NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 2, 2016

11:39 a.m.

REGULAR SESSION

SENATOR FRED AKSHAR, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AKSHAR: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT AKSHAR: The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 1st, the Senate met pursuant to adjournment. The Journal of Tuesday, May 31st, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 27, Senator DeFrancisco moves to discharge, from the Committee on Transportation, Assembly Bill Number 1597A and substitute it for the identical Senate Bill 3785A, Third Reading Calendar 649.

On page 46, Senator Serino moves to discharge, from the Committee on Education, Assembly Bill Number 8105A and substitute it for the identical Senate Bill 5804A, Third Reading Calendar 1037.

On page 58, Senator Ritchie moves to discharge, from the Committee on Finance, Assembly Bill Number 4394A and substitute it for the identical Senate Bill 2947A, Third Reading Calendar 1165.

ACTING PRESIDENT AKSHAR: The substitutions are ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, on

page 28 I offer the following amendments to Calendar 673, Senate Print Number 6767, by Senator Hannon, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: I wish to call up Senate Print 7469, by Senator Ortt, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 944, by Senator Ortt, Senate Print 7469, an act to amend the Correction Law.

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

ACTING PRESIDENT AKSHAR: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 46.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT AKSHAR: The amendments are received.

SENATOR DeFRANCISCO: Would you please recognize Senator Valesky.

ACTING PRESIDENT AKSHAR: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On page 42 I offer the following amendments to Calendar 931, Senate Bill 7348, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Floor Leader.

SENATOR DeFRANCISCO: Would you recognize Senator Gianaris, please.

ACTING PRESIDENT AKSHAR: Senator Gianaris.

SENATOR GIANARIS: Mr. President, on behalf of Senator Squadron, on page 21 I offer the following amendments to Calendar 474, Senate Print 2190, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I now move to adopt the Resolution Calendar, with the exception of Resolutions 5968, 6009, and 6055.

ACTING PRESIDENT AKSHAR: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 5968, 6009 and 6055, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed, nay.

(No response.)

ACTING PRESIDENT AKSHAR: The Resolution Calendar is adopted.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 5941, by Senator Bonacic, read it in its entirety and call on Senator Bonacic to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative

Resolution Number 5941, by Senator Bonacic, commending the Valedictorians, Salutatorians and Honored Students of the 42nd Senate District, in recognition of their outstanding accomplishments, at a celebration to be held at the State Capitol on June 2, 2016.

"WHEREAS, It is the sense of this Legislative Body to act in accord with its long-standing traditions, to honor the youth of today -- the leaders of tomorrow -- whose character and achievements exemplify the ideals and values cherished by this great state and nation; and

"WHEREAS, This Legislative Body is justly proud to recognize and commend the high achievements of these dedicated students in the 42nd Senate District on the occasion of a special celebratory visit to the State Capitol in Albany, New York, on Thursday, June 2, 2016; at this time the Valedictorians, Salutatorians and Honored Students who have been selected by their school leadership for outstanding community service will receive special recognition from the Senate in the Senate Chamber; lunch will be served on the 3rd Floor Terrace of the Legislative Office

Building, followed by a tour of the State Capitol; and

"WHEREAS, These Valedictorians, Salutatorians and Honored Students represent the best of developed potential inherent in our most precious resource, our youth; their achievements have brought enduring honor to their families and communities and should be recognized and saluted; and

"WHEREAS, The Valedictorians who are being commended today for their outstanding academic performances and exemplary achievements include: Cooper Maney, Kaileen Townsend, Makayla Klinger, Sara Kovatch, Alyson Hummer, Ali Hasan, Morgan Ratynski, Trevor Flynn, Madeline Doyle, Lauranne Wolfe, Jackson McGrail, Bijal Patel, Katherine Mendez, Patrick R. Burke, Kayli Green, Stacy Andryshak, Timothy Braunstein, Rebecca Bass, Rachel Broder, Sara Miller, Ciera Moore, Allison Kurthy, Alexis Romer, Ghryffin Reece-Evans, Bristol R. Woods, Emma Pompeii, Kassondra Little, Darren Tsai, Sean Konz, Peyton Atkins, Teresa Ferguson, Mark Laaninen, Sarah Movsas, Valmic Patel, Julia Sullivan and Gus Formato; and

