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THE STENOGRAPHIC RECORD

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REGULAR SESSION

SENATOR THOMAS D. CROCI, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT CROCI: 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 CROCI: In the absence of clergy, would you all please bow your heads for a moment of silence.

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

ACTING PRESIDENT CROCI: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 6th, the Senate met pursuant to adjournment. The Journal of Sunday, June 5th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 14, Senator Golden moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 9191 and substitute it for the identical Senate Bill 6465, Third Reading Calendar 244.

On page 18, Senator Amedore moves to discharge, from the Committee on Transportation, Assembly Bill Number 9028B and substitute it for the identical Senate Bill Number 6372A, Third Reading Calendar 411.

On page 30, Senator Hannon moves to discharge, from the Committee on Health, Assembly Bill Number 9188B and substitute it for the identical Senate Bill 6347B, Third Reading Calendar 784.

On page 32, Senator Marchione moves to discharge, from the Committee on Finance, Assembly Bill Number 9509 and substitute it for the identical Senate Bill 6329, Third Reading Calendar 812.

On page 40, Senator LaValle moves to discharge, from the Committee on Education, Assembly Bill Number 9422 and substitute it for the identical Senate Bill 6851, Third Reading

Calendar 1039.

On page 41, Senator DeFrancisco moves to discharge, from the Committee on Education, Assembly Bill Number 9516 and substitute it for the identical Senate Bill 6930, Third Reading Calendar 1040.

On page 43, Senator LaValle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 9218 and substitute it for the identical Senate Bill 6678, Third Reading Calendar 1063.

On page 49, Senator Golden moves to discharge, from the Committee on Health, Assembly Bill Number 356 and substitute it for the identical Senate Bill 6730, Third Reading Calendar 1146.

On page 64, Senator Golden moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9129A and substitute it for the identical Senate Bill 6552A, Third Reading Calendar 1322.

On page 66, Senator O'Mara moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 9643 and substitute it for the identical Senate Bill

7177, Third Reading Calendar 1334.

On page 71, Senator Montgomery moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 1984 and substitute it for the identical Senate Bill 6806, Third Reading Calendar 1455.

ACTING PRESIDENT CROCI: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, on page 16 I offer the following amendments to Calendar 333, Senate Print Number 6739A, by Senator Boyle, and ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CROCI: So ordered.

SENATOR DeFRANCISCO: I would like to call up Senator Nozzolio's bill, Senate Print Number 1584, recalled from the Assembly, which is

now at the desk.

ACTING PRESIDENT CROCI: The Secretary will read the title of the bill.

THE SECRETARY: Calendar Number 205, by Senator Nozzolio, Senate Print 1584, an act to amend the Vehicle and Traffic Law.

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

ACTING PRESIDENT CROCI: Please call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT CROCI: The bill is restored to its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: I now offer the following amendments.

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

SENATOR DeFRANCISCO: I would now like to call up Senate Print 1954, by Senator Nozzolio, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT CROCI: The

Secretary will read the title of the bill.

THE SECRETARY: Calendar Number 273, by Senator Nozzolio, Senate Print 1954, an act to amend the Vehicle and Traffic Law.

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

ACTING PRESIDENT CROCI: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT CROCI: The bill is restored to its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: I now offer the following amendments.

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

SENATOR DeFRANCISCO: Next I wish to call up Senator Gallivan's bill, Senate Print Number 6669, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT CROCI: The Secretary will read the title of the bill.

THE SECRETARY: Calendar Number

656, by Senator Gallivan, Senate Print 6669, an act to amend the Vehicle and Traffic Law.

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

ACTING PRESIDENT CROCI: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT CROCI: The bill is restored to its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: I now offer the following amendments.

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

SENATOR DeFRANCISCO: Next I have amendments to the following Third Reading Calendar bills:

Senator Golden, page 22, Calendar Number 607, Senate Print 6704A;

My bill, page 50, Calendar Number 838, Senate Print 7500;

Senator Bonacic's bill, page 44, Calendar 1074, Senate Print 6485;

Senator Serino's bill, page 61, Calendar Number 1288, Senate Print 7777 -- should play those numbers today;

Senator Griffo's bill, page 64, Calendar 1315, Senate Print 7455;

Senator Marcellino's bill, page 18, Calendar 403, Senate Print Number 6873;

Senator Murphy's bill, page 39, Calendar 999, Senate Print Number 5774;

Senator Akshar's bill, page 43, Calendar 1062, Senate Print 6664;

Senator Ortt's bill, page 23, Calendar 648, Senate Print 3123;

And lastly Senator Seward's bill, page 22, Calendar 620, Senate Print 5250.

And I now move that these bills retain their place on the order of third reading.

ACTING PRESIDENT CROCI: So ordered. The amendments are received, and the bills shall retain their place on the Third Reading Calendar.

SENATOR DeFRANCISCO: Would you please recognize Senator Valesky.

ACTING PRESIDENT CROCI: Senator Valesky.

Can we have some order in the house, please (gaveling).

Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Savino, on page 24 I offer the following amendments to Calendar 662, Senate Bill 7149, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR VALESKY: And on behalf of Senator Carlucci, I wish to call up his bill, 1227A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT CROCI: The Secretary will read the title of the bill.

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

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

ACTING PRESIDENT CROCI: Please call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT CROCI: The bill is restored to its place on the Third Reading Calendar.

SENATOR VALESKY: I now offer the following amendments.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Now would you please recognize Senator Akshar for an introduction of a very special guest today in the chambers.

ACTING PRESIDENT CROCI: Senator Akshar.

SENATOR AKSHAR: Mr. President, thank you very much. Mr. Floor Leader, thank you very much for your indulgence.

You know, folks, every once in a while we get to travel our district and meet great people. But today I'm going to introduce

to you a very special person, somebody I consider my number-one constituent in my district. Her name is Madeline Shaw. She's also here with her mother and father, Kevin and Amy -- they're seated in the back -- her grandparents Donna and Bill Sczesny, her grandmother Dee Shaw, and Maddie's aunt, Ashley Cook.

By way of background, if you'll indulge me, Maddie in 2013, in December, was diagnosed with Ewing sarcoma. It's a very rare form of cancer, about 200 cases in the United States each year.

A little bit about the background, if I may. She started 12 rounds of chemotherapy at Golisano Children's Hospital in Syracuse. In June of 2014 she had to travel to the Children's Hospital of Philadelphia, where she had a major surgery in which they removed the left side of her pelvis and her hip.

She continues to do well from that. She spends a month in the hospital. In August of 2014 she got a rare blood infection that put her back in the hospital in Syracuse for two weeks. August of '14 she goes back to CHOP and has more surgery on her lungs, where the cancer had

spread.

Maddie in 2014, September, completes her last round of chemotherapy, has some radiation. August of 2015, a year later, the cancer returns to her lungs.

She has had a total of 22 rounds of chemotherapy. She's 11 years old. She's just finishing up the sixth grade. She never complains, never. It's amazing. She's a fighter. She is inspirational. She is a hard worker. Some say this past week that Ali is a champ. I would respectfully argue that Madeline Shaw is the champ, the true champ.

Madeline, please stand up and come forward for me, please.

(Standing ovation.)

SENATOR AKSHAR: May 20th, Maddie finished her last chemotherapy treatment. She's responding very well.

And her family is incredibly strong as well. Mom's run a couple of half marathons during this; Dad competed in the Iron Man. They lost their house to a fire. Maddie has a beautiful sister, Alexis, who couldn't be with us here today.

She's just truly inspiring, and I wanted everybody in this house to get a chance to meet her. Visit her Facebook page, Team Maddie.

And her favorite thing is M&Ms. So Maddie, once again, honey, here you go, babe.

(Applause.)

SENATOR AKSHAR: Mr. Floor Leader, thank you for your indulgence.

SENATOR DeFRANCISCO: Thank you for bringing Maddie here. And it's truly an inspiring story. What a wonderful story.

Mr. President, can we now adopt the Resolution Calendar, with the exception of Resolutions 6089, 6139, and 6163.

ACTING PRESIDENT CROCI: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 6089, 6139, and 6163, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The Resolution Calendar is adopted.

Senator.

SENATOR DeFRANCISCO: Now can we take up the privileged resolution by Senators Flanagan, Klein and Stewart-Cousins, and please read it in its entirety.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: Legislative Resolution 6223, by Senators Flanagan, Klein and Stewart-Cousins, mourning the death of Muhammad Ali, three-time World Heavyweight Boxing Champion, role model, and humanitarian.

"WHEREAS, It is the sense of this Legislative Body to acknowledge outstanding athletes who distinguish themselves through their exceptional performance, attaining unprecedented success and the highest level of personal achievement; and

"WHEREAS, It is with great sorrow and deep regret that this Legislative Body records the passing of Muhammad Ali, noting the significance of his purposeful life and accomplishments; and

"WHEREAS, Widely regarded as one of the most significant and celebrated sporting figures of the 20th century, Muhammad Ali died

on Friday, June 3, 2016, in Scottsdale, Arizona, at the age of 74; and

"WHEREAS, Born Cassius Marcellus Clay, Jr., on January 17, 1942, in Louisville, Kentucky, to Cassius Marcellus Clay, Sr., and Odessa O'Grady Clay, Muhammad Ali became interested in boxing at a young age when his bicycle was stolen; Louisville police officer and boxing coach Joe E. Martin suggested to the irate 12 year-old that he should learn to box to ensure it would never happen again; and

"WHEREAS, Cassius Clay, Jr., made his amateur boxing debut in 1954; he would go on to win six Kentucky Golden Gloves titles, two national Golden Gloves titles, an Amateur Athletic Union national title, and the Light Heavyweight Gold Medal in the 1960 Summer Olympics in Rome, Italy; his amateur record was 100 wins with five losses; and

"WHEREAS, Cassius Clay, Jr., made his professional debut on October 29, 1960, under the direction of trainer and mentor Angelo Dundee, who would remain with him throughout his 22-year career before retiring in 1981; and

"WHEREAS, In his first professional

match, Cassius Clay, Jr., won a six-round decision over Tunney Hunsaker; from then until the end of 1963, he amassed a record of 19-0, with 15 wins by knockout; and

"WHEREAS, Cassius Clay, Jr., defeated numerous boxers including Tony Esperti, Jim Robinson, Donnie Fleeman, Alonzo Johnson, George Logan, Willi Besmanoff, Lamar Clark, Doug Jones and Henry Cooper; in addition, he defeated his former trainer and veteran boxer Archie Moore in a 1962 match; and

"WHEREAS, By late 1963, Cassius Clay, Jr., became the top contender for Sonny Liston's heavyweight title; after six rounds, he was declared the winner by TKO when Liston failed to answer the bell; and

"WHEREAS, At 22 years old, Cassius Clay, Jr., declared himself 'The Greatest,' proving his pre-match prediction to 'float like a butterfly and sting like a bee'; and

"WHEREAS, Shortly after capturing the title, Cassius Clay, Jr., became a member of the Nation of Islam and the sect leader, Elijah Muhammad, personally renamed him Muhammad Ali; and

"WHEREAS, After a nearly four-year sabbatical, 30-year-old Muhammad Ali returned to boxing in October of 1970; on March 8, 1971, he squared off with the current heavyweight champion, Joe Frazier, at Madison Square Garden in what was billed as the 'Fight of the Century'; the match was broadcast to 35 foreign countries; and

"WHEREAS, Muhammad Ali began training at a farm near Reading, Pennsylvania, in 1971 and, finding the country setting to his liking, sought to develop a real training camp in the countryside; and

"WHEREAS, He found a five-acre site on a Pennsylvania country road in the village of Deer Lake, Pennsylvania; on this site, he carved out what was to become his training camp, the camp where he lived and trained for the many fights he had from 1972 to the end of his career in the 1980s; and

"WHEREAS, The defeat of Joe Frazier set the stage for a title fight against heavyweight champion George Foreman in Kinshasa, Zaire, on October 30, 1974; during this bout, nicknamed 'The Rumble in the Jungle,' Muhammad

Ali knocked him out in the 8th round and regained the heavyweight title; and

"WHEREAS, He then faced Joe Frazier for the third and final time in the 'Thrilla in Manila,' a bout held in the Philippines in 1975; in the 15th round, Muhammad Ali won by TKO; and

"WHEREAS, Due to his successful boxing career, Muhammad Ali became an international celebrity; he starred in the 1977 film adaptation of his autobiography, 'The Greatest', which soared him to superstar status; and

"WHEREAS, In 1984, Muhammad Ali was diagnosed with Parkinson's syndrome, but would later be identified as Parkinson's disease; despite his illness, he remained active with several public appearances, such as the 1987 Tournament of Roses Parade, lit the flame at the 1996 Summer Olympics in Atlanta, and was on the set of the 2001 film entitled 'Ali,' starring Will Smith; and

"WHEREAS, Remembered by countless fans, friends and family members, Muhammad Ali is survived by his fourth wife, Yolanda ('Lonnie') Williams, nine children -- Laila Ali, Rasheda

Ali, Hana Ali, Asaad Amin, Maryum Ali, Jamillah Ali, Khaliah Ali, Muhammad Ali Jr., and Miya Ali -- and a brother, Rahman Ali; and

"WHEREAS, A gifted athlete, Muhammad Ali was a renowned legend in the sport of professional boxing; after more than two decades, his character and achievements stand as a sterling example and inspiration to all who would aspire to succeed; he will be deeply missed and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of Muhammad Ali, three-time World Heavyweight Boxing Champion, role model and humanitarian, and to express its deepest condolences to his family; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Muhammad Ali."

