NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 1, 2016

3:53 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 Charles O. Galbreath, senior pastor of Clarendon Road Church in Brooklyn.

Pastor?

REVEREND GALBREATH: Let us pray.

God of our weary years, God of our silent tears, Thou who has brought us thus far along the way. God of us all, we thank You and we honor You for this day, a day we have not seen before, a day we will not see again.

We pray that You would endow us with Your power, presence and protection. Cast Your caring eye on the New York State Senate, its members, their family and staff. We pray that You would bless each member and their staff with wisdom, justice, mercy and love, and rest

Your radiant gaze over New York State and all Your people this day.

Now, God, help us, in the words of Isaiah, to learn to do right, to seek justice, to defend the oppressed, to take up the calls of the fatherless and to plead the case of the widow.

Help us, in the words of the writer of Proverbs, to speak up for those who cannot speak for themselves, for the rights of all who are destitute. Help us to speak up and judge fairly, to defend the rights of the poor and the needy.

We pray that where there is violence, there would be peace; where there is injustice, there would be righteousness; where there is suffering, there would be comfort; and where there is hate, there would be Your love.

We ask this now in the name of the One who is our Creator, Redeemer and Sustainer.

Amen.

ACTING PRESIDENT GRIFFO: Thank you, Reverend.

The reading of the Journal.

THE SECRETARY: In Senate,

Tuesday, May 31st, the Senate met pursuant to adjournment. The Journal of Monday, May 30th, 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 47, Senator Murphy moves to discharge, from the Committee on Commerce and Economic Development --

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

The Secretary will continue.

THE SECRETARY: On page 47, Senator Murphy moves to discharge, from the Committee on Commerce and Economic Development, Assembly Bill Number 9612 and substitute it for the identical Senate Bill 7097, Third Reading Calendar 889.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 48, Senator Murphy moves to discharge, from the Committee on Commerce and Economic Development, Assembly Bill Number 9615 --

ACTING PRESIDENT GRIFFO: (Gaveling.) The Secretary will continue.

THE SECRETARY: -- and substitute it for the identical Senate Bill 7098, Third Reading Calendar 890.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 54, Senator Squadron moves to discharge, from the Committee on Corporations and Authorities, Assembly Bill Number 6621B and substitute it for the identical Senate Bill 579C, Third Reading Calendar 1019.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 54, Senator Montgomery moves to discharge, from the Committee on Corporations and Authorities, Assembly Bill Number 7770 and substitute it for the identical Senate Bill 6023, Third Reading Calendar 1023.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Reports and communications from state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, Mr. President, I wish you'd call up Senator Gallivan's bill, Print Number 6058, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 211, by Senator Gallivan, Senate Print 6058, an act to amend the Highway Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I wish to now call up Senator Ritchie's bill, Print Number 1796B, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 216, by Senator Ritchie, Senate Print 1796B, an act to amend the Education Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Next I wish to call up Senator Bonacic's bill, Print Number 1597, recalled from the Assembly, which is now at

the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 294, by Senator Bonacic, Senate Print 1597, an act to amend the Civil Practice Law and Rules.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Next would you please call up Senator Ortt's bill, Print Number 6916B, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 610, by Senator Ortt, Senate Print 6916B, an act to amend the Mental Hygiene Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Next, Senator Funke's bill I'd like to call up. It's Print Number 4732, recalled from the Assembly, and it's now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 666, by Senator Funke, Senate Print 4732, an act to amend the Social Services Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I move to amend Senate Print Number 1471A, by Senator Golden, by striking out the amendments made on June 10, 2015, and restoring it to its original print number, 1471.

ACTING PRESIDENT GRIFFO: It is so ordered and restored.

SENATOR DeFRANCISCO: Next I have amendments to the following bills that are on the Third Reading Calendar.