"WHEREAS, The Salutatorians who are being commended today for their outstanding academic performances and exemplary achievements include: Beth Davis, Rose Luscomb, Julia Steitz, Kathryn Warren, Liam Drumgoole, Patrick Angerame, Julia Cirillo, Brittany Kinman, Isabel Minano, Bria Metzger, Dylan Storms, Jenna E. Blank, Katie Spencer, Samantha McDoal, Erin G. Sumfleth, Timothy Glinski, Mary Conway, Gan Lin, Sarah Rubin, Samantha Squire and Natalie Matikiewicz; and

"WHEREAS, The Honored Students who are being commended today and who have been selected by their school leadership for outstanding school or community service include: Megan Shaver, Hannah Weyrauch, Morgan Taddeo, Matthew Kowal, Melissa McMonagle, Joshua Hazelnis, Danielle Rabadi, Wesley Gerow, Shawn Bonner-Burke, Leif K. Johansen, Jennifer Bracker, Patrick Varuzza, Cora Kircher, and Dana Congelosi; and

"WHEREAS, These Valedictorians, Salutatorians and Honored Students may now stand with pride as they assess their achievements, experience the satisfaction of their labors and

the joy of their accomplishments, eager to face the new experiences of a challenging world; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commend the Valedictorians, Salutatorians and Honored Students of the 42nd Senate District, in recognition of their outstanding accomplishments at a celebration to be held at the State Capitol on June 2, 2016; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the aforementioned Valedictorians, Salutatorians and Honored Students."

ACTING PRESIDENT AKSHAR: Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

And I want to thank the director of chamber services for doing a good job in pronouncing all the names.

On behalf of all our guests here, there are approximately 170. And they are the best and brightest from all of the schools in my Senate district that are valedictorians,

salutatorians, and a third category of a student who's made a tremendous impact either to his school or to his community.

On behalf of all the Senators here, we're excited to have you here to honor you.

Today we had a wonderful program in the hearing room. We had our own Senator Flanagan, our Majority Leader, address the honored guests. We had a gentleman, Mr. Casler, from Siena College, and our own Andrew Winchell, who addressed our students and parents and educators.

And what I will say to all of you: We want you to succeed in your college years.

And the other thing that I want to mention to you, the State of New York is still the best state in the nation. And when you finish your college, or if you would go on, we would hope that you would come back to this state -- live here, work here, raise your family, and keep America strong with all the talents you have to contribute.

Thank you very much, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Bonacic.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, can we have a vote? Oh, it's already been adopted, I'm sorry. It's been adopted.

In that case, Senator Bonacic would like it to be open for cosponsorship.

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

(Applause.)

ACTING PRESIDENT AKSHAR: Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, can we now take up Resolution 6009, by Senator Kennedy, read its title only and call on Senator Kennedy to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6009, by Senator Kennedy, commemorating the 150th Anniversary of the Fenian Invasion of 1866 on June 4, 2016.

ACTING PRESIDENT AKSHAR: Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to honor a significant historical event to Western New York, to Irish Americans, to the United States, Canada and Ireland -- the Fenian Invasion of 1866 that took place on June 1, 1866. So this week we celebrate its 150th anniversary.

Just last week I welcomed to Buffalo the Lord Mayor of Dublin, Críona Ní Dhálaigh, who came to our city to help kick off the entire week of activities honoring this significant event. This weekend the Consul General of Ireland, Barbara Jones, will be in town to celebrate the occasion with us. The Black Rock Historical Society, the Ancient Order of Hibernians, and many different Irish heritage organizations have come together to put on a magnificent celebration in honor of this historical occasion.

A brief history of the Fenian Invasion of 1866 will help illustrate the extreme significance of this anniversary and why such an event is important to the people of this state and this country.

As I mentioned, on June 1, 1866,

about 500 to 800 Irish nationalists and United States Civil War veterans, known as Fenians, embarked from the docks of the Pratt Ironworks in Buffalo to invade Canada, seize it and barter it for Irish freedom from British rule. The Fenian brotherhood had been founded in 1858 in the United States and found its roots in the United Irishmen and other Irish Nationalist groups.

The Fenian forces -- again, mainly Civil War veterans that served this country bravely and proudly -- arrived in Buffalo at the Exchange Street Train Station. They gathered in the Old First Ward, the old Irish neighborhood, and launched their attack from the Pratt Ironworks, now known as Tow Path Park.

