NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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11:24 a.m.

REGULAR SESSION

SENATOR TERRENCE P. MURPHY, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT MURPHY: The Senate will come to order.

Please rise for the Pledge of Allegiance.

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

ACTING PRESIDENT MURPHY: Today's invocation will be given by Reverend Peter Young, from Mother Teresa Community in Albany.

REVEREND YOUNG: Thank you, Senator.

Being a Senator, you have been accepted into the leadership position so that you can more fully serve the people of New York State. It's a difficult position that you will be required to do endless constituency events and meetings, always concerned for the necessary campaigning expenses, and that time for your family matters with priorities put tremendous pressure on all of your dedicated lifestyles.

We know that your personal lives are put on this tension and keeps the tension on a calendar of this day so that you can then fulfill your commitment and responsibilities.

And we thank you for being a public servant.

In this more dedicated spirit of community, our prayer today, then, will be to better achieve the strength that you need as Senators so that you will be able to be that dedicated representation in the power that is entrusted to you by our legislative leadership.

May you attain your satisfaction in your services to your constituents.

Amen.

ACTING PRESIDENT MURPHY: We'll have the reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 17th, the Senate met pursuant to adjournment. The Journal of Monday, May 16th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 19, Senator Stewart-Cousins moves to discharge, from the Committee on Local Government, Assembly Bill

8659 and substitute it for the identical Senate Bill 6355, Third Reading Calendar 264.

ACTING PRESIDENT MURPHY: Substitution ordered.

THE SECRETARY: On page 36, Senator Akshar moves to discharge, from the Committee on Elections, Assembly Bill 7597 and substitute it for the identical Senate Bill 6979, Third Reading Calendar 731.

ACTING PRESIDENT MURPHY: Substitution ordered.

THE SECRETARY: On page 44, Senator Savino moves to moves to discharge, from the Committee on Banks, Assembly Bill Number 9480 and substitute it for the identical Senate Bill 7184, Third Reading Calendar 819.

ACTING PRESIDENT MURPHY: Substitution 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: Yes, Mr. President, I wish to call up Senator Marchione's bill, Print Number 5857A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MURPHY: The Secretary will read.

THE SECRETARY: Calendar Number 171, by Senator Marchione, Senate Print 5857A, an act to authorize.

SENATOR DeFRANCISCO: I now move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT MURPHY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 42.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT MURPHY: The amendments are received, and the bill retains its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: Also, on page number 32, I offer the following amendments to my bill, Calendar Number 649, Senate Print 3785, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT MURPHY: So ordered.

SENATOR DeFRANCISCO: On page 22, I offer the following amendments to Calendar 344, Senate Print 1909A, a bill by Senator Marcellino, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT MURPHY: So ordered.

SENATOR DeFRANCISCO: Can you now take up previously adopted Resolution 5620, by Senator Kaminsky, and read the title only and call on the Senator, please.

ACTING PRESIDENT MURPHY: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5620, by Senator Kaminsky, congratulating the State of Israel upon the occasion of the 68th Anniversary of its independence and reaffirming the bonds of friendship and cooperation between the State of New York and Israel.

ACTING PRESIDENT MURPHY: Senator Kaminsky.

SENATOR KAMINSKY: Thank you,

Mr. President.

I rise today to commemorate the 68th anniversary of Israel's independence and to reaffirm the bonds of friendship between our state and the Jewish homeland.

This last Thursday we celebrated Israel's establishment as a sovereign state, as a homeland for the Jewish people, a bastion of freedom and democracy.

Rising from the ashes of the Holocaust, Israel has come to embody the true meaning of perseverance and resilience. She has overcome seemingly insurmountable challenges since 1948 and has had to defend itself time and time again against enemies seeking to destroy it.

Today Israel stands proudly as the Middle East's sole true democracy, rooted in equality and freedom, as the nation thrives in the ancestral homeland of the Jewish people.

Bound by its steadfast commitment to freedom and democracy, New York and Israel share an unbreakable friendship as economic, strategic and cultural partners. We as a body have stood together to condemn the vile BDS movement and its thinly veiled attempt to harm Israel while

desensitizing our young people to the anti-Semitic movement it truly is.