The first bill is my bill, it's on page 21, Calendar 159, Senate Print 31;

Senator Marchione's bill, page 31, Calendar 599, Senate Print 6497A;

Senator Hannon's bill, on page 41, Calendar Number 782, Senate Print 5810;

Senator Little's bill, on page 42, Calendar Number 809, Senate Print Number 6033A;

Senator Boyle's bill, on page 49, Calendar Number 919, Senate Print 98;

Senator Golden's bill, on page 52,

Calendar Number 981, Senate Print 3239A;

Senator Seward's bill, on page 54, Calendar Number 1017, Senate Print 7867;

Senator Murphy's bill, on page 54, Calendar 1020, Senate Print 4417;

And finally, Senator Griffo's bill, on page 31, Calendar 593, Senate Print 4862B.

ACTING PRESIDENT GRIFFO: The amendments are received on the bills as noted, and the bills shall retain their place on Third Reading Calendar.

SENATOR DeFRANCISCO: Thank you.

Would you now call on Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Klein, I wish to call up Bill 6466A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 283, by Senator Klein, Senate Print 6466A, an act

to amend the Public Health Law.

SENATOR VALESKY: Mr. President, I now move to reconsider the vote by which this bill passed.

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

SENATOR VALESKY: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR VALESKY: Also on behalf of Senator Klein, on page 18 I offer the following amendments to Calendar 49, Senate Bill 4085A, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR VALESKY: And on behalf of Senator Carlucci, on page 44 I offer the following amendments to Calendar 831, Senate Bill 7277, and ask that that bill retain its place on the Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Please call on Senator Gianaris.

ACTING PRESIDENT GRIFFO: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

On behalf of Senator Squadron, on page 42 I offer the following amendments to Calendar 792, Senate Print 5885A, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR GIANARIS: On behalf of Senator Parker, on page 45 I offer the following amendments to Calendar 867, Senate Print 2787, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill shall

retain its place on third reading.

SENATOR GIANARIS: On behalf of Leader Stewart-Cousins, on page 54 I offer the following amendments to Calendar Number 1009, Senate Print 6884A, and ask that said bill retain its place on Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, there will be an immediate meeting of the Rules Committee in Room 332. If the members would please bring with them their tablets, to save trees and the environment.

ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Rules Committee in Room 332 of the Capitol. The Senate will stand temporarily at ease.

Please bring your tablets with you. An immediate meeting of the Rules Committee in Room 332. Please bring tablets with you.

The Senate stands at ease.

(Whereupon, the Senate stood at ease at 4:03 p.m.)

(Whereupon, the Senate reconvened at 4:39 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator LaValle.

SENATOR LaVALLE: Mr. President, would you recognize Senator Gianaris.

ACTING PRESIDENT GRIFFO: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I have a motion here on behalf of Senator Espaillat. On page 36, I offer the following amendments to Calendar 716, Senate Print 3551A, and ask that said bill retain its place on Third Reading Calendar.

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

We have gone back to motions and resolutions. Is there anything else on motions and resolutions, Senator LaValle?

SENATOR LaVALLE: Apparently not.

May we return to reports of standing committees.

ACTING PRESIDENT GRIFFO: We will now go to reports of standing committees.

SENATOR LaVALLE: I believe there is a report of the Rules Committee at the desk.

ACTING PRESIDENT GRIFFO: There is a report of the Rules Committee at the desk, and the Secretary will read.

THE SECRETARY: Senator Flanagan, from the Committee on Rules, reports the following bills:

Senate 53, by Senator Hoylman, an act to amend the Vehicle and Traffic Law;

Senate 290, by Senator Martins, an act to amend the Real Property Tax Law;

Senate 427, by Senator Marcellino, an act to amend the Vehicle and Traffic Law;

Senate 522A, by Senator LaValle, an act to amend the Education Law;

Senate 622A, by Senator Valesky, an act to amend the Canal Law;

Senate 629, by Senator Valesky, an act to amend the Insurance Law;

Senate 731, by Senator Marcellino, an act to amend the Vehicle and Traffic Law;

Senate 823, by Senator Hannon, an

act to amend the Family Court Act;

Senate 862, by Senator Robach, an act to amend the Domestic Relations Law;