The Fenians defeated the Crown forces across the Niagara River at the Battle of Ridgeway, outnumbered and outgunned, and briefly held Fort Erie, but they suffered a setback when President Andrew Johnson blocked the reinforcements and sent Generals Grant and Meade to quell this invasion. Now, these Civil War veterans, still dedicated to their commander-in-chief, followed his orders, came back onto U.S. soil, and all were pardoned --

although some had lost their lives.

The Fenian Invasion demonstrated that independence and democracy are forces that no amount of oppression can prevent. Even outnumbered and outgunned, the Fenians valiantly battled the British Crown forces in Canada.

Despite this, the Fenian invasion had a profound and lasting impact on the two British colonies, Canada and Ireland. The momentum for independence grew in Canada and was achieved one year and one month to the date, on July 1, 1867, still to this day celebrated as Canadian Independence Day. Each year Canada celebrates the Fenian raid and, given its supremely vital importance into the incorporation of Canada as a nation, this event is recognized across the globe.

In Ireland, 50 years later this also gave great momentum to the uprising on Easter Monday in 1916. This year we celebrate its centennial.

In recognition of the significant event of the Fenian Invasion of Canada, Buffalo now has a monument in Tow Path Park, where this invasion set off from on the banks of the

Niagara River, dedicated to this moment in history, honoring those brave men and women who participated in this significant event for Irish independence.

I want to recognize my colleagues of all ethnicities, especially my colleagues of Irish-American descent on both sides of the aisle, for helping to bring this important resolution to the floor today.

I want to thank everyone in the chamber for taking the time to recognize this important date in our country's history, the history of Canada, the history of Ireland.

And I ask everyone to keep in mind the contributions these Civil War soldiers gave to the United States and --

ACTING PRESIDENT AKSHAR: Can I have some order in the house, please {gaveling}.

Thank you, Senator Kennedy.

SENATOR KENNEDY: I'd like to ask everyone to keep in mind the bravery and dedication that these United States Civil War soldiers gave to our country, to Canada, and to Ireland.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed, nay.

(No response.)

ACTING PRESIDENT AKSHAR: The resolution is adopted.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, I would now notify the chair that the resolution is open for sponsorship.

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

SENATOR DeFRANCISCO: Next, if you could take up previously adopted Resolution 5401, by Senator Marchione, read the title only, and call on Senator Marchione to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5401, by Senator Marchione,

congratulating the Shenendehowa High School Varsity Color Guard upon the occasion of capturing the Gold Medal at the WGI Color Guard World Championships.

ACTING PRESIDENT AKSHAR: Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

I rise to congratulate the Shenendehowa High School Varsity Color Guard upon the occasion of capturing the Gold Medal at the Winter Guard International Color Guard World Championships.

The hallmark of the Shenendehowa High School Varsity Color Guard, from the opening of the season to participation in the championship, were a fellowship of athletic ability, of good sponsorship, of honor and of scholarship, demonstrating that these team players are second to none.

And all of these outstanding athletes have clearly made contributions to the spirit of excellence which is a tradition of their school. Therefore, I would ask if they would please rise, be recognized. I congratulate

each and every one of them and their director, Scott Snell, on this outstanding season and for their overall team record.

Congratulations to all of you.

(Applause.)

ACTING PRESIDENT AKSHAR: On behalf of the New York State Senate, we welcome you and we extend all the privileges of the house.

Senator Farley wishes to be heard.

SENATOR FARLEY: Yes, I want to join in with Senator Marchione as I share Shenendehowa, the largest school district in the Capital Region.

And congratulations to this magnificent organization. You attend one of the finest schools in New York State, and we're very, very proud of you. And I congratulate Senator Marchione for bringing this resolution, and welcome to the Senate.

ACTING PRESIDENT AKSHAR: Mr. Floor Leader.

SENATOR DeFRANCISCO: Would you please open this resolution up for cosponsorship.

ACTING PRESIDENT AKSHAR: The resolution is open for cosponsorship. If you do

not wish to be a cosponsor, please notify the desk.

Mr. Floor Leader.

SENATOR DeFRANCISCO: Yes, next if you'd take up Resolution 6055, by Senator Rivera, read the title only, and call on Senator Rivera to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6055, by Senator Rivera, memorializing Governor Andrew M. Cuomo to proclaim June 2016 as Immigrant Heritage Month in the State of New York.