Just last December I was proud to have attended, with an Assembly delegation, a visit to Israel with my colleagues on a mission to the Jewish state, where we saw firsthand the prosperity that Israel has built, along with its security challenges.

We were down on the Gaza border in a town called Sderot, and we left that town at 2 o'clock in the afternoon. Just two hours later that day, the air raid warning sounded as a rocket was fired from Hamas toward that area. The challenges still exist every day, even while the country continues to advance and thrive.

So I therefore offer this resolution to recognize that Israel has made tremendous advancements in science, medicine and technology. Its economy prosperous, its agriculture bountiful, and its innovation astounding, it is a true testament to what freedom and democracy can accomplish. And I'm proud to recognize the anniversary of its independence today.

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Senator

Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

And thank you, Senator Kaminsky, for those words about the establishment of the State of Israel, and particularly for your comments condemning the BDS movement, which has been the subject of so much discussion even here in this chamber.

Hopefully there will be a solution to some of the crises in the Middle East and Israel will continue to flourish. But I really wanted to thank Senator Kaminsky for his comments and for his support of the State of Israel.

Thank you.

ACTING PRESIDENT MURPHY: Thank you, Senator Stavisky.

Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

I also rise to join our colleagues in recognizing the anniversary for the State of Israel, recognizing the relationship, the special relationship that we here in New York have with Israel, recognizing the importance of Israel as

an ally of the United States, recognizing the efforts that we in this house have already passed a bill combating the BDS movement.

We passed it months ago. We have made a statement that we stand in solidarity with Israel in this house as a Senate chamber. But yet we have yet to have a bill pass the other house, we have yet to have a bill that has been presented to the Governor.

Words mean more if we actually follow up on those words, Mr. President. We have a responsibility as State Senators that stand with Israel to do more than just speak about it but to advocate that we take actual steps to demonstrate that resolve. We did it here in the Senate. It has yet to be passed in the Assembly. There is yet to be a bill presented to the Governor.

I thank the sponsor for this opportunity to speak out once again on a lack of commitment by the Assembly on this issue, and I call them to do so the same that we did months ago.

Thank you, Mr. President, for this opportunity.

ACTING PRESIDENT MURPHY: Thank you, Senator Martins.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, could you please open this resolution up for cosponsorship.

ACTING PRESIDENT MURPHY: The resolution is open for cosponsorship. If you do not wish to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, would you now take up previously adopted Resolution 3618, by Senator Griffo, read the title only, and recognize Senator Griffo.

ACTING PRESIDENT MURPHY: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3618, by Senator Griffo, memorializing Governor Andrew M. Cuomo to proclaim May 2016 as Lupus Awareness Month in the State of New York.

ACTING PRESIDENT MURPHY: Senator Griffo.

SENATOR GRIFFO: Thank you,

Mr. President.

I want to once again bring this resolution to the attention of the house. This is something we have done annually.

Lupus is a chronic inflammatory autoimmune disease. We have a number of the advocates with us this afternoon. And this is a disease that has affected so many in so many different ways. Everyone can recount a story of a family member or a friend. It is more common than AIDS and sickle cell anemia, multiple sclerosis, cystic fibrosis and cerebral palsy.

Unfortunately, lupus research is underfunded in comparison with diseases of comparable magnitude. And that's why it is so important that we continue to call attention to this, to advocate, along with the advocates, to continue to not only focus on this but to find a way to provide the research dollars to find a cure.

The organizations are dedicated to improving the quality of life of individuals who have lupus, and their loved ones. We want to talk about public education and support, again, more research and promoting more programs of

awareness.

So today I am honored to have with us Kathleen Arntsen and a number of lupus advocates from across the State of New York. If you would just please rise and be recognized. Thank you so much for all of your hard work and your efforts. We sincerely appreciate what you do, and we will continue to support you in your efforts.

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Thank you, Senator Griffo.

Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I also want to thank my colleague Senator Griffo for again bringing this resolution to the floor asking Governor Cuomo to dedicate May 10th to Lupus Awareness Day.

