NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:27 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 Young.

REVEREND YOUNG: Thank you very much, Senator.

Today the desire to share in God's love is exemplified by the two gentlemen that I'll speak about who are now going with God in heaven.

We want to remember that their kindness was there to help us when we needed it, when we were weak, when we were sick or unfortunate. Their love for us and for God has always called upon them to show mercy.

God, by Your love You've made a

world where we have become neighbors to each other and we are enabled to love one another. Grant that we today may too use the Senate to strive toward a way of life in keeping with God's plan.

God, you have given us a marvelous example in Senator Pisani and in the Senator that we have just lost again, Thomas Libous, for their service and for their dedication to being a public servant in the State of New York. Send down Your blessing on these Senators who generously devoted themselves to helping our New York State citizens. We pray for these very dedicated public servants.

My close contemporary friend, Joe Pisani, we traveled together to open up 19 alcohol treatment centers for the state, and it was an enjoyable opportunity to be with him in many of those trips.

We remember the goodness of our dear friend Thomas Libous, who in '53 went on to do all of the good work for 14 different terms in service. He was a towering legacy -- in the papers that I've read about him today, they kept repeating it and repeating it -- for what he did

for Broome County, for District 52.

In that Class of '71, he ran and won for the Johnson City High School presidency. That was the first time of elected office. It was an amazing kind of thing to hear and to see, being born in '53, being able to be the dedicated kind of guy that he was.

We're going to miss him, God. We miss him and we pray that he'll be able to be an example of dedication to many as he was in the Transportation Committee, the Alcohol & Drug Committee, the Mental Health Committee, the Commerce decision, and all of the kind of economy he brought again back home for the Triple Cities.

May we again pray that he'll reach out and touch us and the many that he especially had an identification with, the Special Olympics, and to Fran, his wife, and his son.

May we remember them for the personal kind of dedication that they've given to the floor of the Senators of New York State, and the kind of example they've been dedicated to be -- a light for us, and a beacon of hope.

Amen.

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 3rd, the Senate met pursuant to adjournment. The Journal of --

ACTING PRESIDENT GRIFFO: May I have some order in the house, please.

The Secretary will continue.

THE SECRETARY: In Senate, Tuesday, May 3rd, the Senate met pursuant to adjournment. The Journal of Monday, May 2nd, 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.

The Secretary will read.

THE SECRETARY: On page 25, Senator Lanza moves to discharge, from the Committee on Codes, Assembly Bill Number 47A and substitute it for the identical Senate Bill Number 3484A, Third Reading Calendar 487.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

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: On page 11, I offer the following amendments to Calendar Number 83, Senate Print Number 6091A, by Senator Hannon, and ask that the 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.

Again, I'm going to ask for some order in the house, please.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes. Now would you please take up resolution -- oh, could we first adopt the Resolution Calendar, with the exception of Resolution 5134.

ACTING PRESIDENT GRIFFO: The Resolution Calendar is before the house. All in favor of adopting the Resolution Calendar, with

the exception of Resolution Number 5134, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please take up Resolution 5134, read it in its entirety, and call on me to speak, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5134, by Senator DeFrancisco, congratulating the Syracuse University Women's Basketball Team upon the occasion of its record-breaking season which led them to the first National Collegiate Athletic Association --

ACTING PRESIDENT GRIFFO: {Gaveling.} I'm going to ask the sergeants to please advise and ask all staff to keep your conversations outside the chamber. Members also, please. We have guests in the house and some important business before the house.

The Secretary will continue.

THE SECRETARY: Legislative Resolution Number 5134, by Senator DeFrancisco, congratulating the Syracuse University Women's Basketball Team upon the occasion of its record-breaking season, which led them to the first National Collegiate Athletic Association (NCAA) Women's Championship game in program history.

"WHEREAS, Excellence and success in competitive sports can be achieved through strenuous practice, teamwork and a dedicated coaching staff; and

"WHEREAS, It is the sense of this Legislative Body to recognize and pay tribute to those student athletes within our midst who, by achieving outstanding success in athletic competition, have inspired and brought great pride to their college and community; and

"WHEREAS, Athletic competition enhances the moral and physical development of the young people of this state, preparing them for the future by instilling in them the value of teamwork, encouraging a standard of healthy living, imparting a desire for success, and by

developing a sense of fair play and competition; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to congratulate and recognize the Syracuse University Women's Basketball Team upon the occasion of its record-breaking season, which led them to the first National Collegiate Athletic Association (NCAA) Women's Championship game in program history; and

"WHEREAS, Following its historic run to the NCAA championship game, the Syracuse University Women's Basketball Team, with an overall record of 30-8, shot to its highest ranking in program history in the USA Today Coaches Poll, reaching No. 3 nationwide; and