ACTING PRESIDENT CROCI: Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

You know, we obviously have great

traditions in this house, and this legislative resolution I think underscores some of the work that we do here. I'm actually really humbled just to be able to get up and say a few words. And I don't think I'm any different from anybody else in this room. At the ripe young age of 55, I can say that I distinctly remember the career of Muhammad Ali and, like any other kid, you know, "float like a butterfly, sting like a bee."

Watching the videos of him, his footwork alone -- I mean, he could -- it was like -- remember Fred Flintstone with the car with the feet? Yeah. Muhammad Ali was a heck of a lot faster than Fred Flintstone.

But, you know, his life -- I just said to Senator DeFrancisco, if you look back, it's almost hard for me to fathom that he ever lost a professional fight. You know, the guy became so much larger than life itself that it seems like he was always undefeated. And, you know, being dubbed and termed "The Greatest," he really lived up to that.

And I guess what I would want to do is he obviously turned out to be a fantastic role model, particularly in the latter part of his

life. And he was a person who could envelop a room. He took everything right in as soon as he was there. Thinking back to the Summer Olympics when he carried the torch, certainly in my own life I don't remember historically anyone else carrying the torch.

But he was larger than life. And while we are all proud New Yorkers, we can certainly celebrate the achievements of someone known as "The Greatest" for many reasons. Certainly our condolences go out to the Ali family. And may we all learn continued great lessons from "The Greatest," Muhammad Ali.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Yes. Yes, thank you, Mr. President.

I really want to follow what Senator Flanagan said. I'm glad that we are offering this resolution.

My story of Ali is a personal story, because my brother worked for him for many years. My brother, when he returned from Vietnam, went to work and eventually became a transit cop. And

he had the opportunity to go to an Ali fight, and he took his whole paycheck to get a ringside seat so that he could see the champ. And you can imagine everyone saying to him: "What are you doing? You're taking your whole paycheck to go to a fight."

He was so enamored by Ali, this young brash black man who stood up for himself, who was all of the things that we know him to be, but had such an air of pride, self-confidence, grace -- articulate, poetic, and just the embodiment of what anyone would want to be.

And this young black police officer was inspired and went -- he got a T-shirt that said "The Champ," and he brought this T-shirt ringside. And sure enough, one of Ali's security people saw my brother and said, "Do you want to bring that to the champ?" And he said "I would love to." And he had an opportunity to go back into the dressing room and present his T-shirt to the champ. The champ invited him to go to training camp. And before you know it, my brother was doing security for Muhammad Ali.

This police officer who we laughed at about spending his paycheck to pursue his

dream to be in the presence of his idol taught me a lesson back then, taught every kid a lesson back then. It says, you know what? Your dreams, no matter how outlandish to others, can come true if you pursue it with clarity and, in his case, a pure heart.

He never forgot his time with Ali. We never forgot it. But the reality is that even as Ali aged and fought the battles that he fought with Parkinson's, he did it with the same amount of humor, the same amount of grace, the same amount of making sure that he lived bigger than life even as he battled this disease.

So I too offer condolences to the Ali family, but also offer the great remembrances of a great man. And I hope that each and every one of us will follow our dreams, not have any fear, have the courage, and really learn from his example and be bigger than life.

Thank you.

ACTING PRESIDENT CROCI: Senator Sanders.

SENATOR SANDERS: Thank you, Mr. President.

I want to thank Senator Flanagan and

others for coming forward with this one.

I think I'll start with Ali saying it himself. He said it's better to suffer one day in the gym and live the rest of your life as a champion. And that's something that we all should take to heart.

The master of the sweet science itself. A savior of boxing. You have to put things in context. Boxing was really fading out at the time when this young man jumped up and declared himself "The Greatest," a point where he said that -- he said it so young that after a while, he started believing it.

But the context is the most important if one wants to try to understand Muhammad Ali. Ali came about in a time when it was a bad time to be black in America. A very, very bad time to be black in America. We had to scratch when nothing was itching us; we had to laugh when there was nothing funny. And in spite of those things where silence and everything we were taught, to be silent, stay in your place, know your role, say nothing -- Ali broke on the scene and said, No, I'm going to speak out, I'm going to live an incredibly large life.

But Ali did more than that. Ali transcended himself, where he outgrew what he was and became something far larger. He became a citizen of the world. A person who -- one example, in 1981 he was down in Philadelphia, I believe, doing something and he heard about a guy who was across the street about to jump out of a building and kill himself. Ali immediately grabs his entourage and they go running across the street, and he was able to talk the man down from killing himself.

Most people would have -- you know, maybe where they would have felt -- said some prayers for the guy. But Ali took it personal.

He transcended boxing so much that the question becomes is he a boxer known for his work outside of the ring, or outside of the ring is he also known as a boxer? Where he became an ambassador of peace. He became an ambassador for goodwill. And Lord knows we could use him as an ambassador of religion right around now. The world seems to be in flame. We really need to have some voices that would get up there and say we need bridges, not walls for ourselves.

But he never lost the common touch.

Ali remembers that he went to his -- one of his idols, Archie Moore, and asked him for an autograph, and Archie said, "No, I don't have time for that." Muhammad Ali said from that point on that he would never forget, and he always stopped and took time for little people and gave them his autograph.

He also said that he wished that people would love each other the way they loved him. He wished that somehow he could share that love that everybody was gushing towards him and share it with everyone else.

So if we were to remember my idol -- not an idol, I don't have those -- but my hero, a personal hero of mine that I learned from, from his brash days to his incredible talent. If we were to learn from him, we would say that we, in his honor, would attack the diseases, Parkinson's and others, with the intensity that he attacked folk in the ring. That we would attack all of the things that divide people with the intensity that he tried to unite people with. That if we could stay humble to ourselves with others and at the same time be a terror on anything that threatens democracy and justice, then we would do

Muhammad Ali a great service.

And if we wanted to do anything to honor him, why don't we in New York State say that we're going to do something about Parkinson's, that we're going to do something about any of these dreaded illnesses and in his honor we're going to knock out Parkinson's or any of these others.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Senator Espaillat.

SENATOR ESPAILLAT: Thank you, Mr. President. I also stand to speak on this resolution.

Muhammad Ali -- Cassius Clay, Muhammad Ali, he was one of those folks, one of those individuals, gifted individuals that I think could be described as a universal man, Da Vinci's universal man, someone that could do just about anything. He probably would have been great at anything he chose.

He was, of course, a great boxer, a great athlete. He revolutionized boxing because he was the first heavyweight to be able to move the way he did, with the speed and the precision

that he did. And in that sense, you know, he revolutionized the sport.

But he was also an activist, a social activist, someone who opposed the war in Vietnam and maybe was very much disliked in America at that time, but catapulted from being probably one of the most disliked persons in America to being really the most loved person in America, as we saw him light the torch for the Olympic Games in Atlanta.

He was a religious man, a Muslim. For many Americans at that time, they didn't even understand what that faith was. He was a pioneer in allowing us to understand what that faith is.

And of course, you know, he was a poet. A poet. Maybe should have been a Pulitzer Prize-winning poet. And I'm sure all of us know some of his poetry, whether you say I float like a butterfly and sting like a bee. My favorite one is the one that he said when he was going to face Joe Frazier, and he said "After Frazier doesn't answer the bell, I will get out the ring and take on Howard Cosell."

And so he was a poet, right? And a fighter and a social activist and a religious man

and then became synonymous with peace and fought the disease.

I got to meet him once, and he was already fighting his illness. And my daughter, who's now 27, was a small child, and he lifted her and I saw him trembling. And I felt -- I felt so bad for him because he was such a monument of a man. He's like Paul Robeson, you know, who was a Rhodes Scholar and an athlete and a classical singer. He could just do anything he wanted to do. That was the great Muhammad Ali.

So in closing, Mr. President, Muhammad, may you forever float like a butterfly and sting like a bee.

ACTING PRESIDENT CROCI: Senator Hamilton.

SENATOR HAMILTON: Yes, Mr. Chairman, I rise for the resolution for Muhammad Ali.

I just spoke with his brother yesterday, Rahman Ali, to give my condolences to the family and to let him know we'll be sending him a copy of the resolution today, sending it to his home in Chicago.

I just want to say, for me, Muhammad

Ali was inspirational. He was a black man that fought in the ring with distinction, but he was also a man that gave up his career for his beliefs. He was stripped of his title for not going to war for religious beliefs. And many people would have gone to war, not fought at all, and just paraded around while others died all around them. And it takes a man with strong religious beliefs to give up your heavyweight title of the world to oppose the Vietnam War.

And I wish we had more people like Muhammad Ali today to oppose the wars that we go into such as Iraq and Syria and other wars that young man are dying in or coming home with no relief for them.

So I just want to say God bless Muhammad Ali and his family, and God bless him for being a person who changed America in race relations.

Thank you very much.

ACTING PRESIDENT CROCI: Senator Hassell-Thompson.

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

I rise to congratulate my colleagues

for bringing this resolution to the floor and for the opportunity to speak upon a man that I -- I just enjoyed watching in boxing.

Not a lot of women enjoy physical sports. But as somebody who won four letters in athletics in high school, Muhammad Ali came along at a time when I was a high school girl. And his picture on the cover of winning the Golden Gloves for Sports Illustrated was one of the sexiest pictures I ever remember seeing.

And of course as a teenage girl at that time, you know, I did the droolies like everybody else. But -- and so he really introduced a lot of us to boxing that had nothing to do with the sport itself.

But as the years passed, the roles that he chose to play and the stage upon which he insisted upon presenting himself had more to do with just the fight game, but it had everything to do with, as my colleague was saying, with the whole civil rights movement. And he did a lot more for civil rights than we will ever give him credit for, primarily because he wasn't just concerned about the rights of people of color, but he was concerned about how people lived their

lives and truly what freedom meant.

Freedom to be able to practice your religion even if it made you appear to be unpatriotic, even if made you appear to be less in the eyes of some of the people. But if that was your religious belief, then you had a right to believe it. And he walked the walk. He didn't just talk the talk, even though he was good at that as well.

The other thing that I think was very important was that when he went into each of the African nations, he did a lot for places like Kenya and some of the other places when he visited, and the young men who had an opportunity to see a black man from the Americas and see him become a world champion and know what was possible. I mean, he demonstrated, as I heard Senator Stewart-Cousins say, that he could just make things happen.

And yes, he had a lot of mouth and a lot of people were very uncomfortable. And I remember the discussion between him and Howard Cosell. And of course Cosell, you know, took credit for making him famous. But he said, "Cosell, you were nobody until I came along. I

made you famous." And the exchange between the two of them was something to behold.

But I want to say today that I think that throughout his life, even into his latter years, he continued to uphold the rights of people. He worked with one of the schools in my district on an educational model. And he really continued to be an example of good manhood and what a black man could and should be in this society.

And so I will always remember Muhammad Ali -- not because he was the one of the lightest on his feet of any boxer I've ever watched, but because he lightened your heart as well. And he continued to make the game not only a sport, but a sport that could be respected.

And so for that, Mr. President, I am very grateful that we have had this opportunity and we take this opportunity to remember Muhammad Ali.

ACTING PRESIDENT CROCI: Senator Panepinto.

SENATOR PANEPINTO: Yes, I want to rise and speak and thank the leaders for bringing this resolution.

I spent the weekend at a soccer tournament and drove there with one of my daughters and, you know, spent a lot of time talking with her about the importance of Muhammad Ali. Because he really transcended sports.

Senator Montgomery talked about his stance on civil rights, his opposition to the war. And he truly was a world figure that, you know, we should embrace. Athletes today don't do enough in using their position to speak on broader issues.

