NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 4, 2016

3:27 p.m.

REGULAR SESSION

SENATOR FREDERICK J. AKSHAR II, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AKSHAR: The Senate will come to order.

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

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

ACTING PRESIDENT AKSHAR: In the absence of clergy, may we please bow our heads in a moment of silence.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT AKSHAR: The reading of the Journal.

THE SECRETARY: In Senate, Friday, April 1st, the Senate met pursuant to adjournment. The Journal of Thursday, March 31st, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 8, Senator Lanza moves to discharge, from the Committee on Elections, Assembly Bill Number 4186 and substitute it for the identical Senate Bill 2580, Third Reading Calendar 151.

ACTING PRESIDENT AKSHAR: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state offers.

Motions and resolutions.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, 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 Number 3021, by Senator Young.

ACTING PRESIDENT AKSHAR: So ordered.

SENATOR DeFRANCISCO: Can you now take up the noncontroversial reading of the calendar.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 35, by Senator Bonacic, Senate Print 6424A, an act to amend Chapter 510 of the Laws of 2013.

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

The Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2015.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 151, substituted earlier by Member of the Assembly Cusick, Assembly Print 4186, an act to amend the Election Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 235, by Senator Ortt, Senate Print 4413, an act to amend the General Municipal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 49. Nays, 1. Senator Díaz recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number

271, by Senator Gallivan, Senate Print 6788, an act to amend the Local Finance Law.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 278, by Senator Avella, Senate Print 4350A, an act to amend the Public Authorities Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 282, by Senator Serino, Senate Print 5803A, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

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

THE SECRETARY: Calendar Number 292, by Senator Lanza, Senate Print 5723A, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill

is passed.

THE SECRETARY: Calendar Number 309, by Senator Golden, Senate Print 6474, an act to amend Chapter 548 of the Laws of 2004.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 339, by Senator Ortt, Senate Print 3122A, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 49. Nays, 1.

Senator Montgomery recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 365, by Senator Ranzenhofer, Senate Print 6461, an act to amend the Public Authorities Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 366, by Senator Farley, Senate Print 6651, an act to amend the Public Authorities Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 367, by Senator LaValle, Senate Print 6677, an act to amend Chapter 672 of the Laws of 1993.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 392, by Senator Young, Senate Print 2316A, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 456, by Senator Marcellino, Senate Print 447, an act to amend the Penal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 456, those recorded in the negative are Senators Comrie, Dilan, Espaillat, Gianaris, Hoylman, Krueger, Montgomery, Parker, Peralta, Perkins, Persaud, Rivera, Sanders, Serrano, Squadron and Stavisky.

Ayes, 34. Nays, 16.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number

489, by Senator Seward, Senate Print 3511, an act to amend the Penal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT AKSHAR: The bill is passed.

Mr. Floor Leader, that completes noncontroversial reading of the calendar.

SENATOR DeFRANCISCO: Thank you, Mr. President.

Would you please recognize Senator Sanders, who has an announcement.

ACTING PRESIDENT AKSHAR: Senator Sanders.

SENATOR SANDERS: Thank you, sir.

The essence of democracy of course is citizen participation. Indeed, the safeguard of our democracy is citizen participation.

I just want to draw your attention

to one of the youngest people to participate in that movement, a person who wrote a bill to me and said that this is what we should do.

Nicholas, would you mind just standing for a moment? Ah, there you are. I've got to take off my reading glasses.

This young man wrote my office and said that he wanted something good done, and I believed in it, and we are trying to do this. So I wanted to draw attention to him. And he brought his whole family on this snowy day.

Having said that, I'll allow you to sit down, Nicholas, and thank you very much for allowing me to speak in favor of Nicholas and indeed in favor of democracy.

Thank you.

ACTING PRESIDENT AKSHAR: Thank you, Senator Sanders.

Nicholas, we welcome you and your family to this great house. Thank you.

(Applause.)

SENATOR DeFRANCISCO: I'm not sure Senator Sanders would have said all that if he realized that Nicholas is going to run against him next year.

(Laughter.)

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

ACTING PRESIDENT AKSHAR: There is none.

SENATOR DeFRANCISCO: In that case, I'll move to adjourn until Tuesday, April 5th, at 3:00 p.m.

ACTING PRESIDENT AKSHAR: On motion, the Senate stands adjourned until Tuesday, April 5th, at 3:00 p.m.

(Whereupon, at 3:36 p.m., the Senate adjourned.)