"WHEREAS, The Syracuse University Women's Basketball Team also achieved the most wins in program history, as well as the program's first Sweet 16, Elite Eight, Final Four and NCAA championship game appearances; and

"WHEREAS, On March 20, 2016, the No. 14/15 Syracuse University Women's Basketball Team fought its way to the program's first Sweet

16 appearance after defeating Albany 76-59 in the Carrier Dome; the win marked another record-breaking day in a historic season for Syracuse, with the team's 27th victory and with the senior class earning its 96th win; and

"WHEREAS, At the Sweet 16 in Sioux Falls, South Dakota, the Syracuse University Women's Basketball Team upset top-seeded South Carolina 80-72 to advance to the Elite Eight, where it then landed a 89-67 victory over Tennessee, with the impressive contest setting yet another program record for the points scored in an NCAA Tournament game by the Syracuse University Orange; and

"WHEREAS, Further history was made when the Syracuse University Women's Basketball Team hustled its way to the NCAA Tournament final with a dominant 80-59 victory over the Washington Huskies at the Final Four in Indianapolis on April 3rd; the victory placed the program one win away from a national title and marked the first 30-win season in program history, giving the 2016 Syracuse University Women's Basketball senior class 99 wins for their collegiate careers; and

"WHEREAS, Though the Syracuse

University Women's Basketball Team lost the NCAA tournament title to the University of Connecticut (UConn), the team played hard, never gave up, and kept their heads high; and

"WHEREAS, The outstanding athletic talent, teamwork and sportsmanship displayed by the Syracuse University Women's Basketball Team is due in great part to the skilled and supportive efforts of Head Coach Quentin Hillsman, Associate Head Coach Vonn Read, Assistant Coach Tammi Reiss, Assistant Coach Cedric Solice, and Multimedia and Technology Director Ryan Nichols; and

"WHEREAS, Throughout the season, the support of fans within both the Syracuse University and Central New York communities significantly grew in enthusiasm; and

"WHEREAS, Members of the Syracuse University Women's Basketball Team rallied behind one another in establishing a sisterhood of athletic ability, good sportsmanship, honor and scholarship, while demonstrating that these team players are of the highest caliber, while contributing to the spirit of excellence that is a tradition of their university; now, therefore,

be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the Syracuse University Women's Basketball Team; its outstanding members: Alexis Peterson, Julia Chandler, Maggie Morrison, Jade Phillips, Isabella Slim, Cornelia Fondren, Aliyah Parris, Brianna Butler, Savannah Crocetti, Brittney Sykes, Danielle Minott, Taylor Ford, Brandi Fowler, Davida Dale, Abby Grant, Briana Day, and Bria Day; and Head Coach Quentin Hillsman, Associate Head Coach Vonn Read, Assistant Coach Tammi Reiss, Assistant Coach Cedric Solice, and Multimedia and Technology Director Ryan Nichols, on their outstanding season and overall team record; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to members of the Syracuse University Women's Basketball Team, and the aforementioned coaches and staff."

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I'm probably more excited that they're here than they

are, quite frankly, because I watched with great interest as this team made history week after week after week. It hadn't been -- in the recent past, it's been difficult to get in, first of all, to get in the tournament and then to get in some of the steps of the tournament.

And so when they got into the Sweet 16 this year, that was a major accomplishment, at least most of us thought. It wasn't major to them, because they knew what they had on the team and they knew they were going further. Then the Elite Eight. And finally, the Final Four, where they got to the final game. It was so exciting, so unbelievable.

When they were in my office earlier for a brief lunch, I compared them to the days of Syracuse men's basketball when Dave Bing brought the Syracuse University team into a different era, a nationally known era, a nationally recognized team. And this is what's really happening: We're experiencing history right now.

We are extremely proud of all the players -- and I'm not going to read all of them off. But Coach Quentin Hillsman, who is an animal -- you watch him on the sideline, you

think he needs a tranquilizer. But he obviously knows how to motivate his players, and he's a pretty aggressive guy, and I like those kind of guys and gals.

So it's an amazing accomplishment. I'm just so happy that they were able to be here to be honored. And they're going to be here next year to be honored as the national champions.

So I just thought we'd give them a preview of what it's like to come, and maybe we'll have something better for lunch next year.

(Laughter.)

SENATOR DeFRANCISCO: So thank you for being here.

And by the way, we've got both the college and pro football Hall of Fame administrator from Syracuse University here today, Floyd Little. He's in the back of the room. He was pretty good too.

(Laughter.)