And as a young man, you know, I watched Muhammad Ali fight. And when he fought George Foreman and Joe Frazier, those were worldwide events. And it was because of the principled position that he took in giving up 3½ years of his career to fight for his principles as a conscientious objector. And I believe his position was borne out and that we should never have been in Vietnam.

And I salute him, and the world is less for his passing.

ACTING PRESIDENT CROCI: Senator Krueger.

SENATOR KRUEGER: Thank you.

I rise to remind everyone that in addition to Muhammad Ali being such a great athlete and spokesperson for so many issues that I cared about, he was also amazingly funny. And I just lost the quote I was going to read, so I will paraphrase.

That after he won the Gold Medal in the Rome Olympics, he came home and he said, I'm hungry and I'm going downtown for a meal." And he went to a restaurant that had a history of serving only whites, and he said "Get me a hot dog and a cup of coffee." And the waitress said to him: "We don't serve Negroes here." And Muhammad Ali responded: "I don't eat Negroes. I'd just like a cup of coffee and a hot dog."

(Laughter.)

SENATOR KRUEGER: And so the fact that this man could so brilliantly capture the issues of the world and the nation and his time and so eloquently respond on behalf of many people who didn't have a voice that they could raise the way he did and couldn't be world celebrities and couldn't represent what's best about this country so well.

And I am just here honoring his

memory with my colleagues today.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Senator DeFrancisco to close.

SENATOR DeFRANCISCO: Yes, nothing can be added that isn't already in the resolution and hasn't been said, except that I just want to mention to the body here that every year at the International Boxing Hall of Fame in Dave Valesky's district, a little outside of my district, they have an induction ceremony for the greatest boxers of all time.

And a few years ago when Don King got inducted, he had his whole entourage there in the little village of Canastota, including Ali, who was center stage. Hagler, Leonard, Holmes, anybody you could possibly think of was there. And it was a real high point for me and also my father, who was in a wheelchair at that time, who loved boxing.

But the message is basically this. This weekend is the weekend for the induction ceremonies in the Boxing Hall of Fame. And part of that induction ceremony on Saturday night is a dinner at the Oncenter in Syracuse, and there's

going to be a special tribute to Muhammad Ali at the induction ceremonies this year.

So if anybody can make it, I'm sure that -- it's a huge building at the Oncenter; I'm sure that there will be tickets available. And I would invite all of you to continue this honor of such a great, great fighter.

Thank you.

ACTING PRESIDENT CROCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now take up Resolution 6089.

ACTING PRESIDENT CROCI: Senator DeFrancisco, we have to go back.

All in favor of adopting the resolution please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Those opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The resolution is adopted.

SENATOR DeFRANCISCO: Excellent idea. And that resolution should be open for

cosponsorship.

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

SENATOR DeFRANCISCO: All right, now can we take up Resolution 6089, by Senator Venditto, read it in its entirety, and call on Senator Venditto.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6089, by Senator Venditto, honoring Suffolk County Police Officer Mark L. Collins for his heroic actions in the line of duty on March 12, 2015.

"WHEREAS, The quality and sanctity of community life are cherished values, worthy of safeguarding, and this Legislative Body is moved to honor those individuals who serve to preserve and protect such values, lauding particularly their unwavering courage and dedication in the daily performance of their duties; and

"WHEREAS, It is the sense of this Legislative Body to recognize and honor those

distinguished officers and citizens who would devote themselves to public service, demonstrating great courage and diligence in providing for the care and welfare of the citizens of their communities and this great Empire State; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to honor Suffolk County Police Officer Mark L. Collins for his heroic actions in the line of duty on Thursday, March 12, 2015; and

"WHEREAS, It is appropriate to recognize and commend such outstanding law enforcement officers as Mark Collins for their valued contributions to the community; and

"WHEREAS, Mark Collins began his illustrious career with the Suffolk County Police Department on October 20, 2003; he has valiantly served in the Second Precinct Patrol Section, the Public Information Section, the Anti-Crime Enforcement Section, and since March 11, 2013, he has been assigned to the Second Precinct Crime Section; and

"WHEREAS, A resident of North

Bellmore, New York, Officer Mark L. Collins and another gang unit officer pulled a car over heading east on Jericho Turnpike in Huntington Station for a traffic infraction shortly after midnight on March 12, 2015; and

"WHEREAS, After recognizing the male in the left rear seat of the vehicle as a gang member with a long history of violence in Suffolk County, Officer Mark L. Collins ordered the man out of the car; the man immediately fled the scene; and

"WHEREAS, Officer Mark L. Collins, giving chase to the fleeing suspect, caught up with him at a home and hit him twice in the back with Taser probes; the man fell to the ground, during which time Officer Collins got onto the suspect's back and tried to handcuff him; and

"WHEREAS, While actively trying to detain him, the suspect turned onto his side and opened fire with a .38-caliber revolver, shooting Officer Mark L. Collins in the neck and hip; miraculously, he was able to drag himself next to a stoop and position himself so he was covered as much as possible with his bulletproof vest; and

"WHEREAS, Once again, the armed

suspect fled the scene, and was later tracked down by officers with police dogs nearly a quarter-mile away, where they found him in a shed and made the arrest; and

"WHEREAS, An esteemed 12-year veteran of the Suffolk County Police Department, Mark L. Collins also serves as a commissioner of the North Bellmore Volunteer Fire Department; and

"WHEREAS, During his tenure with the Suffolk County Police Department, Officer Mark L. Collins has been the proud recipient of numerous awards and recognitions, some of which include a Bravery Gold Medal, Meritorious Police Service Medal, Cop of the Year Award, Cop of the Month Award, two Department Recognition Awards, seven Letters of Appreciation and four Command Recognition Awards; and

"WHEREAS, With him throughout has been his loving wife, Nicole, who feels privileged to be a part of his life and rejoices in his achievements; and

"WHEREAS, Within every community of the State of New York there are certain individuals who, by virtue of their commitment and dedication, command the respect and

admiration of their community for their exemplary contributions and service on behalf of others; Officer Mark L. Collins is such an individual; and

"WHEREAS, It is the sense of this Legislative Body that those dedicated public servants who unselfishly devote their lives to the preservation of order and the protection of others are worthy and due full praise for their commitment and noble endeavors; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Suffolk County Police Officer Mark L. Collins for his heroic actions in the line of duty on March 12, 2015; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Officer Mark L. Collins."

ACTING PRESIDENT CROCI: Senator Venditto.

SENATOR VENDITTO: Thank you, Mr. President.

I am very honored and very humbled to make an important introduction here today in

the Senate chamber. We have with us Officer Mark Collins of the Suffolk County Police Department. And he is also a resident of North Bellmore and a fire chief in North Bellmore as well.

He's joined today by his wonderful wife, Nicole, and their beautiful four-month-old daughter Mary, who I think was just catching a nap a couple of minutes ago. And she has been very well behaved today, much quieter than my son Andrew was when he was an infant here last year. So great job, Mary.

The Collins family is also joined by officials from the Suffolk County Police Benevolent Association. We have Pat Saunders, Tom Tatarian, Joseph Link, and Steve Bienemann.

You know, we know that the men and women who are our uniformed officers in New York State, they sacrifice their lives so that we can enjoy our lives. They give us the freedoms, the privileges, and the opportunities that we so very cherish each and every day. And Officer Collins' story is one that many of us know very well. You heard about it in the resolution presentation.

In March of last year, he made a traffic stop in Huntington Station. One of the

passengers confronted him. That passenger tried to flee the scene, and Officer Collins, in pursuit, was shot in the neck and the hip.

Long Islanders like myself, in the ensuing hours we watched and prayed with bated breath that Officer Collins would pull through. And because of his physical strength, because of his inner strength and his will to live on, he did pull through. He is here with us today to tell his story and, more importantly, to continue to write that story that is his amazing life.

Officer, I want to take this opportunity just to thank you for your continued service and let you and the officers who accompany you know how much of a privilege it is for me, the utmost of privileges, to be able to sign on to this resolution. And may God continue to bless you and the work that you do, and all of the men and women who represent us so proudly across the state as our police officers.

Ladies and gentlemen and my colleagues, I hope you'll take a moment to join me as we welcome a great officer, a great man, and a true hero among us to the Senate chamber. Officer Mark Collins and the men of the Suffolk

County Police Department.

(Standing ovation.)

ACTING PRESIDENT CROCI: Officer Collins, the State Senate welcomes you and confers upon you all the privileges and courtesies of the house. Thank you, and God bless you for your service, sir.

On the resolution, all those in favor of the resolution signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The resolution is adopted.

SENATOR DeFRANCISCO: Mr. President, would you please open the resolution for cosponsorship.

ACTING PRESIDENT CROCI: And the resolution has been opened for cosponsorship. Should you not wish to be a cosponsor, please notify the desk.

Now we're going to break with normal order because we have with us the Reverend Helen John, from New Life Center of Truth in Brooklyn.

I would ask you all to please rise as she gives us a prayer for the day.

Reverend.

REVEREND JOHN: Amen. It's my pleasure to invite the presence of the Lord here today.

Merciful Father God, we thank You for this wonderful country, the United States of America. We thank You for this wonderful state, the State of New York. And we thank You for these who have pledged to serve You.

And Father God, as they serve You in this session today, we ask that Your presence be with them. Give them the wisdom and the understanding, give them the harmony. And Father God, at the end of it all, Father God, help them to make decisions that will wisely serve the citizens of the State of New York.

We ask these blessings in no other name but in the name and through the power of Jesus Christ. Thank you, God, for hearing and answering all our prayers.

Amen.

ACTING PRESIDENT CROCI: Senator Hannon.

SENATOR HANNON: Mr. President, I believe there is a previously adopted resolution by Senator Rivera -- it's Number 5458 -- at the desk. I'd ask that you'd read it in its entirety and to call upon Senator Rivera to speak.

ACTING PRESIDENT CROCI: Very well. The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5458, by Senator Rivera, commending the Edward T. Rogowsky Internship Program for its continued service and dedication to its students, including holding the annual Model Senate Session, upon the occasion of celebrating its 21st anniversary on March 19, 2016.

"WHEREAS, A great state is only as great as those programs that provide exemplary services on behalf of their community, whether through unique achievements in professional or other endeavors, or simply through a lifetime of good citizenship; and

"WHEREAS, It is a privilege of this Legislative Body to honor the Edward T. Rogowsky Internship Program for their 21 years of service; and

"WHEREAS, Prior to the existence of this program, students often learned about policy and the legislative process solely through academic teachings; and

"WHEREAS, The Edward T. Rogowsky Internship Program was established to expose and enable undergraduate students to actively experience New York State government and its legislative process; and

"WHEREAS, It is through this program that every year approximately 60 CUNY and SUNY students have the opportunity to go through intensive training seminars and ultimately debate bills on the floor of this very chamber; and

"WHEREAS, A program of this magnitude can only reach this level of success under the leadership of motivated faculty and staff; and

"WHEREAS, Edward T. Rogowsky, whom the program is named after, assumed the role of director back in 1995 and fostered a sense of duty and civic action among undergraduate students; and

"WHEREAS, This sense of community has continued to grow and strengthen under the

leadership of Dr. Anthony Maniscalco, who in 1997 became the Project/Training Component Coordinator for the Model New York State Senate Sessions and, after Dr. Rogowsky's tragic passing in 2001, became the Director of The Edward T. Rogowsky Internship Program; and

"WHEREAS, Throughout the many years of its existence, The Edward T. Rogowsky Internship Program has successfully coordinated and overseen numerous Model New York State Senate Sessions; and

"WHEREAS, It is indeed rare to find the impressive dedication shown by individuals like Edward T. Rogowsky and Anthony Maniscalco for the benefit of others; and

"WHEREAS, It is the sense of this Legislative Body that when programs of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of this great Empire State; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commend Anthony Maniscalco for continuing the dedicated service of the Edward T. Rogowsky Internship

Program and for celebrating its 21st anniversary by giving another 60 young adults in New York the opportunity to experience the legislative process of this great state firsthand by participating in their Annual Model Senate on March 19, 2016; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Dr. Anthony Maniscalco."

ACTING PRESIDENT CROCI: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

Some of you folks have heard this story before, but the first time that I came into this chamber in 2000 was as a faculty member of the Somos el Futuro Model State Senate.

Now, many of you know that the Somos conference, which has been going on for three decades now, happens every year. It is an opportunity for Latino leaders, elected officials, community organizations and all sorts of folks that are interested in the Latino community in the State of New York to come together in Albany to discuss the issues that

impact our community. But for the last 20 years -- and it is 20, Mr. President, not 21 -- but for the last 20 years, a very important part of that conference and that weekend has been the Model State Senate.