I also want to welcome Kathleen Arntsen and the Lupus and Allied Diseases Association back to the Capitol for their annual advocacy day on this very important issue.

Of the many diseases that affect women, one of the most deadly and dreadful and

debilitating is lupus. The sad thing is many women don't know anything about lupus. Many young women don't know that lupus exists, and they will suffer for many years from many of the symptoms that lupus produces.

Lupus attacks just about every part of the body -- skin, joints, blood and kidneys. It affects 1.5 million women in the United States, and more than 5 million women worldwide. It is a very difficult disease to diagnose because the symptoms vary, and they arrive in stages and they are highly individualized. Many young women will go years not knowing exactly what is wrong with them, not understanding who to talk to and what is wrong with them. And as a result of that, they don't get the care and the attention that they deserve.

It is one of the reasons why this resolution is so important and also one of the reasons why Senator Griffo and I have been trying for the past couple of years to get the state to adopt an awareness program, an education program, so that we can make sure that more women in New York State know about lupus, know about early detection, so they will get the care and

attention that they need.

So again, I want to thank Senator Griffo for joining us in highlighting this very important issue that is important to all women everywhere. And I ask all of my colleagues to support this resolution on lupus awareness.

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Thank you, Senator Savino.

Senator Parker.

SENATOR PARKER: Thank you, Mr. President. On the resolution.

First let me also add my thanks to the leadership of Senator Griffo in continuing to bring the issue of lupus to this body and to the people of the state.

And let me also associate myself with the comments made by Senator Savino on this resolution and talking about how important it is to combat this dreaded disease.

Let me also welcome the folks who are here, many of whom are suffering from lupus. And I'm really hoping that people in this chamber will take time to meet our constituents who are dealing with this every single day.

If you don't know, lupus is an autoimmune disease where the body's immune system becomes hyperactive and attacks normal, healthy tissue. And the results and symptoms such as inflammation, swelling, damage to the joints, skin, kidneys, blood, heart, lungs, hair loss, bruising, anxiety, depression, headaches and memory loss, are amongst a few of the things that people are suffering with when they have this horrible disease. And currently there's no cure, as we know, for lupus.

So according to the Lupus Foundation of America, there's 1.5 to 2 million Americans who have some form of lupus. And the prevalence is about 40 cases per 100,000 persons amongst northern Europeans, and 200 per 100,000 for African-Americans.

This disease affects both men and women, but it's nine times more likely to affect women than affect men.

And so although there's no cure for this disease, members of this body have been working on it. As you heard, Senator Savino indicated that she and Senator Griffo have a bill that would do some education in the State of

New York around lupus education.

But I have a bill, Senate Bill S553A -- and it has a corresponding Assembly sponsor, which is A2581A -- that will establish the Lupus Education and Prevention Fund. And so the bill that I have put forward would actually fund the work that Senator Savino and Senator Griffo's bill would do. And I'm going to take this time to ask that this bill be brought to the floor as soon as possible and passed in this house, and we'll work hard to get it passed in the Assembly.

This bill would allow individuals to make optional monetary contributions that can be taken as a taxpayer exemption on all corporate or personal income tax forms. This bill would give corporate and individual taxpayers the option to contribute to the Cancer Education and Prevention Program through voluntary contributions that would provide a source of funding for research and study into the causes and the cure -- the cure -- for lupus. With this in this place, I believe that we can begin to focus on the approach dedicated to finding a cure for lupus.

And I sincerely urge my colleagues

in the Senate and the Assembly to both first cosponsor this bill and then let's move together for passage. And I believe that passing my legislation, as well as Senators Savino and Griffo's legislation, we will be one step closer to a cure.

Thank you very much.

ACTING PRESIDENT MURPHY: Thank you, Senator Parker.

We would like to welcome you all to the New York State Senate chamber here and extend to you all the courtesies of the house.

(Applause.)

ACTING PRESIDENT MURPHY: Senator DeFrancisco.

SENATOR DeFRANCISCO: Could you please open that resolution up for cosponsorship.