Senate 1119, by Senator LaValle, an act to amend the Vehicle and Traffic Law;

Senate 1223A, by Senator Carlucci, an act to amend the Education Law;

Senate 1225, by Senator Carlucci, an act to amend the Tax Law;

Senate 1566, by Senator Martins, an act to amend the Vehicle and Traffic Law;

Senate 1604, by Senator Bonacic, an act to amend the Education Law;

Senate 1684B, by Senator Little, an act to amend the Lien Law;

Senate 2013A, by Senator Carlucci, an act to amend the Tax Law;

Senate 2153, by Senator Golden, an act to amend the Domestic Relations Law;

Senate 2318, by Senator Young, an act to amend the Civil Rights Law;

Senate 2337A, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 2392A, by Senator Martins, an act to amend the Domestic Relations Law;

Senate 2435, by Senator Gianaris, an act to amend the New York City Civil Court Act;

Senate 2610, by Senator Seward, an act to amend the Real Property Law;

Senate 2652A, by Senator Griffo, an act to amend the Vehicle and Traffic Law;

Senate 2851, by Senator Lanza, an act to amend the Vehicle and Traffic Law;

Senate 3051, by Senator DeFrancisco, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate 3321, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 3352, by Senator Lanza, an act to amend the Executive Law;

Senate 3420, by Senator Young, an act to authorize;

Senate 3776, by Senator Sanders, an act to amend the Education Law;

Senate 3811, by Senator Lanza, an act to amend the Correction Law;

Senate 3835A, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 3921, by Senator Young, an act to amend the Real Property Law;

Senate 3996, by Senator Savino, an act to amend the Banking Law;

Senate 4072B, by Senator Golden, an act to amend the Penal Law;

Senate 4133, by Senator Golden, an act to amend the Penal Law;

Senate 4401, by Senator Boyle, an act in relation to;

Senate 4506, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 4514, by Senator Lanza, an act to amend the Executive Law;

Senate 4519A, by Senator Croci, an act to amend the Education Law;

Senate 4583A, by Senator Lanza, an act to amend the Vehicle and Traffic Law;

Senate 4621, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 4748A, by Senator Savino, an act to amend the Real Property Tax Law;

Senate 4827, by Senator Valesky, an act to amend the Tax Law;

Senate 4958, by Senator Griffo, an act to amend the Vehicle and Traffic Law;

Senate 4977, by Senator Marcellino,

an act to amend the Navigation Law;

Senate 5014, by Senator Marcellino, an act to amend Chapter 404 of the Laws of 2013;

Senate 5119, by Senator Carlucci, an act to amend the Education Law;

Senate 5129, by Senator Martins, an act to amend the General Municipal Law;

Senate 5227A, by Senator DeFrancisco, an act to amend the Surrogate's Court Procedure Act;

Senate 5297, by Senator Savino, an act to amend the Banking Law;

Senate 5405A, by Senator Farley, an act to amend the Education Law;

Senate 5459, by Senator Hannon, an act to amend the Social Services Law;

Senate 5556, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 5571, by Senator Ritchie, an act to amend the Vehicle and Traffic Law;

Senate 5635A, by Senator Valesky, an act to amend the Agriculture and Markets Law;

Senate 5636A, by Senator Valesky, an act to amend the Agriculture and Markets Law;

Senate 5676A, by Senator Klein, an

act to amend the Social Services Law;

Senate 5859B, by Senator Serrano, an act to authorize;

Senate 5923, by Senator Comrie, an act to amend the Real Property Tax Law;

Senate 6269, by Senator Gallivan, an act to amend the Vehicle and Traffic Law;

Senate 6316, by Senator DeFrancisco, an act to amend the Public Authorities Law;

Senate 6350, by Senator Robach, an act in relation to;

Senate 6375, by Senator Venditto, an act to require;

Senate 6450, by Senator Martins, an act to amend the Vehicle and Traffic Law;

Senate 6508, by Senator Marcellino, an act to amend the Education Law;