So in 2000 I came in here as a faculty member. And in 2010 -- in 2011, I should say, I walked in here and became a Senator in this chamber. And as I tell my students, as I've been a faculty member since 2000, I always tell them and remind them of that. Not to pat myself on the back, but to remind them that their first time in this chamber was as a part of this program, and potentially they could be sitting in this chamber at some point in the future.

And I would say that this program has taught hundreds and hundreds of students. It's taught them the value of public service, the value of legislation, the value of representation. It's taught them an appreciation for what it is that we do -- its difficulties, its positives and sometimes there are negatives. But overall, it is a program that I'm immensely proud to be a part of.

And in its 20th anniversary, I

thought it only fitting that we stop for a second and honor this program. But not only honor the program itself -- certainly Edward T. Rogowsky as the late -- who the program is named after, who is the person that started this whole thing, but also to a gentleman who's with us today.

And if he may stand up for a second, Dr. Anthony Maniscalco not only has a great haircut, he also has been a director of the program since 2001. He is not only a friend but he's also been a mentor, not only to me but to hundreds of students that have gone through this program.

Certainly, even though he is not here today, Jay Hershenson, who is the senior vice chancellor for university relations of CUNY, has also been an incredibly important part of this program for its entire existence.

And ultimately what we -- whether it's Tony, whether it's Ernesto Malavé, Jr., the deputy director of the program, whether it's Jay or the faculty members, most of whom have been students in the program themselves -- they have been Model Senators. One of them is actually a Senator. Senator Peralta actually served in this

program in its first inception 20 years ago.

But I'm incredibly proud to be able to say in this chamber that I hope to be involved with the program for as long as they'll have me because of what it does for students. It gives them an opportunity to really think about policymaking, think about government, think about what this body actually does. I'm immensely proud of my work here in the chamber, but I'm more proud of the work that I've done with these folks over 20 years in making sure that hundreds of students recognize the importance of public office, the important of public policy, the importance of the State Senate, and the importance of government.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Thank you.

Doctor, the Senate welcomes you, congratulates you, and thanks you for your service.

Oh, excuse me. Senator Parker.

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

First let me rise to thank Senator Rivera for his leadership and for bringing this

resolution to the floor.

I really want to echo much of what he said, first about Professor Ed Rogowsky. If any of you knew him, he was the kind of person who always had the time for students. And those of us -- almost everybody here has been, you know, through colleges, through college, involved with universities. And not every professor is dedicated to students and to teaching and to making sure that they have an important experience as it relates to their college education and particularly as it relates to the nexus between academic life and what happens in the real world. And Ed Rogowsky was that kind of person.

And so this internship named after him is really aptly done so. And really I think it's -- I think it's fabulous that we're taking time to recognize his contribution and his life. And this is really, like I said, an apt memorial to his life and legacy, to what he brought into the world.

And many of us who knew him -- I knew him as a professor and actually as a colleague. When I first got my master's degree

in 1993, I actually started teaching as an adjunct professor at Brooklyn College and first knew him them. And the next year I became a graduate student at the CUNY Grad Center with Dr. Tony.

And so it's been just an honor to stand here to have an opportunity to recognize him, but then also to recognize all Tony's work -- again, in Ed's footsteps -- that has really taken on this notion not just of saying that we have to teach young people the scholarship -- and it's one thing to be there and talk about all of the great political science, you know, professors. It's another thing to be committed to making sure that young people have the opportunity to understand the synthesis between what they're learning in the classroom and actually what really happens in the halls of power.

And that's what the program that you heard Senator Rivera talk about at Somos el Futuro, that's what the internship program does.

And then beyond that, none of us would be able to do all that we do here in Albany for the people of our districts if it wasn't for

these interns.

And so, thirdly, I really want to honor the line of interns that have served not just in this program but in all the internship programs that serve both the Senate legislators and members of our community, because they really have given as much as they've learned in the service to the State of New York.

And so thank you, Tony, for all the work that you've done. Thank you, Senator Rivera, for bringing this forward and for all the work you've done on behalf of educating students and making sure that we have created a generation of students who understand the importance of government and how to in fact effectively engage in public service.

Thank you so much.

ACTING PRESIDENT CROCI: Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I rise to first of all thank Senator Rivera. I did not realize that we were going to be speaking about Dr. Maniscalco today; otherwise, I would have prepared my own speech.

However, thank you for this opportunity in any case.

And let me just say that the programs that Dr. Maniscalco runs in CUNY are invaluable to the communities that we represent, especially to the young people.

But I'm remembering also today one of the members, the former members of the Legislature, and a member of the Black and Puerto Rican Caucus so many, many years ago, Assemblymember Angelo Del Toro, who was at that point chair of the Education Committee, I believe, and in his capacity as chair established, for the first time I believe in the State Legislature, a program that was eventually to become what Somos el Futuro is doing even until today, and that is focusing on the young people and helping them to understand, as my colleague Senator Parker said, how the mechanics of their government actually work.

And so in honor of Assemblymember Del Toro, Tony Maniscalco has continued the legacy that was established way back then.

And let me just say that I've had -- I have not personally had, but I know there are

hundreds and hundreds of young people who have come through the different CUNY internship programs that run under the auspices of Dr. Maniscalco's department. And many of those have been in my office, and I can attest to how exciting it is to see a young person suddenly come alive to the idea that this process is theirs as well.

And so I can say to you, Dr. Maniscalco, that -- I believe it was last year or the year before -- one of our own colleagues hired one of your students, Senator Serrano. So he now enjoys the brilliance of one of your own students, who was also in my office as an intern and now is working for him. And I have just hired, in my own office, in my district office, another one of your students who has just graduated but was also placed by you in my office as an intern.

So I can thank you personally, I can thank you many, many times over for so many young people who really have no idea that it's you who has put them on the highway that leads to this place. So we all owe you so much for continuing the legacy of Assemblymember Del Toro and so many

others that have come before you to establish for us a way of getting young people to duplicate ourselves, replicate ourselves, through the young people who are coming after us, those next generations.

So thank you. And thank you, Mr. President, for allowing us to speak.

ACTING PRESIDENT CROCI: Senator Hamilton.

SENATOR HAMILTON: Yes, Mr. Chair, I rise to pay tribute to Dr. Anthony Maniscalco.

I just met him recently, and I didn't know indirectly he had an impact on my life and me becoming a State Senator.

I want to thank Senator Rivera for having him come today for the resolution. And it was Senator Rivera, during Somos, who said, "Hey, I want you to see these young men and women who are here in our chambers and what they're doing."

And when I came into the chambers and saw these beautiful young faces, I was thoroughly impressed at how the future was right before me. And I said, Oh, my God, this is the next generation.

And I didn't realize that one of my

staffers who volunteered for my campaign came out of this program. And I realized then Dr. Maniscalco had made an indirect impact on my life in this young lady named Ashley. She volunteered for my campaign, and she was so good at what she did, we hired her. And when two weeks went by, the person who hired her -- you know, I think it was three weeks -- she became his boss because she was just so dedicated. You know, you gave her a task and she did it. And when I did become the State Senator, she became my deputy chief of staff.

And what you're doing is laying the foundation for the next generation of leaders who will eventually one day be sitting in this chamber, who will eventually be sitting in this chamber when the Democrats will have the majority. And they will understand legislation, they will understand politics. They will understand in doing the right thing for not just downstate but for upstate in unifying this great chamber.

So I just want to say keep doing the great work that you're doing. I wish the Senate could give more money to CUNY to have more

programs throughout the state for our young people who do want to get involved in politics. A lot of young kids today do not want to get involved in politics because we're always in the news -- someone's getting arrested, someone's going to jail. But we do a lot of great things here in this chamber.

And I commend you for what you've done, and God bless you, and keep doing what you're doing. Thank you so much.

ACTING PRESIDENT CROCI: Senator Comrie.

SENATOR COMRIE: I rise today to support the resolution and to congratulate Dr. Maniscalco for everything that he has done to continue the Edward T. Rogowsky Program.

I too have benefited from many young people that have come through the program. In fact, my first chief of staff when I was in the City Council, Joshua Rivera, came through the program. Also Reggie Thomas, who is now -- he went on, the mayor stole him from me, to be his deputy director for land use issues and is now working. And many other young people as well that I've been proud to intern and intern at my

office and recommend for other positions in government offices.

I think it's a great opportunity for young people to learn about government. It's a well-thought-out program, it's a well-put-together program. And I would encourage anyone in New York City that is interested in learning about government, learning about what to do right and what to do wrong, to go through the program.

So congratulations on your anniversary, and continued success.

Thank you.

ACTING PRESIDENT CROCI: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

I knew Ed Rogowsky fairly well. He was an involved person, as many of the people at CUNY are.

And CUNY really has such a wonderful long legacy going back to 1847, when it was founded and became what is now City College. And the purpose when CUNY was funded was to educate new Americans. And that mission hasn't changed. And we are encouraging new Americans to become

involved in government, as in every other aspect of their lives here in this country. And we're so much the richer because of it.

And the internship program is a perfect example of the college and the community working together. And I think this bodes well for the future, and I look forward to working with Dr. Maniscalco and everybody else.

I'm proud to say that there are two CUNY institutions in my Senate district, Queens College and Queensborough Community College, as well as the other colleges in the CUNY system.

And hopefully we will continue to do right by CUNY. They need the funding to make them continue, and the faculty quite frankly need a contract. They have been without a contract since 2010. And hopefully we will nominate some trustees this week who will understand this and continue to help the City University flourish. It's a wonderful, wonderful place. I went to graduate school at both Hunter and Queens, and I'm very proud of that.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: May we have a vote.

ACTING PRESIDENT CROCI: The resolution was previously adopted.

SENATOR DeFRANCISCO: Then we don't need a vote.

I would suggest that Senator Rivera has offered to have cosponsorship on this resolution.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Next, please take up Resolution 6139, by Senator Montgomery, read the title only -- and thank you, Senator Montgomery -- and call on Senator Montgomery.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6139, by Senator Montgomery, commemorating the 30th anniversary of the Center for Law and Social Justice on September 23, 2016.

ACTING PRESIDENT CROCI: Senator

Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I rise to speak very briefly on this resolution which honors the 30th anniversary of the Center for Law and Social Justice, which is also another one of those institutes within the City University of New York.

The Center for Law and Social Justice is a unit in the School of Professional and Community Development at Medgar Evers College within the City University of New York. Its primary mission and its vitality as an organization was founded by Dr. Esmeralda Simmons. And the primary programs that the Law and Social Justice Center works on are advocacy projects and litigation in areas of housing, employment discrimination, violence, public education, voting rights, immigration, and human rights violations generally.

It has a very distinguished 30-year history as a primary source of advocacy for people who find themselves needing representation, especially legal representation, and who, because of the state of their finances,

are unable to represent themselves. It is primarily committed to the residents and communities within northern and central Brooklyn.

This has been a significant program and it is to the tribute of a very, very major and primary source of its foundation, its founding, as well as its work, to Dr. Esmeralda Simmons, who I also celebrate because she as the founder continues to be and has always been, for the past 30 years, the source of leadership at this very, very vital organization in the Borough of Brooklyn.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: Thank you, Senator Montgomery.

Senator Parker.

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

I rise to add my voice to Senator Montgomery's in celebrating the Medgar Evers Center for Law and Social Justice and all that they do. For 25 years they have been a leader, not just in Brooklyn but in the State of New York, bringing voice to the voiceless. They have been leaders in speaking truth to power and

to making sure that underrepresented groups get their fair day in court.

You heard Senator Montgomery enumerate the various services that they've been engaged in. But they have really been -- when you look at all of them together, it's been about civil rights. It's been about helping those who don't have a chance to be represented, receive representation.

And so for them to be around as long as they have been doing this work is really a testament to the commitment that particularly Esmeralda Simmons has had as the leader of that organization. And so I rise to thank her for her work, thank the folks that work with her, and the institution for understanding how important that work has been for the last 25 years.

And thank you, Mr. President, for allowing us to speak on this resolution.

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

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The resolution is adopted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please open it up for cosponsorship.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you now take up Resolution 6163, read the title only, and call on Senator Gianaris to speak.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: Legislative Resolution 6163, by Senator Peralta, welcoming the students and faculty of the Lexington School for the Deaf/Center for the Deaf as they visit Albany, New York, on June 7, 2016.

