NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 30, 2016

4:33 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by the Reverend Peter G. Young, of the Mother Teresa Community here in Albany.

Father?

REVEREND YOUNG: Thank you, Senator.

Let us pray.

In today's budget discussions, citizens will be asking you to share God's love to one another and to strive toward a way of life in keeping with Your plan, O Heavenly Father.

Send down Your blessings on these Senators who have devoted themselves to helping all of our New York State citizens. Our invocation today calls to us to heed the word

and the call of Your heart here, and of our passion for equity.

O God, You are the creator of all things. You have placed on these Senators the obligation of toil to better the lives of all New York State citizens, and we call on You, God, to bless them with energy and good health for their most challenging senatorial duties.

Amen.

ACTING PRESIDENT GRIFFO: Thank you, Father.

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 29th, the Senate met pursuant to adjournment. The Journal of Monday, March 28th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, Mr. President, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. That's Senate Bill 7105, by Senator Golden.

ACTING PRESIDENT GRIFFO: It's so ordered.

SENATOR DeFRANCISCO: In addition, on page 30 I offer the following amendments to Calendar Number 423, Senate Print 6952, by Senator Hannon, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill shall retain its place on third reading.

SENATOR DeFRANCISCO: Would you please recognize Senator Gianaris.

ACTING PRESIDENT GRIFFO: Senator Gianaris.

SENATOR GIANARIS: Thank you,

Mr. President.

I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Bill 6825.

ACTING PRESIDENT GRIFFO: It is so ordered.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, could you take up the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 261, by Senator Kennedy, Senate Print 4229A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 276, by Senator Lanza, Senate Print 3361A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 298, by Senator Gallivan, Senate Print 394, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 3.

Senators Hoylman, Krueger and Squadron recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 308, by Senator Bonacic, Senate Print 1370, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 318, by Senator Marcellino, Senate Print 418, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 2. Senators Krueger and Panepinto recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 327, by Senator LaValle, Senate Print 3689, an act to amend the Town Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 333, by Senator Boyle, Senate Print 6739, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Bonacic recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 343, by Senator Ritchie, Senate Print 1822, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Espaillat recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

350, by Senator Funke, Senate Print 2711, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Parker recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 356, by Senator Nozzolio, Senate Print 5599A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 356, those recorded in the negative are Senators Krueger, Montgomery, Parker and Sanders.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 375, by Senator Ranzenhofer, Senate Print 4312B, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 382, by Senator Young, Senate Print 2991A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the same date and in the same manner as Chapter 477 of the Laws of 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 382, those recorded in the negative are Senators DeFrancisco, Montgomery and Parker.

Ayes, 58. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 384, by Senator Nozzolio, Senate Print 5832A, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

385, by Senator Golden, Senate Print 5850, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 3. Senators Montgomery, Parker and Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that concludes the noncontroversial reading of today's active-list calendar.

SENATOR DeFRANCISCO: Is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is currently no further business at the desk.

SENATOR DeFRANCISCO: How about now, is there further business at the desk?

(Laughter.)

ACTING PRESIDENT GRIFFO: No.

SENATOR DeFRANCISCO: Okay. In that case, I move to adjourn until Thursday, March 31st, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Thursday, March 31st, at 11:00 a.m.

The Senate stands adjourned.

(Whereupon, at 4:42 p.m., the Senate adjourned.)