Senate 6512, by Senator Marcellino, an act to amend the Penal Law;

Senate 6862, by Senator DeFrancisco, an act to amend the Vehicle and Traffic Law;

Senate 6950A, by Senator Ritchie, an act to amend the Vehicle and Traffic Law;

Senate 6969, by Senator O'Mara, an act to amend the Vehicle and Traffic Law;

Senate 7024, by Senator Díaz, an act to amend the Education Law;

Senate 7036A, by Senator Avella, an act to amend the Criminal Procedure Law;

Senate 7052, by Senator Serino, an act to amend the Vehicle and Traffic Law;

Senate 7502, by Senator Golden, an act to amend the Vehicle and Traffic Law;

Senate 7549, by Senator LaValle, an act to amend the Education Law;

Senate 7573, by Senator LaValle, an act to amend the Education Law;

Senate 7655A, by Senator Bonacic, an act to amend the Vehicle and Traffic Law;

Senate 7659, by Senator Murphy, an act to amend the Highway Law;

Senate 7855, by Senator Valesky, an act in relation to authorizing;

Senate 7915, by Senator Martins, an act to amend the Education Law;

Senate 7920, by Senator Ritchie, an act to amend the Education Law;

Senate 7921, by Senator Marcellino, an act to amend the Education Law;

Senate 7967, by Senator Martins, an

act to amend the Labor Law; and

Senate 7968, by Senator Martins, an act to amend the Education Law.

All bills ordered direct to third reading.

ACTING PRESIDENT GRIFFO: Senator LaValle.

SENATOR LaVALLE: Mr. President, I move to accept the report of the Rules Committee.

ACTING PRESIDENT GRIFFO: All in favor of accepting the Committee on Rules report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Committee on Rules report is accepted.

Senator LaValle.

SENATOR LaVALLE: Can we go back, Mr. President, to motions and resolutions.

ACTING PRESIDENT GRIFFO: We will return to motions and resolutions.

SENATOR LaVALLE: I believe there's a previously adopted resolution by Senator Carlucci, 4114, at the desk. I ask that the

title be read only, and then would you call on Senator Carlucci to speak on his resolution.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4114, by Senator Carlucci, memorializing Governor Andrew M. Cuomo to proclaim June 1, 2016, as Running Day in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

And thank you, all my colleagues, for supporting this resolution.

This has become an annual tradition to have National Running Day and have New York State Running Day, the first Wednesday in June.

And tonight, or at 6 o'clock, we're going to be doing a Fun Run around the Capitol. And I invite everyone to join us, with the Assembly. All the staff is invited as well, and all the Senators, to join our Assemblymembers as we do a Fun Run around the Capitol. We'll be meeting at 5:45. The Fun Run will take place at

6 o'clock, right outside of the Legislative Office Building on the second floor, in front of the Capitol.

So hopefully everyone can join us. It's a Fun Run, so it won't be competitive. We're just going to do one lap around the Capitol and then, for those of us that want to continue on, we'll go on a longer run as well.

So thank you for proclaiming June 1st as Run Day in the State of New York. Now it's not just National Run Day, it's also Global Run Day, so we're all participating in that.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

I want to thank my friend Senator Carlucci for bringing this resolution to the floor. It really is really wonderful to recognize the importance of running -- the fun and camaraderie that comes with the Fun Run, as we'll see later today, but also the health benefits.

And we talk about communities in the South Bronx and East Harlem with some of the worst health disparities and high instance of Type 2 diabetes and obesity. Running can be a really fun way to lead to a much healthier community. And I really do encourage people to enjoy it.

I was a very young person in 1982, 10 years old, watching the New York City Marathon and Alberto Salazar and Rodolfo Gómez going at it to the very last minute, who would win that race.

And it could be exciting to watch, but it could also be very exciting to participate. And I encourage my colleagues to support Senator Carlucci's resolution but, more importantly, to encourage active participation of running in your own communities.

Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Serrano.

As noted, the resolution was previously adopted.

Senator LaValle.