SENATOR DeFRANCISCO: He was pretty good too.

So thank you, Mr. President. And congratulations to all of you.

(Extended applause.)

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

I'm pleased to join Senator DeFrancisco in cosponsoring this resolution and saluting our champions back in Syracuse, the Syracuse University Women's Basketball Team.

Those of us from Syracuse and Central New York and fans of the Orange have grown accustomed for a long, long time to success from the men's program. And we look forward to certainly continued success there.

But you all, as Senator DeFrancisco has indicated in his remarks, you've set a new paradigm for the university and for the community and certainly for the fan base of Syracuse University. The women now, along with the men, will be expected to continue to do great things on the basketball court and continue to be leaders in our community back home.

So congratulations. Thanks for being here. Enjoy your stay here in Albany.

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

Thank you for sponsoring the resolution, Senator DeFrancisco.

I rise as a proud graduate of Syracuse. The only problem is that when I went to Syracuse, we didn't have Title 9, so there was no chance for women to compete in any sport. And I think it's a testimonial to Title 9 and the fact that it has opened up so many opportunities for women athletes.

And I congratulate the women's basketball team on their achievements and welcome the Football Hall of Fame, Mr. Bing and Mr. Little, because that was my generation when I was at Syracuse.

So again, thank you.

ACTING PRESIDENT GRIFFO: Once again, the resolution is before the house. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Again, we want to extend our congratulations and our warmest welcome, and we extend the privileges of the house to the ladies basketball team -- we're very proud of you -- to the coaches and support staff. And we're very honored to have an All-American in Floyd Little, a great football player and a legend.

So thank you all. Rise again and be recognized.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, I take it you'd like to open the resolution for cosponsorship.

SENATOR DeFRANCISCO: Absolutely.

ACTING PRESIDENT GRIFFO: The resolution is open for cosponsorship. If anyone choose not to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now move to adopt the one resolution that we held back from the Resolution Calendar adoption, Resolution Number 5134, and recognize Senator Carlucci. There's no need to read it, just the short title.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, if you'll take a moment, we'd like to consult with -- go ahead.

SENATOR DeFRANCISCO: You don't have to consult with anybody, because I was mistaken and I readily admit it.

ACTING PRESIDENT GRIFFO: You've recognized. Thank you. Thank you.

SENATOR DeFRANCISCO: Would you just please call on Senator Carlucci. He has a guest to introduce.

ACTING PRESIDENT GRIFFO: Very good. We have passed Resolution Number 5134, and now we would call on Senator Carlucci for the purposes of an introduction.

SENATOR CARLUCCI: Well, thank you, Mr. President.

It's an absolute honor and a privilege to be able to acknowledge and introduce a special guest that we have visiting us here today. We have, from Seton Hall University, Dr. William Connell, who is a world-renowned professor and historian on Italian history and Italian-American history.

And he was graceful and gave us a

presentation today on Columbus, and he presented to the Italian-American Legislators Conference, and we had many staff, members that were here today.

So we just thank you for spending your time with us today to fill us in on the history and your experience in this area. So we're so pleased to have you here today and want to thank you for working with us, and we look forward to working with you in the future.

So thank you, Mr. President, for allowing me to acknowledge Dr. William Connell.

And thank you for your presence here today. Thank you.

ACTING PRESIDENT GRIFFO: Dr. Connell, welcome to the house.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please recognize Senator Flanagan.

ACTING PRESIDENT GRIFFO: May we have some order in the house again, please.

Senator Flanagan.

SENATOR FLANAGAN: Thank you,

Mr. President.

You know, I feel bad that the young ladies and the coaches had left, because there's two things that I was going to say in relation to that resolution.

First is that we oftentimes focus on the things that are great theater and great media, but not a lot of people talk about what a fantastic academic university Syracuse is.

So I think their first reputation lies in that area, and all the other stuff is icing on top of the cake that was already properly and well-baked.

The second thing is I was going to tell those young ladies that they should never play basketball with DeFrancisco, because I've played with him and he's a great shooter, but he stinks at passing.

(Laughter.)

SENATOR FLANAGAN: And he takes great pride in that.

So I rise for a very important point to make. And yesterday, yesterday was a very sad day for the people of the great State of New York, for the people of the Southern Tier,

for the Libous family, for the Senate family, and for all the people who knew and had great affection and love for Tom Libous.

Now, we are going to have a separate time and place -- I've spoken to Senator Gianaris -- let me be clear. On May 17th we are going to have a proper and more formal resolution advanced in honor of Senator Libous, in large part so we can pay respect to him while his family is here. So at that time I would suggest that would be the appropriate venue and moment for people to offer their thoughts, and I'm sure there are going to be plenty of them.

