that, first, the law isn't being enforced properly because there's actually no sharing of information between the Division of Criminal Justice Services and the Department of Education. We passed that legislation earlier in the week.

This is extremely important,

because I think everyone knows -- especially in the City of New York, where we dedicated so much funding to universal pre-K, which is going to be dramatically expanded throughout the city, and throughout the state as well in certain areas -- that we want to make sure that our children, when they go to school, any school, even preschool, are protected.

So I vote yes, Mr. President, on this important change in our Penal Law.

ACTING PRESIDENT VALESKY: Senator Klein to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Hannon, that completes the reading of the supplemental active list.

SENATOR HANNON: Yes, Mr. President. Could we go to Supplemental Calendar 53C and do the noncontroversial reading just of Calendar 1658.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the noncontroversial reading of Senate Supplemental Calendar 53C,

Calendar 1658.

THE SECRETARY: Senator Flanagan moves to discharge, from the Committee on Rules, Assembly Bill Number 10168 and substitute it for the identical Senate Bill Number 7921, Third Reading Calendar 1658.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1658, by the Assembly Committee on Rules, Assembly Print 10168, an act relating to temporary provisions.

ACTING PRESIDENT VALESKY: Senator Hannon.

SENATOR HANNON: Is there a message at the desk?

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

SENATOR HANNON: Can we accept the message, please.

ACTING PRESIDENT VALESKY: All in favor of accepting the message of necessity from the Governor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY:

Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message is accepted.

The Secretary will read.

SENATOR HANNON: Mr. President, before we get there, I'd just like to make an announcement that there will be an immediate meeting of the Racing and Wagering Committee in Room 332. And just on notice, there will be, subsequent to that, a meeting of the Finance Committee.

ACTING PRESIDENT VALESKY: An immediate meeting of the Senate Racing and Wagering Committee in Room 332.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Just a suggestion. Since the two nominees that are appearing are appearing both before the Racing and Gaming and Finance, if the members of Finance could at least attend the first meeting, then we don't have to ask the same questions of the same two people 20 minutes later.

So just a suggestion.

ACTING PRESIDENT VALESKY: The Senate Committees on Racing and Wagering and Finance will proceed immediately to Room 332.

Senator Hannon.

SENATOR HANNON: If we could proceed with Calendar Number 1658.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 1658, by the Assembly Committee on Rules, Assembly Print 10168, an act relating to temporary provisions.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Flanagan to explain his vote.

SENATOR FLANAGAN: Thank you, Mr. President.

Before I explain my vote, I just want to tell you what a lucky guy Senator Jack

Martins is. Because although it's belated, he got to spend his entire birthday with everyone in this chamber.

Senator Martins, happy birthday.

(Applause.)

SENATOR FLANAGAN: So to explain my vote, I certainly recognize that the hour is late. But when we think about education, I think we all basically focus on the same things. We want equality, we want opportunity, we want access. And as parents, we want the best for our children.

And one of the things that is paramount in education, if you're going to have good student outcomes, solid, strong student outcomes, you need an excellent teacher in front of that classroom. And one of the ways we can help make sure that we have excellent teachers is to make sure that they are adequately and properly prepared and that they have the tools and the resources to do their jobs and to make our children not only college- and career-ready, but hopefully decent human beings in our society.

The bill we have before us is a

compromise, and in many respects is a sort of the final chapter of this year in relation to education, Common Core, the budget. And everyone knows these issues. So I would say what we are doing here is consistent with what we did for students and parents in the budget.

This has been a collective effort. I certainly want to thank Senator Skelos for all the time and effort that he's put in on these issues. And everybody's diligence and patience has paid off.

People have characterized this in a myriad of ways. I'm doing it this way. Again, we are providing the same level of protection for teachers that we gave to students and parents. That's a good thing. We want our children to succeed, and this provides a vehicle, a framework and structure so that we can protect the integrity of our educational system, advance the interests of the teaching profession, and more important than anything else, make sure that our students have the best and most positive outcome.

I believe this is a very strong, positive bill and a step in the right direction,

and I cast my vote in the affirmative.

Thank you.

ACTING PRESIDENT VALESKY: Senator Flanagan to be recorded in the affirmative.

Senator Latimer to explain his vote.

SENATOR LATIMER: Thank you, Mr. President.

This bill is a very important bill. I compliment Senator Flanagan on advancing it. But I think it's important -- even though this is a late hour, we still have more business and more time in this chamber, so I think it's worth remembering that this bill is one part of a much larger issue, and we have spent the last six months talking about the larger issue.