ACTING PRESIDENT AKSHAR: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

As I've done in the last couple of years, today I am sponsoring this resolution asking all my colleagues to join us, to join me and the folks that have already sponsored the resolution, to have this month be Immigrant Heritage Month in the State of New York.

Now, when we talk about the great

contributions that immigrant communities have brought to the state, we see groups coming here from all over the state and that come from all sorts of different parts of the world.

Just when you think about what my staff -- I have a relatively small staff, but just in my staff, which you have represented, whether it's Ghana or Nigeria, whether you have Venezuela or Trinidad, whether you have the Dominican Republic, Peru, Panama -- that is only in my staff.

Myself, I'm Puerto Rican, born in raised in Puerto Rico. I do not have the kinky hair -- I have no hair -- but still, born in Puerto Rico and came to New York to study and to thrive, as many of our immigrant brothers and sisters do.

And then when you expand it just to include just my district, which is one of 63 across the state, you can add the countries of Honduras or Ivory Coast, Vietnam or Mexico, Albania or even Italy. You have all of these different countries that give us some of our folks, whether they be on the floor of the Senate or the Assembly or just folks that we represent

in our different districts.

I am incredibly proud to say that it is precisely this diversity that makes us a great state -- and indeed, that makes us a great country. If we did not have all of these different folks coming here knowing that the United States is ready with its arms wide open to welcome them and to include them in the American experience, we would not be as great a country as we are.

So particularly in a political season when some folks unfortunately have found immigrants an easy target, I am very happy to know that there are so many folks certainly in this house and in this chamber that appreciate and value all the things that immigrants bring to the state and to this country. And so it's why I am sponsoring this resolution and asking all my colleagues to join me as well.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed,

nay.

(No response.)

ACTING PRESIDENT AKSHAR: The resolution is adopted.

Mr. Floor Leader.

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

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

SENATOR DeFRANCISCO: Could you now take up Resolution 5968, by Senator Hassell-Thompson, read the title only, and call on Senator Hassell-Thompson to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5968, by Senator Hassell-Thompson, congratulating Millie Berry upon the occasion of her 107th birthday.

ACTING PRESIDENT AKSHAR: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

I rise to congratulate and to celebrate Mrs. Berry on reaching 107 years old, but not only in physical health but in mental health. She is as alert as anything.

The thing that she wants to talk about most is the fact that through her lifetime, the changes that she has seen, and particularly as she has talked with me about, those changes that she has seen in politics. And of course to have lived to be able to vote for the first African-American to be president of this wonderful country. And the numbers of women that she's just devastated because there are not a lot of good women, she said, who want to stand up and be elected. But she said with all the nonsense that's going on in Washington and some other places, she can understand why, because they would get in there and whip those people into shape.

But that's the kind of conversations that you have with somebody who has lived more than a century and has seen so much and has experience so much.

She was one of those that was fortunate to be a stay-home mom. And being the

third child of nine children, she had worked very hard all of her life. But she did not ever forget the volunteerism and being involved. Community engagement was very critical, because she said communities are not good if people are not involved.

And at 107, she's still involved, even though she doesn't have the physical vigor that she had at 104.

(Laughter.)

SENATOR HASSELL-THOMPSON: She is a marvel.

And so this is my second this week of being with centenarians. And we just honored another young woman, 101. We just created a bench for her 50 years of volunteerism.

And, you know, at 100 years old, when you're still going to community board meetings, and you're still engaged -- it just makes me angry when I look at our young people who are so disengaged and trying to figure out what is it that we need to be doing and saying to them that makes them want to be participatory.

And I think if they had a chance to talk to Millie Berry the way I have, and to

Mary Vallati, who we dedicated the bench to, perhaps they would inspire them. Because they are inspirational, and they have been a part of the inspiration that makes me get up every day and say it's worth coming to face the world and trying to make it a better place.

Thank you, Mr. President. And thank you for the opportunity to celebrate Millie Berry in the Senate.

ACTING PRESIDENT AKSHAR: Thank you, Senator Hassell-Thompson.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed, nay.

(No response.)

ACTING PRESIDENT AKSHAR: The resolution is adopted.

Mr. Floor Leader.

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

ACTING PRESIDENT AKSHAR: This too is open for cosponsorship. If you do not wish to be a cosponsor, please notify the desk.