But what I wanted to do today was concise, clear and simple. The Senate is a family, and no matter how long you've been here, you find that out pretty quickly. Tom Libous was a fantastic public servant. He was so proud of representing his community. And let's be clear: Senator Akshar has a very, very difficult job. Tom was a giant in Broome County and Senate District 52. And the people of those communities, I'm not sure that they ever truly appreciated the depth and scope and breadth of his experience and his talent.

He was clever, he was smart. He could be a pain in the neck sometimes, which worked to our benefit. But he was a born and bred New Yorker. He was so eminently proud of being a public servant, being a New York State Senator, being from the Southern Tier and serving in this house. And he got a chance to sit in the seat that Senator DeFrancisco is in now, had an excellent working relationship -- with an occasional bump in the road -- with Senator Gianaris, but on the whole they developed a very collegial, strong working relationship.

So I learned something today that I think is very useful. But before I do that, I just want to recognize, you know, you try and find a silver lining in things that go on in life. Everybody knows what a diehard fan Tom Libous was of the New York Mets. All right? I'm a Yankees fan, Lanza is a Yankees fan, Gianaris is a Mets fan, Robach is a Mets fan, so we have our rivalries. But we are New Yorkers first and foremost.

So I checked -- and everybody reads the stuff in the media. I just want to make sure I'm giving my numbers out exactly correct. Much

to my chagrin, the Yankees are now 8 and 16.

(Laughter.)

SENATOR FLANAGAN: You know, it breaks my heart.

More importantly -- and this is a blessing for Tom Libous -- the Mets are 16 and 9. So that's great for him. And I was thinking about this, he gets to watch the Mets now; he just has better seats.

Now, we learn from the people we work with. And there's a very talented young lady on our staff who's seated here right now who gave me good advice this morning. Sometimes we get too solemn on occasions about life when what we should be doing is celebrating life.

So rather than a traditional moment of silence to acknowledge the solemnity of Senator Libous's passing, we're going to veer down a different path. And as a celebration of his life, we're going to stand up and we're going to give him a moment of applause.

If you would please join me on behalf of Senator Tom Libous.

(Extended standing ovation.)

SENATOR FLANAGAN: Mr. President,

thank you very much.

And I know I speak on behalf of the entire Senate in extending our love and affection and condolences to Fran and the Libous family.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Flanagan.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you.

There's one other matter of business. Would you please recognize Senator O'Mara for the introduction of a guest.

ACTING PRESIDENT GRIFFO: Senator O'Mara.

SENATOR O'MARA: Thank you, Mr. President.

It's my privilege to rise here today to welcome to the chamber, seated up here, the Dundee Central School Symphonic Steel Drum Band. They're here with us today. They'll be performing at our wine-tasting event in the Well which is going on now, so the quicker we get done with session we can go over and enjoy some New York State wines and their music.

The Dundee Steel Drum Band was

formed in the 1970s and has had a great history, traveling throughout the world to countries like Denmark, Germany, Scotland, and Disney World and the World's Fair in Knoxville, Tennessee, and today the Well of the LOB.

They're here with codirectors Randy and Lynnette Knapp, students from Grades 7 through 12: Isabella Levanduski, Whysper Davis, Adele Fishbaugh, Haille Empson, Mercedez Roy, Paul King, Michelle Conner, Tanor Morrison, Colin Howell, Collin Goodman, Cameron Howell, and Ronny Nissen.

I welcome you all to the chamber today. Thank you for being here to perform at the New York State wine-tasting event this evening.

And please, Mr. President, offer them a welcome and the privileges of the house.

ACTING PRESIDENT GRIFFO: Thank you, Senator O'Mara.

We welcome the Dundee Steel Drum Band here, and your directors and the talented musicians. We extend the privileges of the house, and we look forward to hearing you later on.

Please rise and be recognized.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please take up the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 156, by Senator Addabbo, Senate Print 4113, an act to amend the Civil Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 225, by Senator Marcellino, Senate Print 5795, an act to amend Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act --

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

ACTING PRESIDENT GRIFFO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 226, by Senator Marcellino, Senate Print 6514, an act to amend the Education Law.

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

ACTING PRESIDENT GRIFFO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 295, by Senator Bonacic, Senate Print 1636A, an act to amend the Judiciary Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bonacic to explain his vote.

SENATOR BONACIC: Thank you, Mr. President.

You know, this past week there were 79 volunteer fire companies that responded to a forest fire of 2,000 acres in Ulster County, and they were all volunteers that took time from their family and jobs to do that.