SENATOR LaVALLE: May we please have the noncontroversial reading of the

calendar.

ACTING PRESIDENT GRIFFO: Before we do that, the prior resolution has been open for cosponsorship. Should you choose not to be a cosponsor, notify the desk,

The Secretary will begin the reading of the active-list calendar of June 1, 2016.

THE SECRETARY: Calendar Number 114, by Senator Young, Senate Print 3017, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 254, by Senator Klein, Senate Print 4086, an act to amend the Alcoholic Beverage Control 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, 57. Nays, 3. Senators DeFrancisco, Kaminsky and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 340, by Senator Ortt, Senate Print 3660, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

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

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

THE SECRETARY: Calendar Number 373, by Senator Valesky, Senate Print 5720B, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Espaillat to explain his vote.

SENATOR ESPAILLAT: Thank you, Mr. President. I rise to explain my vote.

This bill proposes to increase from 10 to 15 each the number of farm trails, apple trails, cuisine trails that the department may designate. The bill also increases the maximum length of any such trail from 50 miles to 75 miles.

On surface, Mr. President, this bill is a very good bill and I commend the sponsor of the bill for this initiative.

However, there is another trail that is not included in this bill. It is a trail of 200 miles that started in Suffolk County, Long Island, and stretched throughout the State of New York and concluded today here in the

Capitol, as several dozens of farmworkers marched for over 200 miles to bring light to a plight, their plight, which is one of the most important issues confronting workers across the State of New York.

And that is that they do not have a day off for rest, they do not have the right to join a union or collectively bargain, they don't have workers' compensation, and they don't get paid overtime.

So on this day while we are here to celebrate this initiative of the expansion of trails for the farm industry, we would like to see also included the Farmworkers Bill of Rights.

And we ask -- we have 27 sponsors for this bill. We ask the Governor -- he eats in the mansion the food that is picked by farmworkers. We eat in our members' lounge the strawberries and the cheese from the dairy farms that are picked by these farmworkers. On Thanksgiving we all share with our family the food and the produce that are picked by these farmworkers that continue to be exploited in New York State.

This is the last residue of the

racist Jim Crow laws that plagued our country for many years. Let's put it to rest. Governor, bring this bill to the floor. We have 29 sponsors. Let every member of this floor vote their conscience, up or down. There's 100,000 New Yorkers that don't have the benefits and don't have a trail like the ones being glorified today.

I vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Espaillat to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 373, those recorded in the negative are Senators Dilan, Espaillat and Hamilton.

Ayes, 57. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 461, by Senator Golden, Senate Print 1340, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 461, those recorded in the negative are Senators Comrie, Dilan, Espaillat, Hassell-Thompson, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Sanders, Serrano and Squadron. Also Senator Hamilton.

Ayes, 46. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 555, by Senator Marcellino, Senate Print 415, an act to amend the Education 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

Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, Mr. President, thank you.

This bill seeks to extend a suspension from one district to another for students who have been suspended in one district for issues related to physical violence, sexual assault or a weapons possession.

I am voting no on this legislation, as I have in the past, because there is a very specific and particular problem related to suspensions of young people in our school systems.

First and foremost, these suspensions fall most heavily on young males of color in our school systems across the state, especially in the City of New York.

Number two, these young people, these particular young people of color, seem to receive longer suspensions and for minor, more minor infractions.

The other important issue, suspensions are relevant as it relates to young people who end up getting in trouble with law enforcement, especially while they are being

suspended. And this bill does not carry with it a due process measure so that young people who are suspended, it is assured that they have access to a due process decision.

So I am voting no. I will continue to be concerned about the fact that suspensions represent part of the pipeline for young people from school to prison. I vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Montgomery to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 555, those recorded in the negative are Senators Comrie, Dilan, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Parker, Peralta, Perkins, Persaud, Rivera, Serrano, Squadron, Stavisky and Stewart-Cousins. Also Senator Sanders. Also Senator Espaillat.

Ayes, 42. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 572, by Senator Golden, Senate Print 824, an act to establish.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 8. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 578, by Senator Klein, Senate Print 2230, an act to direct.