SENATOR DeFRANCISCO: Now, before we do the noncontroversial reading I just would like to announce that after the calendar, when the calendar is completed, there will be a Health Committee meeting in Room 124 of the Capitol. And I will announce that again, but I just want to give everybody a heads up.

Now would you please take up the noncontroversial reading of the calendar.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 60, by Senator Croci, Senate Print 3134B, an act to amend the Real Property Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill

is passed.

THE SECRETARY: Calendar Number 227, by Senator Robach, Senate Print 840A, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 376, by Senator LaValle, Senate Print 5512A, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 531, by Senator Martins, Senate Print 6995, an act to authorize.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 645, by Senator Marcellino, Senate Print 728, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: In relation to Calendar 645, those recorded in the negative are Senators Avella, Dilan, Gianaris, Krueger, Montgomery, Perkins, Persaud, Sanders, Savino, Serrano, Squadron and Stavisky.

Ayes, 47. Nays, 12.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 649, substituted earlier by Member of the Assembly Magnarelli, Assembly Print 1597A, an act to amend the Navigation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of November.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I would just like to explain my vote. It's obviously a yes.

We've passed a bill similar to this for probably eight years now, from shortly after the death of Tiffany Heitkamp. And what the original bill would have done is that if you were found guilty of a driving while intoxicated and then were charged with driving a boat while intoxicated or driving an ATV while intoxicated, that second offense would be like a second felony offender as a result of the prior conviction.

The logic behind that I think is pretty clear, and that's namely to make certain that people, no matter what they're driving, are going to drive while not under the influence of alcohol.

We've passed it in the Senate for years. Finally, this year, the Assembly amended the bill -- that's why it's a Magnarelli bill at

the moment. It's been weakened somewhat, but it's still definitely a law that should be supported by everyone.

It now requires that if you had a prior DWI, no matter what you were driving, the next offense, no matter what you were driving, would end up requiring the judge, in sentencing, to consider the fact that you have a prior driving something under the influence.

So this is an important bill. It's very important to the Heitkamp family. They've been working long and hard to get this the law of the State of New York in honor of their fallen daughter. And I would urge the support of everyone for this piece of legislation.

Thank you.

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 681, by Senator Marchione, Senate Print 1382, an act to amend the Military Law.

ACTING PRESIDENT AKSHAR: Read the

last section.

THE SECRETARY: Section 4. This act shall take effect on the 120th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Marchione.

SENATOR MARCHIONE: Yes, I'd like to explain my vote. Of course, it's a yes, but I want to explain why I believe this legislation is so important.

This year marks the 50th anniversary of the Vietnam War. When those soldiers came home, they did not receive the welcome and the thanks and the honor that they deserved. Not having a medal from New York State to me just smacks in the face that -- of how they were treated when they returned.

I don't believe that we should not have a medal for our Vietnam veterans. We need to establish a medal, show those individuals who came back under such terrible conditions and at such a tumultuous time that we honor them, that we're thankful to them, and that we care enough

about them to give them a medal from New York State.

So I would encourage and ask my colleagues to please vote yes.

I would also just like to mention that I have in my district, in the Town of Halfmoon, the Vietnam Moving Wall came in today and it will be with us until Monday. And I would invite any of my colleagues to please come over and give the Vietnam veterans the honor that they deserve.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Senator Marchione, you will be recorded in the affirmative.

Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 768, by Senator Marcellino, Senate Print 729, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the first of November.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Hassell-Thompson and Montgomery recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 833, by Senator Croci, Senate Print 7371, an act to authorize.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 900, by Senator O'Mara, Senate Print 5582B, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 952, by Senator Marcellino, Senate Print 736, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 971, by Senator Larkin, Senate Print 2212A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 971, those recorded in the negative are Senators Hassell-Thompson, Hoylman, Montgomery, Perkins and Squadron.

Ayes, 54. Nays, 5.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 994, by Senator Martins, Senate Print 4986, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first day of a quarterly sales tax period.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 998, by Senator Murphy, Senate Print 5757B, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce

the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1035, by Senator Funke, Senate Print 3655, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1037, substituted earlier by Member of the Assembly Barrett, Assembly Print 8105A, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1053, by Senator LaValle, Senate Print 2109, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 1053, those recorded in the negative are Senators Hoylman, Krueger, Sanders and Serrano.