We are embarking on a sea change in the way we deliver education. This is a major change in what we've done, and this is what's going to be done over the course of time.

So when we talk about a pause, a delay, a moratorium or a suspension, I hear critics that say that we're doing the wrong thing by having a pause or a delay or a moratorium or a suspension.

But the next 50 years of a child's life after they complete their education is going to be affected by what we do. And making sure that we get it right is more important than how fast we get it. Because 50 years of living will be built off of this educational structure that we have.

My father taught me a lesson when I was younger. He was expert at woodworking, and I was and still am incompetent in woodworking. But my dad told me: Measure twice, cut once. And that "measure twice, cut once," when you don't do it, means you have to go out and get a new piece of wood because you didn't do your diligence.

In this particular case we need to measure twice and make sure of what we're doing in the totality of this -- not just what we're dealing with tonight, but that this is one part of, as Senator Flanagan said, of a much larger issue.

We have dealt with slogans at the national level: No Child Left Behind. Race to the Top. Who doesn't want to be at the top of a race? Who doesn't want to play for the San

Antonio Spurs, the L.A. Kings, the Seattle Supersonics?

But not everybody wins the race. How are the rest of those students affected when we put our emphasis on a race? And when we say No Child Left Behind, do we really believe that no child is going to be disheartened by the type of testing modules that we're engaged in because of this federal program and policy?

We understand there's a tie-in in federal money, but we are still dealing with the lives of our children and our grandchildren for years to come.

Now, I'm a marketing man by profession, and I understand the value of slogans. Coke, it's the real thing. Join the Pepsi generation. GEICO, and you can save 15 percent on your car insurance in the next 15 minutes. I know these seem like product placements for the people who are watching on TV.

But the bottom line is, the education of our kids cannot be a slogan. It cannot merely be a race or children left behind.

And so what I want to see -- and I

know I've gone a little longer than my time, but we seem to have been here for quite a long time today; I suspect we're going to be here a little while longer. So I appreciate the indulgence of my colleagues and the president.

What we're looking at here, to me, is to make absolutely sure that this suspension of time gives us the time to make sure that we're not dealing with a slogan but the substance of what this sea change is, and that this sea change is in fact for the better. Because if we are wrong, in 10 years time people will look back and say: They did these changes and it hurt our children, not helped our children.

What we are doing tonight, at the direction of this bill through Senator Flanagan, is the right thing to do for tonight. But we cannot treat it as now we've dusted our hands and we go home back into our districts and we're done. I'm deeply concerned, as I have been throughout the course of this session, that we are dealing with slogans and not grassroots, bottom-up change.

I'll just complete with this

reality. I hear Senator Bill Larkin talk about his time in the military, how he led men into battle. I know the professionalism of Senator John DeFrancisco when he argues a case before the courtroom. I wouldn't dream of telling Senator Larkin how to fight a battle or Senator DeFrancisco how to prepare for a case.

Similarly, I look at all of these things under the rubric of Common Core as being academicians and business leaders and a host of people telling us how we ought to change our educational structure. But we have not talked, in my judgment, effectively to the people that deliver the education on the grassroots level.

So if we are going to have a new product out there, let's make sure the grassroots believes it's not an Edsel, that's it's actually a Mustang. Let's make sure that this isn't New Coke that's going to have to be replaced by Classic Coke in 10 years.

I vote in favor of this bill. I hope that it will represent an opportunity for us not just to deal with this one element of the issue, but the overall element of the issue, so that we are sure, as sure as we can be, that

we're heading in the right direction.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Latimer in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT VALESKY: The bill is passed.

Calendar Number 1659 is high and therefore laid aside for the day.

Senator Hannon, that completes Senate Supplemental Calendar 53C.

SENATOR HANNON: Mr. President, if you would take 1565, which was on the first active list, and lay that aside for the day.

ACTING PRESIDENT VALESKY: Calendar Number 1565, from the first active list, will be laid aside for the day.

SENATOR HANNON: Mr. President, I'd ask that we stand at ease for a few moments. There is another supplemental list coming out with one or two bills on it, and we anticipate taking that up shortly.

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

(Whereupon, the Senate stood at ease at 12:45 a.m.)

(Whereupon, the Senate reconvened at 1:30 a.m.)

SENATOR HANNON: Mr. President.

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Hannon.

SENATOR HANNON: While we're waiting for the report of the Finance Committee, I'd like to take up Calendar Number 1586, by Senator Golden, Senate Print 7876.

ACTING PRESIDENT CARLUCCI: The Secretary will read Calendar Number 1586.