ACTING PRESIDENT MURPHY: The resolution is open for cosponsorship. If you do not wish to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Next would you take up previously adopted Resolution 5718, by Senator Kennedy, read the title only, and call

on Senator Kennedy.

ACTING PRESIDENT MURPHY: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5718, by Senator Kennedy, commemorating the 75th anniversary of the production of Cheerios in Buffalo, New York.

ACTING PRESIDENT MURPHY: Senator Kennedy.

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

I rise today to honor a long-time employer in Western New York and a contributor to the fabric of our great city, state and nation. See, General Mills in Buffalo is celebrating its 75th anniversary of the production of Cheerios in the city.

In fact, Buffalo has produced the cereal since Cheerios was first introduced in 1941 as the first oat-based, ready-to-eat cereal. And even today, if you drive by the plant on the right morning, the smell of freshly baked Cheerios lingers in the air.

During its 75-year production, the plant has provided good jobs to thousands of

Western New Yorkers. The plant today employs over 400 workers, many of them coming from the second or third generation of Cheerio plant workers. These workers, proud members of the Bakery, Confectionery, Tobacco Workers and Grain Millers' International Union, Local 36G, and the International Longshoremen's Association, Local 1286, make everything from Cheerios to Lucky Charms to Gold Mill flour.

The plant itself was completed in 1941, and the oldest structure on the property dates to 1903. Over the years, General Mills has modernized the plant. But at a time when companies seem to move to new and bigger facilities, Cheerios and General Mills have remained committed to Buffalo, continuing its manufacturing success in our city.

And workers are proud of their efficiency in producing Cheerios even when compared to more modern production plants. The Buffalo facility often ranks in the top tier of General Mills properties for plant facility performance, which is a testament to the workers who make the Cheerios. In fact, if you took the number of cereal boxes produced annually at the

plant and laid them end to end, they would circle the globe and then some.

The facility is home to one of the last working grain elevators in Buffalo, the city that invented them. Oats are still shipped in by rail or by the occasional boat traveling across the Great Lakes from Minnesota. Buffalo's central location results in boxes of Cheerios being shipped to markets along the East Coast of the United States as well as into Ontario and Quebec.

You can tell if your Cheerios were made in Buffalo -- just look at the box, and the production code will tell you. If it begins with the letters B-U, then that box of Cheerios was in fact made in our great city.

And I promise, if you have that box of cereal made in Buffalo, it will be the best box of Cheerios you have ever had. As a matter of fact, I'm going to be bringing a box of Cheerios in to my colleagues next week for you all to test yourselves. I'm looking forward to you getting back to me on that.

(Applause.)

SENATOR KENNEDY: And finally,

finally, it's important to note that General Mills gives back to the community as well, donating over 1,000 cases of cereal each month to the Food Bank of Western New York.

So to General Mills and Cheerios, thank you for your continued commitment to produce Cheerios and other products in Buffalo. To the workers, congratulations on 75 years of hard work, and thank you for the immense pride you give our great city. I know Buffalo is proud to be one of the homes of Cheerios. Here's to another 75 years and more.

With that, Mr. President, I'd like to open this resolution up for cosponsorship, and I vote aye. Thank you very much.

ACTING PRESIDENT MURPHY: Cheerios.

(Laughter.)

ACTING PRESIDENT MURPHY: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, it's quite obvious, based upon the energy that was just expressed in that resolution, the remarks on the resolution, that Senator Kennedy had several boxes of Lucky Charms this morning for breakfast.

(Laughter.)

SENATOR DeFRANCISCO: And I also just wanted to mention that it's a good thing, it's a good thing that this product is being made in Buffalo, especially the Lucky Charms. Because if it was manufactured in the City of New York, there might be an elected official that would want to limit the size of the box --

(Booing; laughter.)

SENATOR DeFRANCISCO: -- because it may not be good for you.

So congratulations, Buffalo. Thank you.

ACTING PRESIDENT MURPHY: Thank you, Senator DeFrancisco.

Senator Krueger.

SENATOR KRUEGER: Thank you.

He's not an official of the City of New York anymore. It's okay, Senator, you don't have to live in fear anymore about size limits on your food products.