ACTING PRESIDENT CROCI: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

On behalf of Senator Peralta, who had to step out for a moment, I wanted to welcome a group of students, faculty and administrators from the Lexington School for the Deaf/Center for the Deaf located in Senator Peralta's district in Queens, but just a stone's throw from my own district a little bit to the west.

This is a school that is well known in our neighborhoods and our communities. It's been serving the deaf and hard of hearing, helping them realize their full potential for many, many years.

The Lexington School is an institution that's been serving the deaf and hard-of-hearing communities of New York for more than 150 years, first starting in Manhattan on Lexington Avenue, which is where the name comes from, but now right in Jackson Heights in Queens. And they are one of the leading advocates for the deaf and hard-of-hearing communities. They provide services to more than 2500 students annually and do amazing work. We welcome them to Albany.

And I just want to say the reason they're here is this is a special occasion, they

come up every year since my time in the Assembly, I remember. This is the elements of their basketball team, and they play a team of legislators from both the Assembly and the Senate every year. And mostly due to age and wear and tear on our knees and larger bellies than we used to have when we were younger, they tend to win more than they lose.

But I do need to brag that last year the trophy came to the legislators, and we beat the fine students from the Lexington School. The rematch is later today, and I daresay we intend to defend the title vigorously and hope to keep the Legislature proud of those aged members who play and take on these young spring chickens. And hopefully we'll do our best to defeat them once again.

But mostly we want to welcome them. They're a fine group of young people. We're very happy to represent them and to have them come visit us every year. And while we wish them luck, we don't want anyone injured on the court, we don't wish them enough luck that they actually win today. So welcome.

ACTING PRESIDENT CROCI: Senator

Hamilton.

SENATOR HAMILTON: Yes, Mr. President, I rise to give recognition to the Lexington School for the Deaf. It's a highly esteemed school in the City of New York. They have a lot of great students who are academically motivated to do better.

In my district I have the St. Francis de Sales School. And I do recognize two of the young men up there who played in the basketball tournament at the school. They didn't win, but they're still great players.

And I just want to say that their motivation -- and they actually didn't play another school that was deaf, they played a school where the people could hear. And so they play any team at any time anywhere.

And I just wish that the Senate and Assembly could give more money to the Lexington School for the Deaf and also the St. Francis de Sales School. As the funding formula has changed over the years, these schools have been getting shortchanged in the funding formula.

So as we see these young men and women here today, we need to make sure they have

all the resources that they need to be productive, have the skill sets in our community. They are fighting one challenge, but the challenge they should not be fighting is funding.

So I say to everyone in this room we must give more money to these schools. And they're doing a great job. And I just want to thank the Lexington School for the Deaf for coming here today and making sure that you are seen and making sure that your voices are heard, and that we're here to support you and make sure you get the resources that you need in order to have -- in one example, in one school they didn't have a proper alarm system. They couldn't get funding for their alarm system. They need specialized alarms. They need special tools for reading. And for some reason, we're giving them less and less in our funding formula.

So I congratulate you all for coming here today, keep up the good work, and God bless you all. Thank you so much.

ACTING PRESIDENT CROCI: The Senate welcomes you. And we would like the students and faculty of the Lexington School who are here with us to please rise and allow the Senate to

recognize you.

(Silent applause.)

ACTING PRESIDENT CROCI: Thank you very much.

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

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The resolution is adopted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Please open it up for cosponsorship.

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

SENATOR DeFRANCISCO: May we now return to motions and resolutions.

ACTING PRESIDENT CROCI: Motions and resolutions, without objection.

SENATOR DeFRANCISCO: And would you please call on Senator Valesky.

ACTING PRESIDENT CROCI: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On page 22 I offer the following amendments to Calendar 608, Senate Bill 6809, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CROCI: So ordered.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, it's my understanding there are appointments for confirmation at the desk.

ACTING PRESIDENT CROCI: There are.

SENATOR DeFRANCISCO: Okay. That being the case, I would request that we announce the appointments in category, as lump sums in each category, and then I'll move each of them.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As director of the Municipal Bond Bank Agency, Honorable Mark J.F. Schroeder, of Buffalo.

SENATOR DeFRANCISCO: Move the

nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor of the nomination as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

SENATOR DeFRANCISCO: All right, would you please call up the members of the State Board for Historic Preservation.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As members of the State Board for Historic Preservation: C. Jake Schneider, of Lake View; Douglas J. Perrelli, Ph.D., of Buffalo; Jay A. Dilorenzo, of Schenectady; and Wayne Goodman, of Rochester.

SENATOR DeFRANCISCO: Move each of the nominations.

ACTING PRESIDENT CROCI: Senator Hamilton.

SENATOR HAMILTON: Yes, Mr. President, I rise to express my concern. There are numerous appointments by the Governor, but there's only one from the borough or the County of Kings.

Kings County is the largest county in the State of New York, and I don't understand how we only have one appointment. I wish the Governor would have used his better discretion when appointing people, looked at the counties that gave him the highest vote margin in the state.

So I just want to say I'm concerned and disappointed that we only have one person out of all these people being appointed from the County of Kings, the largest county in the state. And other counties which are only a fifth, a sixth, a seventh, a tenth, a 20th of our size have more appointments than us, you know, according to the population. So there's something that's inherently wrong when you have a county with 2.4 million people getting less appointments than a county with less than

200,000 people.

So I would urge the Governor that we have a large state, the North Country and New York City. I call it one country. But I think he needs to take more recognition in looking at the county that gave him more votes than any other county in this state, but for some reason unbeknownst to me we only have one nomination from the County of Kings.

So I will vote in favor of these appointments, but I just want it to be known for the record that I am not thrilled that only one person from Kings County is in these appointments.

Thank you very much, Mr. President.

ACTING PRESIDENT CROCI: Senator Hamilton will be recorded in the affirmative.

The question is on the nominations as read by the Secretary. All in favor of confirming the nominations as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations as read by the Secretary are confirmed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Please call up the members of the Saratoga-Capital District State Park, Recreation and Historic Preservation Commission.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As members of the Saratoga-Capital District State Park, Recreation and Historic Preservation Commission: Thomas O. Maggs, of Scotia, and Mark T. Ryan, of Mechanicville.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor of confirming the nominations as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The

nominations, as read by the Secretary, are confirmed.

SENATOR DeFRANCISCO: Please call up the members of the Allegany State Park, et cetera, Commission.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As members of the Allegany State Park, Recreation and Historic Preservation Commission, Dalton J. Burgett, of Bemus Point.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor of confirming the nomination as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

SENATOR DeFRANCISCO: Now Central New York, please.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As a member of the Central New York Park, Recreation and Historic Preservation Commission, Cornelius Murphy, Jr., Ph.D., of Syracuse.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor of confirming the nomination as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

SENATOR DeFRANCISCO: Next, the State Park, Recreation and Historic Preservation Commission for the City of New York.

ACTING PRESIDENT CROCI: The Secretary will read.

ACTING PRESIDENT CROCI: As a member of the State Park, Recreation and Historic Preservation Commission for the City of New York: Leisle Lin, of New York.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor of confirming the nomination as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

The Secretary will read.

THE SECRETARY: As a member of the Taconic State Park, Recreation and Historic Preservation Commission, Arthur L. Gellert, of Poughkeepsie.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor of confirming the nomination please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

The Secretary will read.

THE SECRETARY: As a member of the Finger Lakes State Park, Recreation and Historic Preservation Commission, Walter David Banfield, of Ithaca.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

The Secretary will read.

THE SECRETARY: As a member of the Long Island State Park, Recreation and Historic Preservation Commission, Richard H. Remmer, of Oakdale.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

The Secretary will read.

THE SECRETARY: As a member of the

Palisades Interstate Park Commission, Daniel Bryce O'Brien, II, of Bedford.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

The Secretary will read.

THE SECRETARY: As members of the Continuing Care Retirement Community Council: Alicia Laible, of Niagara Falls; J. Brian Nealon, of Clifton Park; Wayne Kaplan, of New York; Harriet Barnett, of Sleepy Hollow; and James Davis, of New York.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The

question is on the nominations as read by the Secretary. All those in favor of confirming the nominations as read by the Secretary please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read, are confirmed.

The Secretary will read.

THE SECRETARY: As members of the Council on Human Blood and Transfusion Services: David Huskie, of Petersburg; Beth Huizenga Shaz, M.D., of New York; and Alicia Elena Gomensoro, M.D., of Staten Island.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor of confirming the nominations as read, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed,

nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

The Secretary will read.

THE SECRETARY: As a member of the State Camp Safety Advisory Council, Gordon W. Felt, of Ramsen.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read by the Secretary, is confirmed.

THE SECRETARY: As members of the Minority Health Council: Nilda I. Soto, of the Bronx; Antonio Pagán, of New York; and Daniel

Carrión, of New York.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I'd just like to make a quick announcement before we finish the nominations. Momentarily, I will be calling a Rules Committee meeting in 332 of the Capitol. So those who are not in chambers, start heading towards that conference room so we can move things along at a reasonable pace.

Would you continue with the nominations.

ACTING PRESIDENT CROCI: The

Secretary will continue.

THE SECRETARY: As members of the Administrative Review Board for Professional Medical Conduct: Linda Prescott Wilson, of Laurelton; John D'Anna, of Staten Island; Richard Milone, M.D., of Rye.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

THE SECRETARY: As a member of the State Fire Prevention and Building Code Council, Dominic Marinelli, of West Seneca.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The

question is on the nomination as read by the Secretary. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read, is confirmed.

THE SECRETARY: As members of the Behavioral Health Services Advisory Council: Maura A. Kelley, of Buffalo; Kunsook Song Bernstein, Ph.D., of Baldwin; Jennifer Havens, of New York; John Kastan, Ph.D., of New York; Tino Hernandez, of New York; Euphemia Strauchn-Adams, of Staten Island; Lawrence S. Brown, Jr., M.D., of Brooklyn; William T. Gettman, Jr., of Glenmont; and Paul N. Samuels, of New York.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

I just want to briefly -- there's

two individuals that we're voting on here right now that I have had the pleasure and honor of working with extensively, Tino Hernandez and Paul Samuels, from Samaritan Village and the second gentleman from the Legal Action Center. They are wonderful individuals, they're wonderful New Yorkers. I'm very proud to be supportive of them here today.

Thank you, Mr. President.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

THE SECRETARY: As members of the Justice Center Advisory Council: Ronald Lehrer, of Poughkeepsie; Kathy A. O'Keefe, of East Northport; Euphemia Strauchn-Adams, of Staten Island; Harvey B. Rosenthal, of Greenwich;

William T. Gettman, Jr., of Glenmont; and
Peter Pierri, of New York.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

SENATOR DeFRANCISCO: Mr. President, could we now go back to -- oh, move to accept.

ACTING PRESIDENT CROCI: There is one more sheet for confirmation on the desk.

SENATOR DeFRANCISCO: Oh, okay, I'm sorry. Continue, then.

ACTING PRESIDENT CROCI: The Secretary will read.

THE SECRETARY: As members of the

New York State Bridge Authority: Henry J. Stanton, of Yorktown Heights, and Roger Higgins, of New Hamburg.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read by the Secretary, are confirmed.

The Secretary will read.

THE SECRETARY: As members of the Rochester-Genesee Regional Transportation Authority: William N. Faber, of Rochester; Richard D. Kosmerl, of Arcade; Donald E. Jeffries, of Rochester; and Kelli O'Connor, of Rochester.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT CROCI: The question is on the nominations as read by the Secretary. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nominations, as read, are confirmed.

The Secretary will read.

THE SECRETARY: As a member of the Capital District Transportation Authority, Denise A. Figueroa, of Cohoes.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read, is confirmed.

THE SECRETARY: As a member of the Central New York Regional Transportation Authority, Joseph A. Hardick, of Syracuse.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT CROCI: The question is on the nomination. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The nomination, as read, is confirmed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: May we now go back to motions and resolutions.

ACTING PRESIDENT CROCI: Motions and resolutions.

SENATOR DeFRANCISCO: On page 65, I offer the following amendments to Senator Ranzenhofer's bill, Calendar 1331, Senate Print 7913A, and ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT CROCI: So

ordered.

SENATOR DeFRANCISCO: As promised, I now call an immediate meeting of the Rules Committee in Room 332.

We still have a full calendar and a lot of bills on Rules. The sooner we start Rules, the sooner we leave today. So --

ACTING PRESIDENT CROCI: There will be an immediate meeting of the Rules Committee in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:42 p.m.)

(Whereupon, the Senate reconvened at 4:04 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: May we return to reports of standing committees.