Ayes, 55. Nays, 4.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1054, by Senator Young, Senate Print 3064, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1055, by Senator LaValle, Senate Print 4390, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1071, by Senator Larkin, Senate Print 2208, an act to amend the General Business Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1089, by Senator Golden, Senate Print 1458A, an

act to amend the Real Property Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1094, by Senator Comrie, Senate Print 6231, an act to amend the Real Property Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1096, by Senator Klein, Senate Print 7844, an act to amend the Real Property Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1099, by Senator Hannon, Senate Print 780, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1102, by Senator Bonacic, Senate Print 1634, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1103, by Senator Young, Senate Print 1978, an act

to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1104, by Senator Young, Senate Print 3076, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 1104, those recorded in the negative are Senators Comrie, Hoylman, Krueger, LaValle, Perkins, Rivera and Serrano.

Ayes, 52. Nays, 7.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1109, by Senator Serino, Senate Print 6705, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1110, by Senator Griffo, Senate Print 7021, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1111, by Senator Ritchie, Senate Print 7180, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1112, by Senator Amedore, Senate Print 7390, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1113, by Senator Young, Senate Print 7428, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This act shall --

SENATOR DeFRANCISCO: Will you lay

the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 1117, by Senator Martins, Senate Print 3237, an act to amend the Family Court Act.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 90th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1126, by Senator Valesky, Senate Print 624, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 1126, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Montgomery, Perkins, Rivera and Squadron.

Ayes, 52. Nays, 7.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1128, by Senator Larkin, Senate Print 2209, Concurrent Resolution of the Senate and Assembly.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1129, by Senator Farley, Senate Print 5502A, an act to amend the Uniform Commercial Code.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 21. This act shall take effect on the same date and in the same manner as Chapter 505 of the Laws of 2014.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1157, by Senator Marchione, Senate Print 1214A, an act to amend the Military Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 120th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1158, by Senator Kennedy, Senate Print 1463, an act to amend the Highway Law.

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

Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Funke and Marchione recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1159, by Senator Kennedy, Senate Print 1507, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: There is

a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Kennedy.

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

I want to just, first and foremost, thank my colleagues for your votes on this bill and the previous bill.

Both Ridge Road and South Park Avenue in the City of Lackawanna, these are intersecting thoroughfares that cross through the heart of the City of Lackawanna that has seen its population cut by two-thirds over the course of the last 50 years, since Bethlehem Steel has left. It used to be a city of 50,000; it's now about 17,000. That tax base has eroded, and with it the amount available for infrastructure.

And these two particular roadways are main arteries that see, combined, about

25,000 vehicles per day -- again, through the heart of the City of Lackawanna, near the national shrine of Our Lady of Victory Basilica, of Baker Victory Services, which employs hundreds of people, the Buffalo and Erie County Botanical Gardens, which is just on that road as well, as well as a burgeoning commercial district.

This is a very, very important piece of the growing puzzle for the momentum of the City of Lackawanna regaining its feet and growing jobs, growing the economy, and continuing to ensure its financial stability and success moving forward.

I particularly want to thank the chairman of the Transportation Committee, Senator Joe Robach, for his confidence in this legislation as well and recognizing its importance in helping the City of Lackawanna continue to grow its economy. I appreciate everyone's support on this important initiative.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT AKSHAR: Senator Kennedy, you will be recorded in the affirmative.

Announce the result.

THE SECRETARY: In relation to Calendar 1159, those recorded in the negative are Senators Funke, Marchione and Martins.

Ayes, 56. Nays, 3.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1160, by Senator Boyle, Senate Print 1628B, an act in relation to making veterans organizations eligible.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1161, by Senator Robach, Senate Print 1656B, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1162, by Senator Little, Senate Print 1851, an act to amend the General Obligations Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1163, by Senator Bonacic, Senate Print 1902, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1165, substituted earlier by Member of the Assembly Ortiz, Assembly Print 4394A, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1166, by Senator Young, Senate Print 3019, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 58. Nays, 1. Senator Hassell-Thompson recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1168, by Senator Carlucci, Senate Print 3223A, an act to amend the Correction Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1171, by Senator Parker, Senate Print 4185B, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1173, by Senator Valesky, Senate Print 5776, an act to amend the Not-for-Profit Corporation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1175, by Senator Klein, Senate Print 6369, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the first of April.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1256, by Senator Klein, Senate Print 5676A, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

This is a very important piece of legislation which came out of a report that I conducted back in November called "The Hidden Dangers of Daycare." And needless to say, the results of this report were frightening.