I want to congratulate Senator Kennedy on his resolution honoring 75 years of Cheerios. But I also just wanted to point out that if you look further back in the history of cereal in this country, New York State, our

state, was the creator of the very first recognized breakfast cereal back in 1863.

It also was produced and invented in Western New York -- although not Buffalo -- and it was called Granula. And it was invented in 1863 by James Caleb Jackson, who had a health sanatorium in Dansville, which I believe is in Senator Young's district.

But back in 1863, New York State was leading the country in recognizing the value of breakfast cereal. And clearly that message was picked up at a later date by the Cheerios folks in Buffalo, New York.

So thank you for educating us on cereal, Senator Kennedy.

ACTING PRESIDENT MURPHY: Thank you, Senator Krueger.

This resolution will be open for cosponsorship. If you do not wish to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, could we now recognize Senator Venditto for the introduction of some students.

ACTING PRESIDENT MURPHY: Senator

Venditto.

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

ACTING PRESIDENT MURPHY: Can we get a little order in the house.

SENATOR VENDITTO: If any of our members have the privilege of walking into the Legislative Office Building today and passing The Well at the Capitol, you may see some wonderful works of art that have been furnished by some tremendous students across New York State, two of whom hail from the 8th Senatorial District and the hamlet of Wantagh. And I just wanted to take a moment to introduce them to our members.

We have, first, Madalyn Rhodes, who is accompanied by her parents, Laura and Charles. And Madalyn is a student at Forest Lake School in Wantagh.

And secondly, we have John Michael Lagares, who is accompanied by his mother, Corsalyn {ph}. And John is a student at Wantagh High School.

And both Madalyn and John have taken part in our legislative art exhibit, and they

have shown at a very early age that they are able to do some wonderful things in the artistic field.

So we welcome them here to the chamber today, thank them for participating, and encourage them to continue to do great work so that we can enjoy the fruits of their talents.

Congratulations to you, Madalyn and John, for being selected to be part in our exhibit today, and welcome to the Senate chamber.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT MURPHY: Thank you, Senator Venditto.

John, Madalyn, and family members, welcome to the New York State chambers.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please call on Senator Amedore for an introduction.

ACTING PRESIDENT MURPHY: Senator Amedore.

SENATOR AMEDORE: Thank you, Mr. President.

I rise to introduce two groups, two

introductions, real quick, that I believe are special to me and to all of us here.

The first group, we have a group of young students. They are seniors from Fonda-Fultonville High School in Montgomery County, and they are here at the Capitol today as part of their College in the Classroom government class.

And I've had an opportunity to meet with them and to talk and to answer their questions, but also had the privilege of introducing Senator Larkin to them. And he spent some time with them to share some of his stories. And we all know the stories of Senator Larkin.

They have with them the superintendent, Tom Ciaccio, as well as a special honor to introduce Barbara Baker, who is the Instructor of the Year, the Regional Technology Teacher of the Year, who has been nominated and awarded that honor and that designation. So thank you for all of your hard work and your dedication for the students.

The second introduction is very important to all of us because these two young ladies are Blue Star Moms.

And Blue Star Moms we all know, we all have them in our districts. They are here today touring the Capitol and actually shadowing me and going around and seeing how things work. And I am honored to have both of them from my district, and that is Robin Johnson and Donna Vickery, who are here today.

So thank you so much for your dedication, your love of country. And we pray for you and the protection of your loved ones who are serving in our armed forces.

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Thank you, Senator Amedore.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you now recognize Senator Serino for an introduction.

ACTING PRESIDENT MURPHY: Senator Serino.

SENATOR SERINO: Thank you, Mr. President.

I just want to take a minute to recognize some very special guests that are here with us today. Mr. Harry McMurtry, his wife Deborah and their son Tom, and friends, are here

as part of a very unique initiative. Harry and his group are walking 500 miles from New York City to Toronto to raise awareness for the debilitating effects of Parkinson's disease.

But the most amazing thing is Harry was diagnosed with Parkinson's disease in 2005 and had deep brain stimulation surgery in 2011 which enables him to be able to do this walk. And he has his friends here who also have Parkinson's: Sue Thompson, of Toronto, and Dr. Ross Sugar.