THE SECRETARY: Calendar Number 1586, by Senator Golden, Senate Print 7876, an act to amend the Insurance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT CARLUCCI: The bill is passed.

Senator Hannon.

SENATOR HANNON: May we stand at ease awaiting the report.

ACTING PRESIDENT CARLUCCI: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 1:31 a.m.)

(Whereupon, the Senate reconvened at 1:48 a.m.)

SENATOR HANNON: Mr. President.

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Hannon.

SENATOR HANNON: Would you recognize Senator Gianaris, please.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

At this hour, since we are technically in yesterday's time, according to the Senate, I do want to recognize, in addition to Senator Martins' birthday yesterday or today,

it was also Senator Serrano's.

ACTING PRESIDENT CARLUCCI: Happy birthday.

(Applause.)

ACTING PRESIDENT CARLUCCI: Senator Hannon.

SENATOR HANNON: I would ask if you'd call on Senator DeFrancisco.

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: You have a report from the Finance Committee on your desk. In fact, you have two. Would you read the first one, please.

ACTING PRESIDENT CARLUCCI: The Secretary will read the report from the Finance Committee.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nominations.

As executive director of the New York State Gaming Commission, Robert T. Williams, of Ballston Lake.

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I move the nomination.

And I know everyone would want to say glowing remarks about Mr. Williams; I know I would. He's got an incredible background, incredible qualifications for this job. And it's at an incredible late hour that we're doing this.

So I move the nomination and adopt all of the wonderful things everyone would have said if this was at a reasonable hour.

ACTING PRESIDENT CARLUCCI: The question is the nomination of Robert T. Williams as executive director of the New York State Gaming Commission. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The nomination is carried.

(Applause.)

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: As commissioner of the division of Human Rights, Helen Foster, of the Bronx.

As trustee and chairman of the State University of New York Board of Trustees: H. Carl McCall, of New York.

As member of the Council on Human Blood and Transfusion Services: Joseph Chiofolo, of Howard Beach.

As commissioner of the State Liquor Authority: Kevin D. Kim, of New York.

As member of the Workers' Compensation Board: Linda Hull, of Rochester.

As director of the New York State Office for the Aging: Corinda Crossdale, of Niskayuna.

As commissioner of the Office of Mental Health: Ann Marie Theresa Sullivan, M.D., of New York.

As member of the Port Authority of New York and New Jersey: Rossana Rosado, of White Plains.

As trustee of the Power Authority of the State of New York: Anne M. Kress, Ph.D., of Rochester.

As members of the Metropolitan Transportation Authority: Andrew Albert, of New York; Ira R. Greenberg, of Sunnyside; Polly E. Trottenberg, of Brooklyn; and Neal Zuckerman, of Garrison.

As members of the Public Health and Health Planning Council: Kathleen Carver Cheney, of Warwick, and Gary E. Kalkut, M.D., of New York.

As commissioners of the State Insurance Fund: Joseph A. Guistino, of East Northport; Charles B. Macleod, of Northport; Sheila A. Stamps, of New York; Kenneth R. Theobalds, of New Rochelle; and Alexis E. Thomas, of Brooklyn.

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: I move the nominations.

ACTING PRESIDENT CARLUCCI: The question is on the nominations as read by the Secretary. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The nominations are confirmed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I believe there's another report from the Finance Committee at the desk.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nominations.

As commissioner and chairman of the New York State Liquor Authority: Dennis C. Rosen, of Albany.

As members of the State Board of Parole: Ellen Evans Alexander, of Binghamton, and Joseph P. Crangle, of Buffalo.

As members of the Citizen's Policy and Complaint Review Council: Charles Burkes, of Albany; Hernan Carvente, of Johnstown; Donald Nadler, of Johnstown; and Martin Stanton, of Cohoes.

As members of the Correction Medical Review Board: Michael M. Baden, M.D.,

of New York, and Marjorie Blieka, M.D., of Laurel Hollow.

As member of the State Commission of Corrections: Phyllis Harrison-Ross, M.D., of New York.

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: I move the nominations.

ACTING PRESIDENT CARLUCCI: The question is on the nominations as read by the Secretary. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The nominations are confirmed.

Senator Hannon.

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

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

SENATOR HANNON: Mr. President, I move that we adjourn the session of June 19th

and that we reconvene on June 20th at 10:00 a.m.

ACTING PRESIDENT CARLUCCI: We will reconvene on June 20th, at 10:00 a.m.

Senate adjourned.

(Whereupon, at 1:54 a.m., the Senate adjourned.)