And the tremendous debt that we owe to volunteers. And you would say why did you start off this discussion about a fire and volunteers, because this bill is about CASA. CASA is also a bunch of volunteers throughout the state that are trained to look after children's welfare, foster children, children that have been abused. And they make these reports to the Family Court so the Family Court is more knowledgeable on how to handle cases before them. And they do a tremendous service. They handle thousands and thousands of children.

And each year my good colleagues in the Senate pass this bill unanimously. You did it in 2014, you did it in 2015, and I hope you do it today.

We get no movement in the Assembly. And why do you think that is? Because if you went in your district and asked anybody about the CASA program, they would tell you it's exemplary and thank God for these volunteers.

It's because it's a food fight for the dollar. You see, these organizations -- Legal Aid, welfare organizations -- they're always a category in the budget and they always get money. So they do not want to see CASA elevated to a statutory reimbursement in the budget. And by the way, it's $800,000. And they save the state millions because of less burden on all those state agencies that are supposed to look after children.

So I vote aye, Mr. President. Thank you very much.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 325, by Senator Hannon, Senate Print 605, an act

to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 394, by Senator Klein, Senate Print 5365A, an act to amend the Public Housing Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 413, by Senator Valesky, Senate Print 642, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 11. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 429, by Senator Avella, Senate Print 3199B, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, we have passed a bill similar to this earlier this session. And just for clarity, that bill made possession of a machete, no matter what you do with it, a crime.

This bill -- we ended up recalling that bill, and this bill basically is much clearer that possession of a machete is a crime when you have an intent to use it unlawfully against another person, not the mere possession without that unlawful intent.

So I just want to clarify that. I vote aye.

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

The Secretary will announce the results.

THE SECRETARY: In relation to Calendar 429, those recorded in the negative are Senators Amedore, Griffo, Ortt and Ranzenhofer.

Ayes, 54. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will continue.

THE SECRETARY: Calendar Number

482, by Senator Lanza, Senate Print 3324, 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: In relation to Calendar 482, those recorded in the negative are Senators Hassell-Thompson, Montgomery, Perkins and Sanders.

Ayes, 54. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 487, substituted earlier by Member of the Assembly Paulin, Assembly Print 47A, 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 90th day.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hassell-Thompson to explain her vote.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President. Just a comment.

I learned today that the country of Nigeria has now banned female mutilation, and it has been a historical practice. And I am very happy to see that the State of New York has also put into effect making this a go.

So I thank Senator Lanza and Assemblywoman Paulin for this piece of legislation. I vote aye.

ACTING PRESIDENT GRIFFO: Senator Ruth Hassell-Thompson to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 536, by Senator Lanza, Senate Print 6931B, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

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

THE SECRETARY: Calendar Number 547, by Senator Seward, Senate Print 1672, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 549, by Senator Seward, Senate Print 5249B, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 556, by Senator Marcellino, Senate Print 416, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 557, by Senator Ranzenhofer, Senate Print 1052, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 557, those recorded in the negative are Senators Avella, Carlucci, Hoylman, Krueger, Montgomery and Sanders.

Ayes, 52. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 559, by Senator Farley, Senate Print 2895, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 562, by Senator Marcellino, Senate Print 6563, an act relating to legalizing, validating, and ratifying.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 563, by Senator Latimer, Senate Print 6765, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 568, by Senator Ritchie, Senate Print 6863, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 568, those recorded in the negative are Senators Hoylman, Krueger, Rivera, Serrano and Squadron.

Ayes, 53. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 569, by Senator Gallivan, Senate Print 90, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 570, by Senator LaValle, Senate Print 251, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 571, by Senator Golden, Senate Print 785, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 574, by Senator Carlucci, Senate Print 1227A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 11. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 575, by Senator Golden, Senate Print 1460, an act to amend the Executive 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, 57. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 576, by Senator Golden, Senate Print 1473A, 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.)

ACTING PRESIDENT GRIFFO: We're on Calendar Number 576, by Senator Golden.

The Secretary will announce the results.

THE SECRETARY: Ayes, 57. Nays, 1.

Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 577, by Senator Bonacic, Senate Print 1631A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 582, by Senator Ortt, Senate Print 2974, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 586, by Senator Croci, Senate Print 3405A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 587, by Senator Croci, Senate Print 3407A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 588, by Senator Lanza, Senate Print 3725, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 590, by Senator Murphy, Senate Print 6577, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

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 no further business before the desk.

SENATOR DeFRANCISCO: Then I move to adjourn until Thursday, May 5th, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: The Senate will stand adjourned until Thursday, May 5th -- Cinco de Mayo -- at 11:00 a.m.

The Senate is adjourned.

(Whereupon, the Senate adjourned at 4:09 p.m.)