I was honored to have met these folks last week when their journey brought them to the Walkway over the Hudson in my district. And let me tell you, inspiration is an understatement. And Harry, you're one of the most positive people I've ever had the pleasure to meet in my life.

They're on a mission to raise awareness and spread an important message about strength and perseverance. We are honored to have all of you here with us today to raise awareness for this important cause, and we wish you a safe and happy journey.

Thank you.

ACTING PRESIDENT MURPHY: Thank you, Senator Serino.

Senator Serino, I would also like to welcome your father to the New York State Senate chamber here, who is visiting from Virginia.

Welcome.

Senator DeFrancisco.

SENATOR DeFRANCISCO: For the last introduction, would you please call on Senator Breslin.

ACTING PRESIDENT MURPHY: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President. And thank you, Senator DeFrancisco.

I'm proud to stand and acknowledge some young women making a meaningful and sustainable difference in the world. And I think you guess if they're young women doing good things, they're generally Girl Scouts.

And the Girl Scouts are here today with Allison Marinucci, who is the manager of the Young Women's Leadership Initiative. And she has some wonderful Girl Scouts.

And I might add there's Girl Scouts

throughout the Capitol and the LOB, and they all do a wonderful job.

But if you could stand and be recognized, we're very happy for you to be here.

(Applause.)

SENATOR BRESLIN: Thank you, Allison.

And thank you, Cheerios.

(Laughter.)

SENATOR BRESLIN: Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Thank you, Senator Breslin.

The Girl Scouts of America, welcome to the New York State Senate chambers.

Senator DeFrancisco.

SENATOR DeFRANCISCO: It's obvious that some of them have been in parades before; they have the wave down pat.

(Laughter.)

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

ACTING PRESIDENT MURPHY: The Secretary will read.

THE SECRETARY: Calendar Number 264, substituted earlier by Member of the Assembly Pretlow, Assembly Print 8659, an act to amend the Local Finance Law.

ACTING PRESIDENT MURPHY: 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 MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Announce the result.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 330, by Senator Martins, Senate Print 6685, an act to authorize.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Announce the result.

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

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 691, by Senator Hannon, Senate Print 5458C, an act to amend the Public Health Law.

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you,

Mr. President.

I'm voting in the negative because I want my colleagues to understand that this is truly a seismic shift in the way we operate healthcare in New York. This is a back-door allowance that will allow the corporatization of physicians' offices -- really, in my opinion, putting profits over the well-being of patients.

I would urge us to put the pause button on this model and conduct a study. In fact, Mr. President, one of my first bills in the Senate, which I worked with Senator Hannon on, was to instruct the Department of Health to look at the issue of urgent care centers: Let's get some regulations from the Department of Health to determine how urgent care centers should be regulated. That was one of my first bills, over three and a half years ago. To this date, Mr. President, the Department of Health has not conducted or issued the results of that study.

I'll be voting no. I believe the Hippocratic oath is "Do no harm," not "Make lots of money."

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Senator

Hoylman will be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 691, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hassell-Thompson, Hoylman, Krueger, Latimer, Montgomery, Perkins, Persaud, Rivera, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 41. Nays, 15.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 731, substituted earlier by Member of the Assembly Cusick, Assembly Print 7597, an act to repeal subdivision 8 of Section 4-104 of the Election Law.

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 750, by Senator Marcellino, Senate Print 6504, an act to amend the Education Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 752, by Senator Marcellino, Senate Print 6507, an act to amend the Education Law.

ACTING PRESIDENT MURPHY: Read the last section.

THE SECRETARY: Section 35. This act shall take effect July 1, 2017.

ACTING PRESIDENT MURPHY: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 765, by Senator Gallivan, Senate Print 405, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 766, by Senator Gallivan, Senate Print 437, an act to amend the Highway Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Announce the results.

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

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 770, by Senator Martins, Senate Print 4101A, an act to amend the Highway Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I rise to explain I'm voting no. While I am a big fan of Mr. Joel's music, last I

checked, he is still alive and well, living on Long Island. And I actually don't think we should name things after living people.