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. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 593 has been amended and is high, not eligible for consideration.

Calendar Number 599 has also been amended and is high and ineligible for consideration.

The Secretary will now read Calendar Number 609.

THE SECRETARY: Calendar Number 609, by Senator Ortt, Senate Print 3661, 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 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 630, by Senator O'Mara, Senate Print 1625, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 630, those recorded in the negative are Senators Bonacic, Carlucci, Comrie, Espaillat, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Krueger, Little, Montgomery, Peralta, Perkins, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 41. Nays, 19.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 640, by Senator Amedore, Senate Print 7309, an act to amend the Mental Hygiene 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 663, by Senator Díaz, Senate Print 481A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect June 30, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 663, those recorded in the negative are Senators Amedore, DeFrancisco and Serino.

Ayes, 57. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 702, by Senator Lanza, Senate Print 7110, 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 immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 786, by Senator Hannon, Senate Print 7432, an act to amend the Public Health 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.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 807, by Senator Seward, Senate Print 3287, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

SENATOR LaVALLE: Mr. President, would you lay that bill aside for the day.

ACTING PRESIDENT GRIFFO: Calendar Number 807, by Senator Seward, will be laid aside for the day.

Calendar Number 809 is amended and accordingly is high and ineligible for consideration.

That will bring us to Calendar Number 826.

THE SECRETARY: Calendar Number 826, by Senator Martins, Senate Print 7163, an act in relation to permitting.

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. Nays, 1. Senator Bonacic recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 829, by Senator O'Mara, Senate Print 7257, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

SENATOR LaVALLE: Lay the bill aside for the day.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

So Calendar 829 has been laid aside for the day. Calendar Number 867 also has been amended and is accordingly high and ineligible for consideration.

The Secretary will read Calendar Number 871.

THE SECRETARY: Calendar Number 871, by Senator Kennedy, Senate Print 3528A, an act in relation to authorizing.

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

The Secretary will 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 876, by Senator Little, Senate Print 6545, an act to authorize.

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

The Secretary will 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 883, by Senator Amedore, Senate Print 5341, an act to amend the Alcoholic Beverage Control 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: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 885, by Senator Murphy, Senate Print 5418A, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect October 1, 2016.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 888, by Senator Murphy, Senate Print 7096, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 889, substituted earlier by Member of the Assembly Zebrowski, Assembly Print 9612, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 10. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 890, substituted earlier by Member of the Assembly Zebrowski, Assembly Print 9615, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 901, by Senator Larkin, Senate Print 6064, an act to amend the Highway 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 906, by Senator Carlucci, Senate Print 1975, an act to amend the State Administrative Procedure Act.

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 Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

This legislation very simply changes New York State law to allow us to take another step into the 21st century. What this will do is

allow for state agencies, on their own discretion, using their best judgment, to decide which documents, which applications, which types of material they'll accept in an electronic format.

By moving into a more digital age, by allowing state agencies to accept documents via a digital way, that will not only save businesses more money that are trying to apply for these certain permits, but also save the state money as well -- allow us to be more efficient, more effective in getting the people's work done.

So, Mr. President, I'll be supporting this legislation and I encourage my colleagues to do the same.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Carlucci will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed. And we are all enlightened.

THE SECRETARY: Calendar Number 909, by Senator Farley, Senate Print 2903C, an

act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President, I rise to explain my vote.

I'll be voting no on this bill.

The estimated fiscal on this is close to $300 million. One, it should be dealt with in the budget as a revenue loss for the State of New York.

And two, while on the face of it arguing that people should have a reduction in taxes on their pensions and annuities once they hit age 59½ or greater -- it might sound terrific but, you know, it's not a means-tested reduction.

So it would mean, with all due respect, that if Donald Trump and Michael Bloomberg were taking their annuities after 59½,

they'd be eligible for the tax deduction as well as some retired state worker who might be living on $35,000 a year.

So I vote no, Mr. President. Thank you.

