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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

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

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

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

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

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

13 Father?

14 REVEREND YOUNG: Thank you,
15 Senator.

16 Let us pray.

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

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

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

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

9 Amen.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Father.

12 The reading of the Journal.

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

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

21 Presentation of petitions.

22 Messages from the Assembly.

23 Messages from the Governor.

24 Reports of standing committees.

25 Reports of select committees.

1 Communications and reports from
2 state officers.

3 Motions and resolutions.

4 Senator DeFrancisco.

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

11 ACTING PRESIDENT GRIFFO: It's so
12 ordered.

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

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

21 SENATOR DeFRANCISCO: Would you
22 please recognize Senator Gianaris.

23 ACTING PRESIDENT GRIFFO: Senator
24 Gianaris.

25 SENATOR GIANARIS: Thank you,

1 Mr. President.

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

6 ACTING PRESIDENT GRIFFO: It is so
7 ordered.

8 Senator DeFrancisco.

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

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 261, by Senator Kennedy, Senate Print 4229A, an
16 act to amend the Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 276, by Senator Lanza, Senate Print 3361A, an act
4 to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 298, by Senator Gallivan, Senate Print 394, an
17 act to amend the Criminal Procedure Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 57. Nays, 3.

1 Senators Hoylman, Krueger and Squadron recorded
2 in the negative.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 308, by Senator Bonacic, Senate Print 1370, an
7 act to amend the Education Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 318, by Senator Marcellino, Senate Print 418, an
20 act to amend the Labor Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

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

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 327, by Senator LaValle, Senate Print 3689, an
10 act to amend the Town Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59. Nays, 1.
19 Senator Espaillet recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 333, by Senator Boyle, Senate Print 6739, an act
24 to authorize.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

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

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 343, by Senator Ritchie, Senate Print 1822, an
13 act to amend the Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60. Nays, 1.
22 Senator Espaillet recorded in the negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 350, by Senator Funke, Senate Print 2711, an act
2 to amend the Penal Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

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

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 356, by Senator Nozzolio, Senate Print 5599A, an
16 act to amend the Penal Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Announce
25 the results.

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

4 Ayes, 57. Nays, 4.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 375, by Senator Ranzenhofer, Senate Print 4312B,
9 an act to amend the Education Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 382, by Senator Young, Senate Print 2991A, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

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

9 Ayes, 58. Nays, 3.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 384, by Senator Nozzolio, Senate Print 5832A, an
14 act to amend the Criminal Procedure Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 385, by Senator Golden, Senate Print 5850, an act
2 to amend the Penal Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

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

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

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

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

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

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

24 (Laughter.)

25 ACTING PRESIDENT GRIFFO: No.

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

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

7 The Senate stands adjourned.

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

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