We found that, unbeknownst to parents, daycare centers throughout the City of New York had some serious problems -- toxic materials on the floors of the facility, failure to do criminal background checks for the individuals who are taking care of our young ones, really serious problems.

And unfortunately, the system that was in place up until now was sort of archaic. It was very difficult for parents to go onto the website and really make sense or even understand what that report was all about. They never knew how serious these violations were. You had daycare centers failing their inspection over and over again. And unfortunately, nothing was ever cleared up and parents really didn't even know.

As a matter of fact, out of the 2,271 group daycare centers in the City of

New York, over just one year, 2013, they racked up over 18,000 violations -- 18,000 violations, many of those hazardous violations.

I'm very proud to report after a very lengthy negotiation with the City of New York we came up with, I think, a very user-friendly way to let our parents know how safe or unsafe local daycares are.

You know, I think everyone knows that in the City of New York we have letter grades for restaurants. We're letting people know how clean or how dirty their local eatery is. Well, now parents will have the same opportunity, through a report card from the City of New York which is going to be posted in the doorway of every daycare center in the City of New York.

Parents will now be able to see the number of years a daycare has been in operation. The license will be on top of the posting, because we had a lot of problems with unlicensed daycares in the City of New York. The number of children that are allowed in the daycare, the number of teachers on the site, because we found an overcrowding problem, especially the

teacher-to-student ratio. So parents will know about that.

How many times a program was suspended for one of their programs through some type of violation. And I think probably the most important thing, we're now going to be able to know the average number of violations that are public health hazards during a program's past inspection.

We're also going to be able to allow parents to compare the number of violations at one specific daycare, how they rate in relation to the citywide average.

This legislation is extremely important, and I think this is going to go a long way towards giving our parents peace of mind when they send their youngsters to daycare. Because otherwise, how can a parent tell if a staff is certified in CPR? How will they ever know if the floors are covered with a toxic finish? They also will never know whether the individuals who are entrusted and taking care of our young people actually have adequate criminal background checks.

So I think this is a tremendous

victory for not only the parents, who will now get to choose very wisely on where they send their children, but most importantly it's, I think, a victory for our young people.

I want to cite, really thank the City of New York, especially the health commissioner. We worked very, very hard together to negotiate something that I think is a win/win for parents all over the City of New York.

I vote yes, Mr. President.

ACTING PRESIDENT AKSHAR: Senator Klein to be recorded in the affirmative.

Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AKSHAR: The bill is passed.

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

SENATOR DeFRANCISCO: Would you please go back to motions and resolutions.

ACTING PRESIDENT AKSHAR: Motions and resolutions.

SENATOR DeFRANCISCO: On page 29 I offer the following amendments to Calendar 698, by Senator Golden, Senate Print 6303A, and

ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: And finally, on page 37 I offer the following amendments to Senator O'Mara's bill, Calendar 829, Senate Print 7257, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: There will be an immediate meeting of the Health Committee in Room 124 of the Capitol.

ACTING PRESIDENT AKSHAR: Immediate meeting of the Health Committee, Room 124 of the Capitol.

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

ACTING PRESIDENT AKSHAR: There is none.

SENATOR DeFRANCISCO: Oh, there is. Apparently Senator Carlucci has an important

announcement.

ACTING PRESIDENT AKSHAR: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

On behalf of the Italian-American Legislators Conference --

ACTING PRESIDENT AKSHAR: Can I have some order in the house, please {gaveling}.

SENATOR CARLUCCI: On behalf of the Italian-American Legislators Conference, we'd like to invite everybody to Italian-American Day on Monday.

Festivities are going to be kicking off at 11 a.m. at the Legislative Office Building, in The Well. There will be a street fair with food samples from all different vendors. Then we'll be doing scholarship awards at 12 p.m. We'll have honorees here on the floor at 3:00 p.m. And then we have our festa over in Troy at 6 p.m.

And we hope everyone will be able to join us, so I wanted everyone to look forward to that and plan accordingly.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Carlucci.

SENATOR DeFRANCISCO: I knew it was important, but I didn't think it was that important.

(Laughter.)

SENATOR DeFRANCISCO: I move to adjourn until Monday, June 6th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AKSHAR: On motion, the Senate stands adjourned until Monday, June 6th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:35 p.m., the Senate adjourned.)