ACTING PRESIDENT GRIFFO: Senator Krueger to be recorded in the negative.

Senator Farley to explain his vote.

SENATOR FARLEY: This is one of the most significant bills that we're passing this year, actually for the taxpayers.

It's very, very popular. It has been editorialized. It has not been raised since 1980. It is to keep people in this state.

Incidentally, it will not be effective -- it goes up in stages, and the impact is very modest from the point of view that it won't even be effective until the 2017 tax year.

And incidentally, it is sponsored by an overwhelming majority of this house. It passed last year, I believe, unanimously.

It's moving very fast in the Assembly. It's a bill whose time has come. People are abandoning this state. It affects IRAs, somebody that does not have a pension,

somebody that has a private pension, which happens to be smaller than most of the state pensions and public pensions.

So this is a good piece of legislation for the poor, hardworking people that have some sort of a savings, a private pension or an IRA, and it goes up in stages at the rate of $5,000 or so a year. And it's well needed, and it's a great piece of legislation. And I urge everybody to vote for it, including Senator Krueger.

(Laughter.)

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 915, by Senator Marchione, Senate Print 6330A, 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 916, by Senator Young, Senate Print 6655, an act to amend the Public Health 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.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 927, by Senator Valesky, Senate Print 5155, 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: Announce the results.

THE SECRETARY: In relation to Calendar 927, those recorded in the negative are Senators Comrie, Felder, Hassell-Thompson, Krueger, Montgomery, Murphy, Peralta, Perkins, Rivera and Stavisky. Also Senator Espaillat.

Ayes, 49. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 932, by Senator Golden, Senate Print 3204, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 940, by Senator Venditto, Senate Print 4953, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 940, those recorded in the negative are Senators Comrie, Hassell-Thompson, Montgomery, Perkins, Rivera and Sanders.

Ayes, 54. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 946, by Senator Gallivan, Senate Print 93A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 18. This act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President. I rise to oppose this bill and tell my colleagues why.

This bill would provide for the regulation of moose hunting in the same manner as deer and bear. The bill originally included elk until it was pointed out that the last elk in the Northeast was actually shot and killed on September 1, 1877. So we don't have any elk left.

But moose similarly are threatened. In fact, according to the DEC, Mr. President, they are a species of greatest conservation need. That's just above being endangered or threatened.

There are in fact only about 500 to 800 moose in New York State. They were nearly completely wiped out back in the 19th century,

along with deer and elk. They have since made their way back in small populations, just as deer have, but they still have many challenges.

They have challenges all across North America, where the phenomenon of human-induced climate change is threatening their environment as well as causing heat stress and increasing pestilence among their population.

I think it is far too premature for us to put the moose in the cross hairs at this point. Let's let this population recover and thrive before we take out our rifles.

Furthermore, Mr. President, the DEC already has the authority to issue such regulations. And I think it's up to them to decide, not this body, with clearly not enough information in hand. So I encourage my colleagues to vote no.

ACTING PRESIDENT GRIFFO: Senator Hoylman to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 946, those recorded in the negative are Senators Carlucci, Dilan, Hamilton, Hoylman, Krueger, Perkins, Serrano and Stavisky. Also

Senator Parker. Also Senator Hassell-Thompson.

Ayes, 50. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 949, by Senator Marcellino, Senate Print 421, an act to amend the Public Health 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 950, by Senator Marcellino, Senate Print 424, 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 January.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 950, those recorded in the negative are Senators Comrie, Dilan, Hamilton, Montgomery and Perkins.

Ayes, 55. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 951, by Senator Gallivan, Senate Print 532, an act to amend the Civil Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 951, those recorded in the negative are Senators Hamilton, Hassell-Thompson, and Perkins.

Ayes, 57. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 957, by Senator Avella, Senate Print 1095, an act to amend the Administrative Code of the City of New York.

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: Announce the results.