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

SENATOR DeFRANCISCO: I believe there's 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 Print 92A, by Senator Gallivan, an act to amend the Environmental Conservation Law;

Senate 96, by Senator Gallivan, an act to amend the Tax Law;

Senate 216A, by Senator LaValle, an act to amend the Education Law;

Senate 262B, by Senator Díaz, an act to amend the Elder Law;

Senate 457, by Senator Marcellino, an act to amend the Vehicle and Traffic Law;

Senate 2496A, by Senator Addabbo, an act to amend the Tax Law;

Senate 2694, by Senator Felder, an act to amend the Education Law;

Senate 2700, by Senator Felder, an act to direct;

Senate 2866, by Senator Felder, an act to direct;

Senate 2925, by Senator DeFrancisco, an act to amend the General Obligations Law;

Senate 3265A, by Senator Sanders, an act to amend the Agriculture and Markets Law;

Senate 3464C, by Senator Croci, an act to amend the Executive Law;

Senate 3925, by Senator Venditto, an act to amend the Correction Law;

Senate 3926, by Senator Seward, an act to amend the Penal Law;

Senate 4051A, by Senator Lanza, an act to amend the Education Law;

Senate 4771E, by Senator Funke, an act to amend the General Business Law;

Senate 5216A, by Senator Savino, an act to amend the Public Health Law;

Senate 5248, by Senator Lanza, an act to amend the Environmental Conservation Law;

Senate 5477, by Senator O'Mara, an act to amend the Environmental Conservation Law;

Senate 5624, by Senator Savino, an act to amend the Banking Law;

Senate 5789B, by Senator Valesky, an act to amend the Public Health Law;

Senate 5863, by Senator Peralta, an

act to amend the Agriculture and Markets Law;

Senate 6027A, by Senator DeFrancisco, an act to amend the Labor Law;

Senate 6233A, by Senator Lanza, an act to amend the Navigation Law;

Senate 6250A, by Senator Ortt, an act to amend the Tax Law;

Senate 6665, by Senator Akshar, an act to amend the Environmental Conservation Law;

Senate 6675, by Senator Ortt, an act to amend the Navigation Law;

Senate 6815, by Senator Griffo, an act to amend the Penal Law;

Senate 6864A, by Senator Boyle, an act to amend the Executive Law;

Senate 6894, by Senator Lanza, an act to amend the Penal Law;

Senate 6915A, by Senator Ortt, an act to amend the Mental Hygiene Law;

Senate 6922, by Senator Serino, an act to amend the Social Services Law;

Senate 6923, by Senator Serino, an act to amend the Elder Law;

Senate 7121, by Senator Lanza, an act to amend the Real Property Tax Law;

Senate 7464, by Senator Marchione, an act to amend the Agriculture and Markets Law;

Senate 7475, by Senator Funke, an act to amend Chapter 138 of the Laws of 1998;

Senate 7480, by Senator Murphy, an act to amend the Executive Law;

Senate 7681, by Senator Young, an act to amend the Executive Law;

Senate 7690, by Senator Serino, an act to amend the Labor Law;

Senate 7691, by Senator Serino, an act to amend the Elder Law;

Senate 7752, by Senator Ortt, an act to amend the Environmental Conservation Law;

Senate 7772, by Senator LaValle, an act to amend the Environmental Conservation Law;

Senate 7894, by Senator Amedore, an act to amend the Executive Law;

Senate 7908, by Senator LaValle, an act in relation to creating;

Senate 7922, by Senator Savino, an act to amend Chapter 62 of the Laws of 2011;

Senate 7952, by Senator Carlucci, an act to authorize;

And Senate 7983, by Senator Avella,

an act to amend the Social Services Law.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: 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 Rules Committee report is accepted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now have the noncontroversial reading of the active list for today.

ACTING PRESIDENT GRIFFO: The Secretary will read.

The Secretary will begin the active list for June 7th with Calendar Number 74.

THE SECRETARY: Calendar Number 74, by Senator Ritchie, Senate Print 1795, an act to

amend the Agriculture and Markets 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 76, by Senator Murphy, Senate Print 3451, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 98, by Senator Amedore, Senate Print 6469A, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. 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 98, those recorded in the negative are Senators Addabbo, Avella, Carlucci, Comrie, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Kaminsky, Kennedy, Klein, Krueger, Latimer, Montgomery, Parker, Peralta, Perkins, Rivera, Savino, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 38. Nays, 23.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 244, substituted earlier by Member of the

Assembly Rosenthal, Assembly Print 9191, 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 279, by Senator Robach, Senate Print 4877, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Montgomery and Parker recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 371, by Senator LaValle, Senate Print 2102, an act to amend the Agriculture and Markets 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 411, substituted earlier by Member of the Assembly Cahill, Assembly Print 9028B, an act to amend the Highway 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 412, by Senator Seward, Senate Print 6955A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 525, by Senator DeFrancisco, Senate Print 2917A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 593, by Senator Griffo, Senate Print 4862C, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 616, by Senator Robach, Senate Print 4726A, an act to amend the Domestic Relations 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 DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I'm going to vote no because this is an absolute prohibition from the court from granting custody or unsupervised visitation with a child for a person who has been convicted or charged with the serious offense of rape. "Charged" is the problem to me.

The courts obviously would learn of the charge, but to make it an automatic prohibition on merely an accusation I believe would be the wrong thing to do. So I'm going to vote no for that reason and that reason alone.

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

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 2. Senators DeFrancisco and Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 625, by Senator Funke, Senate Print 5570A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 666, by Senator Funke, Senate Print 4732A, an act to amend the Social Services 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, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 705, by Senator Felder, Senate Print 7336, an act to amend the General City Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 715, by Senator Golden, Senate Print 1073, an act to amend the Multiple Dwellings Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 732, by Senator Ritchie, Senate Print 7009, an act relating to.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 751, by Senator Marcellino, Senate Print 6505, 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 751, those recorded in the negative are Senators Avella, Carlucci, Comrie, Hassell-Thompson, Hoylman, Kennedy, Krueger, Montgomery, Parker and Perkins.

Ayes, 51. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 753, by Senator Gallivan, Senate Print 79, 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 on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 757, by Senator Funke, Senate Print 6264, an act to amend the Agriculture and Markets 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 764, by Senator Martins, Senate Print 7345, an act to amend Chapter 395 of the Laws of 2008.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 783, by Senator Hannon, Senate Print 5903, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 784, substituted earlier by Member of the Assembly Gunther, Assembly Print 9188B, 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 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 785, by Senator Hannon, Senate Print 7335, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 790, by Senator Larkin, Senate Print 7283, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 803, by Senator Golden, Senate Print 691A, 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: Announce the results.

THE SECRETARY: In relation to Calendar 803, those recorded in the negative are Senators Amedore, Bonacic, DeFrancisco, Griffo, LaValle, Marchione and Murphy. Also Senator Funke. Also Senator Marcellino.

Ayes, 52. Nays, 9.

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.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 812, substituted earlier by Member of the Assembly Barrett, Assembly Print 9509, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 822, by Senator Croci, Senate Print 5994A, an act to authorize.

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

The Secretary will read the last section.

THE SECRETARY: Section 7. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 823, by Senator Gallivan, Senate Print 6549, an act to amend Chapter 185 of the Laws of 2005.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 830, by Senator Nozzolio, Senate Print 7258A, an act to amend the Village 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

880, by Senator Valesky, Senate Print 620A, an act to amend the Economic Development Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 881, by Senator Murphy, Senate Print 4034, an act to amend the State Administrative Procedure Act.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

SENATOR DeFRANCISCO: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 917, by Senator Ritchie, Senate Print 6708A, an act to amend the State Finance 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 919, by Senator Boyle, Senate Print 98A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Boyle to explain his vote.

SENATOR BOYLE: Thank you, Mr. President, to explain my vote briefly.

This is the Research Animal

Retirement Act, otherwise known as the Beagle Freedom Law. We passed it unanimously in this body two years in a row.

And it in essence allows animals, dogs and cats who are the subject of tests and taxpayer-funded labs in New York State, to be put up for adoption and have a retirement in loving homes after their testing life. They have five, seven, 10 good years or more, and we owe it to these animals.

I think this is the year hopefully that we're going to get it passed. We have movement in the Assembly for the first time. And I happily and proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 975, by Senator Ortt, Senate Print 2964B, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 24. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 975, those recorded in the negative are Senators Montgomery, Parker and Perkins.

Ayes, 58. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 999 has been amended and is high and ineligible for consideration. That will move us to Calendar Number 1012.

THE SECRETARY: Calendar Number 1012, by Senator Seward, Senate Print 7535, an act to amend the Insurance 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1020, by Senator Murphy, Senate Print 4417A, 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.

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

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

THE SECRETARY: Calendar Number 1021, by Senator DeFrancisco, Senate Print 4475A, 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1028, by Senator Akshar, Senate Print 7366, an act to amend the Not-for-Profit Corporation 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1030, by Senator DeFrancisco, Senate Print 33A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1036, by Senator Lanza, Senate Print 4656A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1039, substituted earlier by Member of the Assembly Glick, Assembly Print 9422, an act to amend Chapter 217 of the Laws of 2015.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1040, substituted earlier by Member of the Assembly Magnarelli, Assembly Print 9516, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1056, by Senator LaValle, Senate Print 5112, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1060, by Senator LaValle, Senate Print 5557, an act to amend the Environmental Conservation 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1062 has been amended and is high. It does have a home-rule message, but it is ineligible for consideration at this point. So we will move to Calendar 1063.

THE SECRETARY: Calendar Number 1063, substituted earlier by Member of the

Assembly Thiele, Assembly Print 9218, an act to amend Chapter 378 of the Laws of 2014.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1065, by Senator Avella, Senate Print 7085A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to

Calendar 1065, those recorded in the negative are Senators Akshar, DeFrancisco, Farley, Gallivan, Griffo, Lanza, Martins, and Ritchie.

Ayes, 53. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1120, by Senator Serino, Senate Print 7394A, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 12. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1121, by Senator Avella, Senate Print 7695, an act to amend the Family Court Act.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1122, by Senator Avella, Senate Print 7696, an act to amend the Family Court Act.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1123, by Senator Avella, Senate Print 7705, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1146, substituted earlier by Member of the Assembly Rosenthal, Assembly Print 356, 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 first of May.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1147, by Senator Klein, Senate Print --

SENATOR DeFRANCISCO: Lay the bill aside temporarily.

ACTING PRESIDENT GRIFFO: Lay it aside temporarily.

THE SECRETARY: Calendar Number 1205, by Senator Valesky, Senate Print 629, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1215, by Senator Carlucci, Senate Print 2013A, 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1225, by Senator Lanza, Senate Print 3321, an act to amend the Public Authorities 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1228, by Senator Sanders, Senate Print 3776, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1238, by Senator Croci, Senate Print 4519A, 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 1238, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Kennedy, Krueger, Montgomery, Parker, Perkins, Rivera, Serrano, Squadron and Stavisky. Also Senator Breslin.

Ayes, 45. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1242, by Senator Valesky, Senate Print 4827, an act to amend the 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1245, by Senator Marcellino, Senate Print 5014, an act to amend Chapter 404 of the Laws of 2013.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1245, those recorded in the negative are Senators Gianaris, Hamilton, Krueger and Stewart-Cousins.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1249, by Senator Savino, Senate Print 5297, an act to amend the Banking 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1249, those recorded in the negative are Senators Hassell-Thompson, Kaminsky, Krueger, Montgomery, Parker, Perkins, Rivera, Squadron and Stewart-Cousins.

Ayes, 52. Nays, 9.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1286, by Senator Seward, Senate Print 6802, an act to direct.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1288 has been amended, is high and ineligible for consideration.

We will now move to Calendar Number 1298.

THE SECRETARY: Calendar Number 1298, by Senator Bonacic, Senate Print 7557, an act authorizing.

ACTING PRESIDENT GRIFFO: There is

a home-rule message present at the desk.

The Secretary will read the last section.

THE SECRETARY: Section 7. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1301, by Senator Amedore, Senate Print 7603, an act to amend Chapter 325 of the Laws of 2015.

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

The Secretary will call the last section.

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

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1311, by Senator Funke, Senate Print 7874A, 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 8. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1322, substituted earlier by Member of the Assembly Glick, Assembly Print 9129A, an act to amend Chapter 537 of the Laws of 2008.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the

bill aside.

THE SECRETARY: Calendar Number 1323, by Senator Marcellino, Senate Print 6837A, an act authorizing.