I also hope that my colleague who's sponsoring the bill understands that now he can never accept free entertainment from Mr. Joel or have him participate in any kind of political or fundraising events for him, since he's sponsoring a highway in the name of this living musician.

So I think it's a little bit of a risky precedent and it's not the right precedent for the state. Great people do live here, and they die, and at some point after, exploring whether we should recognize them by honoring them with namings of buildings, roads, et cetera, is appropriate. Not while they're alive and well.

Thank you, Mr. President.

ACTING PRESIDENT MURPHY: Senator Krueger will be recorded in the negative.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

I too will vote no, because I think setting a precedent for naming structures or buildings or roads after somebody who is still

alive -- and I certainly don't wish Mr. Joel any harm. But on the other hand, I will vote no for that reason, that we should not be naming anything after people who are still alive.

Thank you.

ACTING PRESIDENT MURPHY: Senator Stavisky will be recorded in the negative.

Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

And I want to thank my colleagues who have supported this effort once again. This bill has passed this house in the past.

And I do understand the concerns that exist. But let me lay some of the concerns aside.

I happen to be a Billy Joel fan. I think many people here in the chamber and across the country and around the world happen to be Billy Joel fans. But Billy Joel did grow up on Long Island, he did grow up in the Hicksville area. This small piece of a state highway being renamed in his honor is just a recognition of that.

Now, there is a debate out there as

to whether or not we should name things after people who are living. And there are people who think that people should be dead before you give them the honor of recognizing them. I happen to disagree. And frankly, I didn't hear any protest when we have named bridges after former New York City mayors. We have named office buildings after former New York City mayors. We've had people in this chamber who have gotten up and complained about naming things after people who are still alive who were at those events and stood at those events and yet have voted no.

So I would say this. I've had the privilege in my life to serve in different capacities in public office. And one of the great privileges of my life was, as mayor of the Village of Mineola, being able to recognize an individual who had exceptional service to the community by renaming the pool after him, the village pool. So we now have the John S. DaVanzo Village Pool in the Village of Mineola.

John passed away a few years back, but before he passed he had the privilege of knowing that his community honored him and to be there for that presentation. There's something

special about that, Mr. President, the ability to honor people in the moment and to let them know that their efforts in their lives and that their achievements in their lives are being recognized not only by their peers, by people at large and by the public.

Billy Joel is a person who deserves such a recognition. For those who supported this bill, thank you. For those who didn't support the bill, I know you'll reconsider and perhaps vote for it next time.

Mr. President, thank you.

ACTING PRESIDENT MURPHY: Senator Martins will be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 770, those recorded in the negative are Senators Hoylman, Kaminsky, Krueger and Stavisky. Also Senator Perkins.

Ayes, 52. Nays, 5.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 773, by Senator Ranzenhofer, Senate Print 4462, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 804, by Senator Carlucci, Senate Print 1971, an act to amend the Executive Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 818, by Senator Savino, Senate Print 7183, an act

to amend the Banking Law.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Announce the results.

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

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 819, substituted earlier by Member of the Assembly Jean-Pierre, Assembly Print 9480, an act to amend Chapter 526 of the Laws of 1998.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MURPHY: The bill is passed.

THE SECRETARY: Calendar Number 853, by Senator Young, Senate Print 7187, an act to amend Chapter 142 of the Laws of 2014.

ACTING PRESIDENT MURPHY: Read the last section.

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

ACTING PRESIDENT MURPHY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MURPHY: Announce the results.

THE SECRETARY: In relation to Calendar 853, those recorded in the negative are Senators Hoylman, Perkins and Serrano.

Ayes, 54. Nays, 3.

ACTING PRESIDENT MURPHY: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of the calendar.

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

ACTING PRESIDENT MURPHY: No further business.

SENATOR DeFRANCISCO: Then I would move to adjourn until Monday, May 23rd, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT MURPHY: On motion, the Senate stands adjourned until Monday, May 23rd, at 3:00 p.m., intervening days being legislative days.

Thank you.

(Whereupon, at 12:06 p.m., the Senate adjourned.)