THE SECRETARY: In relation to Calendar 957, those recorded in the negative are Senators Comrie, DeFrancisco, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Murphy, Parker, Peralta, Perkins, Persaud, Rivera, Sanders, Serino, Serrano, Squadron and Stewart-Cousins. Also Senator Hamilton. Also Senator Hassell-Thompson.

Ayes, 40. Nays, 20.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

959, by Senator Ranzenhofer, Senate Print 1295A, 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 959, those recorded in the negative are Senators Hamilton, Montgomery, Perkins, Persaud, Rivera and Sanders.

Ayes, 54. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 963, by Senator Bonacic, Senate Print 1603A, an act to amend the Public Health 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 966, by Senator Marcellino, Senate Print 1804B, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect April 1, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 967, by Senator Golden, Senate Print 1827B, an act to amend the Penal 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 967, those recorded in the negative are Senators Montgomery, Parker and Sanders. Also Senator Hassell-Thompson.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 968, by Senator Marchione, Senate Print 1849, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. 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 968, those recorded in the negative are

Senators Hassell-Thompson, Krueger, Montgomery, Parker and Perkins.

Ayes, 55. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 981 has been amended and is high and ineligible for consideration.

Calendar Number 984.

THE SECRETARY: Calendar Number 984, by Senator Marcellino, Senate Print 3517B, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect April 1, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 991, by Senator Bonacic, Senate Print 4487A, an act to authorize.

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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 993, by Senator Seward, Senate Print 4900A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 995, by Senator Marcellino, Senate Print 5308, an

act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall effect January 1, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 997, by Senator Avella, Senate Print 5514, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1001, by Senator Golden, Senate Print 5849, an act to amend the Penal 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1001, those recorded in the negative are Senators Montgomery, Parker, Perkins and Sanders.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1004, by Senator Marchione, Senate Print 5947, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar 1004 are Senators Montgomery, Parker and Perkins. Also Senator Krueger.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1019, substituted earlier by Member of the Assembly Kim, Assembly Print 6621B, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1023, substituted earlier by Member of the Assembly Simon, Assembly Print 7770, an act to amend the Public Authorities 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 Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, thank you, Mr. President.

I want to thank my colleagues for supporting this legislation. It is for the purpose of assisting one of the not-for-profit organizations in our state and in my district. It's the Dancewave organization.

And Dancewave is an arts and education outreach program that has been designed for New York City public school children who might not otherwise receive an arts or physical education program in their school.

It reaches over 3,000 youth and 1,000 adults each year, and it also serves special-needs children. So they're growing in population, they need larger space, and this is what will assist them in being able to do so.

So it is one of those opportunities that we have to do something very, very specific and good for the citizens in our state, and it doesn't cost us in any money.

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

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

Announce the results.

THE SECRETARY: In relation to Calendar 1023, those recorded in the negative are Senators Akshar, Griffo, Lanza, Murphy and Ortt.

Ayes, 55. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1031, by Senator Martins, Senate Print 248B, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1033, by Senator Funke, Senate Print 2968, an act to amend 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. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1034, by Senator Funke, Senate Print 2969, 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 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1046, by Senator Larkin, Senate Print 2747A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1052, by Senator LaValle, Senate Print 1876, 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: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator LaValle, that completes the noncontroversial reading of today's active-list calendar.

SENATOR LaVALLE: Mr. President, can we move to motions and resolutions.

ACTING PRESIDENT GRIFFO: We will return to motions and resolutions.

SENATOR LaVALLE: I wish to call up Senator Nozzolio's bill, Print Number 6267, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The

Secretary will read.

THE SECRETARY: Calendar Number 280, by Senator Nozzolio, Senate Print 6267, an act to amend the Vehicle and Traffic Law.

SENATOR LaVALLE: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

SENATOR LaVALLE: Mr. President, I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: There is no further business before the desk, Senator LaValle.

SENATOR LaVALLE: There being no further business, I move we adjourn until Thursday, June 2nd, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until

Thursday, June 2nd, at 11:00 a.m.

The Senate is adjourned.

(Whereupon, at 5:28 p.m., the Senate adjourned.)