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

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

THE SECRETARY: Calendar Number 1324, by Senator DeFrancisco, Senate Print 6929A, 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 1324, those recorded in the negative are Senators Addabbo, Comrie, Dilan, Hamilton, Hassell-Thompson, Hoylman, Kennedy, Krueger, Parker, Peralta, Perkins, Rivera, Squadron and

Stavisky.

Ayes, 47. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, why do you rise?

SENATOR DeFRANCISCO: Yes, can we withdraw the -- excuse me. There was a lay-aside on 1322. Can we please readdress that bill, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1322, substituted earlier by Member of the Assembly Glick, Assembly Print 9129A, an act to amend Chapter 537 of the Laws of 2008.

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, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1330, by Senator Valesky, Senate Print 7880, an act to amend the Not-for-Profit Corporation 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1334, substituted earlier by Member of the Assembly Hunter, Assembly Print 9643, an act to amend Chapter 274 of the Laws of 2010.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1335, by Senator Marcellino, Senate Print 7206, 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. Nays, 1. Senator LaValle recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1336, by Senator Marcellino, Senate Print 7208, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1344, by Senator Breslin, Senate Print 7478, an act to amend Chapter 141 of the Laws of 2014.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: In relation to Calendar 1344: Ayes, 60. Nays, 1. Senator Serrano recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Can I have some order in the chamber, please.

THE SECRETARY: Calendar Number 1346, by Senator O'Mara, Senate Print 7890, an act to amend Chapter 305 of the Laws of 2013.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1414, by Senator Marcellino, Senate Print 448, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. 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 1414, those recorded in the negative are Senators Hassell-Thompson, Montgomery, Parker and Perkins.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1415, by Senator Kennedy, Senate Print 770, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1418, by Senator Breslin, Senate Print 1327, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1419, by Senator Dilan, Senate Print 1838, an act to amend the Vehicle and Traffic 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1420, by Senator LaValle, Senate Print 1871A, an act to amend the Education Law.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1421, by Senator LaValle, Senate Print 2112A, an act to amend the Education 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1423, by Senator Golden, Senate Print 2268, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1424, by Senator Hannon, Senate Print 2302, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1425, by Senator LaValle, Senate Print 2403, an act to amend the Domestic Relations 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1426, by Senator Felder, Senate Print 2471, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1427, by Senator Griffo, Senate Print 2723, an act to amend the Criminal Procedure 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1428, by Senator Funke, Senate Print 3130A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1429, by Senator Stavisky, Senate Print 3160A, an act to amend the Real Property Tax 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: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1430, by Senator Stavisky, Senate Print 3187, 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. Nays, 1.

Senator Bonacic recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1432, by Senator Lanza, Senate Print 3490, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1432, those recorded in the negative are Senators Montgomery, Parker and Perkins.

Ayes, 58. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1433, by Senator Lanza, Senate Print 3494, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1433, those recorded in the negative are Senators Montgomery, Parker and Perkins. Also Senator Hoylman.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1439, by Senator Lanza, Senate Print 4513A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1442, by Senator Klein, Senate Print 5485A, an act to amend the Vehicle and Traffic 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1442, those recorded in the negative are Senators Akshar, Amedore, Croci, DeFrancisco, Funke, Griffo, LaValle, Little, Marcellino, Murphy, Ortt, Seward and Stavisky. Also Senator Gallivan. Also Senator Marchione. Also Senator Ranzenhofer. Also Senator Serino.

ACTING PRESIDENT GRIFFO: Reannounce the results.

THE SECRETARY: In relation to Calendar 1442, those recorded in the negative are Senators Akshar, Amedore, Croci, DeFrancisco, Farley, Funke, Gallivan, Griffo, Larkin, LaValle, Little, Marcellino, Marchione, Murphy, Ortt,

Ranzenhofer, Serino and Seward.

Ayes, 43. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1443, by Senator Felder, Senate Print 5755A, an act relating to.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1444, by Senator O'Mara, Senate Print 5906, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1444, those recorded in the negative are Senators Dilan, Hoylman and Perkins.

Ayes, 58. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1448, by Senator Carlucci, Senate Print 6229, 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1449, by Senator Boyle, Senate Print 6358, 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 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1450, by Senator DeFrancisco, Senate Print 6573, an act to amend the State Finance 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1451, by Senator Croci, Senate Print 6585, an act

to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: In relation to Calendar 1451: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1455, substituted earlier by Member of the Assembly O'Donnell, Assembly Print 1984, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1458, by Senator Golden, Senate Print 7063, an act to establish.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1459, by Senator Seward, Senate Print 7155, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1460, by Senator Savino, Senate Print 7161, an act to amend the Elder 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1464, by Senator Little, Senate Print 7522, an act to amend the Parks, Recreation and Historic Preservation 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1465, by Senator Marchione, Senate Print 7645, 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: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1466, by Senator Bonacic, Senate Print 7654, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1467, by Senator Golden, Senate Print 7664, an act to amend Chapter 507 of the Laws of 1974.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the reading -- oh, there's one more.

THE SECRETARY: Calendar Number 1471, by Senator Valesky, Senate Print 7938, an

act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Sorry, Senator Valesky.

(Laughter.)

ACTING PRESIDENT GRIFFO: The Secretary will read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

And Senator DeFrancisco, that actually does complete the noncontroversial reading of today's active-list calendar.

SENATOR DeFRANCISCO: Not so fast, because we laid aside temporarily Calendar Number 1147. Could we please call that again.

ACTING PRESIDENT GRIFFO: We will return to the temporary lay-aside, which was Calendar Number 1147, by Senator Klein, and the Secretary will read.

THE SECRETARY: Calendar Number

1147, by Senator Klein, Senate Print 7049, 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 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Klein to explain his vote.

Can I have some order in the chamber, please.

SENATOR KLEIN: Thank you, Mr. President.

This legislation would ensure that participants in the Special Supplemental Nutrition Program for Women, Infants and Children, known as WIC, have access to all WIC-approved products, including specialty and exempt formulas.

Unfortunately, back in January of 2014 the New York State Department of Health -- the only Department of Health in the entire United States -- decided to drastically change

regulations as it applies to WIC. Just in the way of background, WIC is a program that makes sure that young families, infants and moms eat healthy foods.

They decided to change the regulation where a specialty infant formula can now only be obtained in a pharmacy, which kind of defeats the whole purpose of the WIC program. Now you're forcing young women to have to go to a pharmacy to buy their formula and then go to their local grocery store to get their fresh produce. It just doesn't make any sense.

So this legislation would bring back the old system, make it convenient for most neighborhoods -- who have to travel very far to go to a local pharmacy, while their supermarket is usually around the block -- to buy everything at one location, as the WIC program intended.

I also want to thank two of my colleagues, Senator Espaillat and Senator Peralta, who have worked very closely with me on this important legislation.

I vote yes, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the --

SENATOR DeFRANCISCO: Can we go to motions and resolutions, please.

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

SENATOR DeFRANCISCO: On page 60, I offer the following amendments to Calendar 1282, Senate Print 7968, a bill by Senator Martins, 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 DeFRANCISCO: And if you'd please contact -- recognize Senator Valesky, please.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Avella, I wish to call up his bill, 1148, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 220, by Senator Avella, Senate Print 1148, an act to establish.

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

ACTING PRESIDENT GRIFFO: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR VALESKY: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR VALESKY: Thank you.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, we have a supplemental calendar, which are the bills -- it's 50A. It has the bills that we dealt with in Rules Committee today.

I'd just like to take up one bill off of that supplemental calendar, namely, Calendar Number 1511.

ACTING PRESIDENT GRIFFO: Okay, we will go to Senate Supplemental Calendar 50A and we'll be taking up Calendar Number 1511, by Senator Young. That is Supplemental Calendar 50A.

The Secretary will read.

THE SECRETARY: Calendar Number 1511, by Senator Young, Senate Print 7681, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of Supplemental Calendar 50A.

SENATOR DeFRANCISCO: Okay, now --

ACTING PRESIDENT GRIFFO: For that one bill.

SENATOR DeFRANCISCO: If you'd please lay the rest of the supplemental calendar aside.

ACTING PRESIDENT GRIFFO: The remainder of Calendar 50A will be laid aside for the day.

SENATOR DeFRANCISCO: And take up the controversial calendar, the active list today.

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 705, by Senator Felder, Senate Print 7336, an act to amend the General City Law.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. Would the sponsor yield to a few questions?

ACTING PRESIDENT GRIFFO: Sponsor, do you yield?

The sponsor yields.

SENATOR HOYLMAN: Thank you, Mr. President.

Does the sponsor agree that there is a problem of plastic bag waste in the State of New York and the City of New York?

SENATOR FELDER: Can you repeat the question? Through you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman -- may I have some order in the house, please.

Senator Hoylman, would you repeat the question?

SENATOR HOYLMAN: Does the sponsor agree that there is a problem of plastic bag waste?

SENATOR FELDER: No.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Sponsor, do you yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Senator

Felder yields.

SENATOR HOYLMAN: Does the sponsor appreciate that each year approximately 10 million bags are used and thrown away each year in New York City?

SENATOR FELDER: Through you, Mr. President. Can my colleague explain what he means, "appreciate"?

ACTING PRESIDENT GRIFFO: Senator Hoylman, would you care to elaborate on that?

SENATOR HOYLMAN: Does the sponsor acknowledge that there are statistics from the City of New York, the mayor's office specifically, that each year approximately 10 million bags are used and thrown away in New York City?

SENATOR FELDER: Yes.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR HOYLMAN: Does the sponsor know that it costs, according to the city, about $12.5 million to dispose of plastic bags?

SENATOR FELDER: No.

SENATOR HOYLMAN: Will the sponsor continue to yield, Mr. President?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Is the sponsor aware that plastic bags in New York City clog waste treatment systems, end up floating in harbors, they're part of the 165 million plastic particles that are floating in the New York/New Jersey estuary waters?

SENATOR FELDER: Through you, Mr. President, what I do know is that plastic bags are one-half of a percent of the waste stream. And the largest portion of the waste stream is from paper products, such as bags, newspapers -- I'm talking about paper -- fast food containers, candy wrappers, cigarette butts.

Interestingly enough, the City Council bill chose not to tax those items but rather pick plastic bags, which are only a half of one percent of the stream.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR HOYLMAN: Thank you, Mr. President.

Would the sponsor's bill preempt the imposition of a plastic bag fee to deal with the problem of plastic bag waste just for New York City or for all cities and municipalities?

SENATOR FELDER: Through you, Mr. President, I think I have to correct my colleague's statement because the word that he used is really not correct.

I will answer my colleague's question; it applies to any city in New York State. But I think my colleague said "remedy" -- I don't remember exactly.

This bill is -- the purpose of this bill is to make sure that New Yorkers are not subject to another tax. The bill would prohibit any city in the state from imposing any tax, fee, or other local charge on any carryout merchandise bag. And that's because the City Council, as you

may know, adopted unilaterally a plastic bag tax of a nickel a bag, and this unjust measure is scheduled to take effect unless we get rid of it.

And that's why we have this bill here today. This bill is doing two things. One, the City Council decided to call this nickel a fee, not a tax -- which it is -- because they don't have the right to impose taxes on New Yorkers. So they couldn't call it a tax, they called it a fee. And this fee is going to unjustly, unfairly impose a tax on most New Yorkers.

Now, I know that you're going to ask me why this bill is so important. And I myself, Mr. President, have never gotten so much feedback -- whether it's petitions, whether it's phone calls, or whether people stopping me on the street -- about any other issue. And I daresay that I have had some decent issues other than this. More than any other issue. And I've heard the same experiences from many of my colleagues. People are upset about this nickel tax.

And I'm trying to figure out why people are so upset, and it dawned on me. The sponsors of the bill, when they were asked about

their City Council bill, said that the purpose of their bill is to irritate New Yorkers into changing their behavior. I say that again. The purpose of the bill is to irritate New Yorkers to change their behavior.

Well, New Yorkers do not appreciate that. New Yorkers do not like being manipulated, they do not like being aggravated, and they do not need government to irritate them.

So the supporters of the City Council bill who believe that it's their job to modify New York City residents' behavior by irritating them, that's why people are so upset about this nickel tax.

So I'm finished, if you haven't realized it.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: I've forgotten my question.

(Laughter.)

SENATOR FELDER: That's the purpose of it.

(Laughter.)

ACTING PRESIDENT GRIFFO: The timing was good.

Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor continue to yield.

ACTING PRESIDENT GRIFFO: Senator Felder, do you continue to yield?

SENATOR FELDER: Yes. Yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR HOYLMAN: In the sponsor's memo he cites a number of public health concerns as actually one of the reasons for objecting to the New York City plastic bag fee. He says in the memo that reusable bags present a serious public health issue and that "reusable bags often present the risk of bringing into a store a contaminate or food-based disease, bacteria or other illnesses which can cause serious cross-contamination or infection for both the customer, other customers, or even store employees."

Would the sponsor tell me the source of his study?

SENATOR FELDER: I have many --

through you, Mr. President, I have many studies, just like you will quote many studies to support your position. I'm holding a bunch of them. If you'd like me to read them all, I'd be happy to entertain you, at the risk of alienating all my other colleagues.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Would the --

ACTING PRESIDENT GRIFFO: How do you think I feel trying to figure out when he's ended?

SENATOR HOYLMAN: Could the sponsor tell me specifically the assertion that plastic bags present a serious public health issue? Could he name the study where -- one study where he sourced that information?

SENATOR FELDER: Through you, Mr. President. It's clear that my colleague doesn't believe me, so I certainly don't want him to have to trust me.

The University of Pennsylvania, University of Arizona. And I have a whole series of other studies that will talk about it.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR HOYLMAN: Is the sponsor aware that the study conducted at the University of Arizona was funded by the American Chemical Council?

SENATOR FELDER: By what? I'm sorry, through you, Mr. President. (Loudly.) By what?

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: The American Chemical Council.

SENATOR FELDER: The what?

SENATOR HOYLMAN: American Chemical Council.

SENATOR FELDER: Okay, I'm sorry, I didn't hear you.

No, I'm not aware. But so what?

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Does -- I'll --

ACTING PRESIDENT GRIFFO: On the bill?

SENATOR HOYLMAN: Not on the bill. Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Felder, do you continue to yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR HOYLMAN: So what? The American Chemical Council is the leading proponent, industry proponent of plastic bag use in these United States.

Does the sponsor acknowledge that there could be a potential conflict of interest in the American Chemical Council's position on plastic bags?

SENATOR FELDER: Through you, Mr. President, I do acknowledge that.

I also acknowledge that all the studies that support my colleague's position were probably done by advocates that support their

position. And there might be a conflict as well when some of the groups that are supporting your position -- or I should say my colleague's position -- are funded by those groups.

So we can spend a long time going through this, and each of us will have the same questions for each other. And I'll be happy to do that.

SENATOR HOYLMAN: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the bill.

SENATOR HOYLMAN: I wanted to thank my colleague for his insight on this issue and appreciate his answers.

You know, there's a lot of handwringing over this legislation, over local legislation. I mean, you'd think the apocalypse was about to dawn on us.

In fact, I was -- the same kind of angst has beset other countries and cities that have considered such a fee. In the U.K., there was a hashtag, actually, called #plasticbagchaos, when they considered a fee on their bags. And folks were tweeting about plastic bag

alternatives in the event that this fee would be imposed: You could use a cardboard box, a briefcase, the inside of your shirt, a swimming cap, a butternut squash with the seeds removed. And one person suggested that they would carry always a plastic bag tied to their wrist just in case they forgot their bag.

But the truth is we've seen in other places where a fee such as the one suggested by the New York City Council has been imposed. It's been extremely successful and reduced plastic bag waste. San Francisco, Los Angeles, Washington, D.C., Ireland -- anywhere from 60 to over 90 percent of plastic bag waste reduction in those countries and cities after a similar fee was imposed.

Plastic bag use, I think, is a problem. New York City has proposed a solution. Other jurisdictions in the state are proposing the same -- Suffolk, New Castle, among others. The reason is because they can't wait for Albany.

The sponsor's bill, Mr. President, is essentially a preemption with nothing in its place. It nullifies a local law, but it does nothing to address any problem. Albany has been

handwringing over plastic bag laws for over 25 years, but we really haven't done much about it. So who are we to tell a local municipality that it can't address a pressing problem?

Now, I get it, the city is a creature of the state. My friend Senator Savino has told me that many times. But we're preempting the city with nothing. We are taking, moreover, an unprecedented move of overturning a local law and nullifying a pro-environment piece of legislation.

You've seen all of the advocacy organizations -- Riverkeeper, The Nature Conservancy, Environmental Advocates of New York, Citizens Campaign for the Environment, the New York League of Conservation Voters, New York/ New Jersey Baykeeper, all of them support the local bill proposed by the City Council.

What kind of precedent are we setting when we start overturning local laws in cities and municipalities across the state? Once this chamber is over its obsession with New York City local laws, you can guarantee that they're going to be coming for you next, whether it's Suffolk, New Castle, Corning, Pittsford. This is

another example of Albany, of Albany telling local governments that it knows better. It's Common Core for plastic bags.

And we should let governments do what they do best. This bill was heard by the City Council in three hearings over two years of discussions. It passed with widespread support from communities across the five boroughs. We shouldn't interfere with what a local government decides is best for its citizens.

I urge any colleagues to vote no. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: I guess it's still afternoon. Good afternoon, Mr. President.

ACTING PRESIDENT GRIFFO: Good afternoon.

SENATOR KRUEGER: If the sponsor would yield to some questions, please.

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield to some questions from Senator Krueger?

Senator Felder yields.

SENATOR FELDER: Yes. Except I

won't answer any questions about carrying my groceries in a hollowed butterscotch.

(Laughter.)

SENATOR KRUEGER: I promise not to ask any questions about carrying groceries in hollowed -- squash, is that what we heard?

SENATOR HOYLMAN: Yes {unintelligible}.

SENATOR FELDER: He would know better.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR KRUEGER: So Senator, as I read your bill, it would actually outlaw stores choosing to charge for carryout bags. And there are stores that do that now -- Aldi's, Ikea, some of the BJ's, Sam's, Costco-type stores.

So you would outlaw them charging for bags, which they do currently as part of their own internal policies at this point?

SENATOR FELDER: Through you, Mr. President, I don't believe in government interfering with private industry in general, because usually whatever government touches goes bad.

So I certainly -- the bill does not state anywhere that we're trying to prohibit private businesses. They can charge as much as they want. In fact, if they think it's a good idea, let them charge $10 a bag if they think that's a good idea.

This bill, this bill is correcting a terrible precedent that's being set by the City Council. And let me tell you, it's New York City first and it's coming to you next, in that the state passes a law, the environmental advocates -- and let me just say I don't think there's anyone in this room that wants to hurt the environment.

So having said that, a few years ago -- maybe more than a few -- we used to use paper bags, and the environmental advocates came along and said: This is not a good thing. Let's use plastic bags, and those plastic bags will be able to be recycled. And at that same time the state established a law that would mandate that stores have bins for recycling. Unfortunately, the city and the state have not enforced that law.

So the City Council decided, in its

infinite wisdom, that if a law is not being enforced, dump the law and make a new one. Well, that's not the way it works. That's not the way it works.

And it would be a terrible precedent for us to say: No problem, if there's a law that you don't like, figure out how to call something a fee instead of a tax, and everyone will be happy.

So the answer to your question, in case you forgot it, was stores can charge whatever they want.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: I would like to refer the sponsor to Section 3 of his bill, which states: "No retail store may collect any charge, tax or any other fee upon a customer in return for the provision of any carryout merchandise

bag."

So while I'm glad to hear the sponsor says he doesn't want to intrude on business, I believe his bill would, because it says they can't charge for bags, and yet we have quite a few types of stores currently charging for bags.

So I guess I'm reasking the question: Did the sponsor intend his bill to prevent stores that currently charge for bags from being able to charge for bags?

SENATOR FELDER: Through you, Mr. President, I think that it would be helpful to read the entire paragraph. "Prohibition on the collection of a tax, fee, or local charge on any carryout merchandise bag. No wholesaler may collect any additional charge, tax, or any other fee upon a retail store for the provision of any carryout merchandise bag, other than the original cost of such bag as agreed between the wholesaler and the retail store for the purpose of such bag."

"Additionally" -- and "additionally" goes on the last few sentences we just talked about, which was the prohibition on a tax or

fee -- "no retail store may collect any other charge, tax or any other fee upon a customer in return for the provision of any carryout merchandise bag."

I would interpret that clearly as meaning that we're referring to a tax, not for a store to decide whether it wants to impose a fee for bags or anything else.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Does the sponsor yield?

SENATOR FELDER: Yes.

SENATOR KRUEGER: He read the section, and "may not collect any charge, tax or any fee from a customer."

If I'm charging for a bag at my store, I am charging for a bag at my store and this would be outlawing that. I don't see how this wouldn't outlaw that.

SENATOR FELDER: Through you Mr. President. As I said the first time, it's related to the bill that we're talking about,

which would prohibit the city or any city within New York State from imposing such tax.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Sponsor, do you yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR KRUEGER: So I have to take disagreement with the sponsor about what the language and meaning of the language of his bill is.

But I'm going to follow up with a continued question. If you read this bill as prohibiting stores from selling bags to take product out of their store, does that mean they can no longer sell reusable bags at the checkout counter? Most stores that I go into here in Albany, if they're food stores, or in New York City, they are selling reusable bags as a product in their product mix at checkout. So that would also become illegal? Because that would be selling bags to the customer to take merchandise

out of the store.

SENATOR FELDER: Through you, Mr. President, I can't answer my colleague's question based on a premise that she established. We disagree upon what the law says. You're asking me what I would do if I interpreted the law the way you are interpreting it. I can't answer that.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield?

SENATOR FELDER: Yes, please.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you.

The sponsor, in answering the questions of my previous colleague who was asking questions, talked about it's not okay to pass a bill just to irritate people. I would argue this is not a bill just to irritate people. Probably every bill the State Legislature has ever passed and the City Council has ever passed and county legislatures have ever passed irritates someone.

Does the sponsor actually propose that a justification to override a municipality's policy is based on a personal analysis of the irritation level? Is that the basis of passing this bill, he wants to make sure nobody is ever irritated?

SENATOR FELDER: Through you, Mr. President, I wish that I had control of making sure that people weren't irritated. I might be able to run for statewide office.

But I didn't say that. The sponsor of the bill said that. I don't think I've ever said that I sponsored any legislation to irritate people. I don't think that's the way you get reelected.

But certainly that's not the way you tell New Yorkers that something's good for you, or you dictate to New Yorkers and you tell them: This is what you need. Even though you don't think you need it, this is what you need. And the sponsor of the bill -- not me, and certainly not you -- said that the way this bill is supposed to work is that the goal is to irritate people into changing their behavior. I'm only trying to be honest. I'm quoting the sponsor of

the bill. I would never want the sponsor of the bill to say, Simcha, you lied, you didn't quote me correctly. That's one.

And two, my colleague mentioned, once again, this bill is trying to somehow take away, remove or destroy something that a locality like New York City has done. I will repeat it again. This bill is doing something very important, as Senator Hoylman said -- but he said it to support his position.

My bill makes sure that we don't set a terrible precedent by saying the state passes laws and then any locality comes along and says, You know, we don't like it that much, we're going to do our own. That's not the way it works. I didn't make the constitution. That's the constitution of the state. The state has rights; the locality has rights. The rights of the locality is not to pick or choose what it likes or dislikes and then come up with its own laws.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield?

SENATOR FELDER: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: The sponsor, in explaining why he thought the state should override the local law, referenced his belief that this would have negative consequences for the people of New York City. If the research shows -- which it does -- that over 200 cities around the country have implemented variations on bring-your-own-bag laws and that they've gone into effect in roughly 80 percent of the households in all 200 cities, across lines of race, income, age and family size, have started bringing their own reusable bags back to the stores -- knowing that, would that influence the sponsor's thinking about whether New York State ought to be superseding any locality in New York's right to pass a bill similar to the 200 other localities in the United States?

SENATOR FELDER: Through you, Mr. President, I will repeat as many times as necessary. New York State is not removing, not rescinding -- I forgot all the words that were used to describe New York City's law. Just the

opposite. Just the opposite.

New York City is imposing on its residents an unjust and unfair tax -- not a fee, a tax -- which we know a law has been passed a long time ago that said that stores have to have recycle bins.

Now, if the sponsors of this bill want to ban plastic bags altogether, they should say so. And that they'd be allowed to do, I believe. But if they want to impose a tax -- and let me be clear, for anyone who has any question whether this is a tax or a fee. A fee, New York State's Constitution vests only in the State Legislature.

And the distinction between a fee and a tax is pretty clear. A fee is something that government charges for a service or product it provides. That is a fee. You go and you want to park on a street, and you have to put money in the meter. The government or New York City, in this case, is providing you with a space to park and you have to pay for it.

You go ahead and you need to get some permits or inspections or anything like that, and there's a charge. New York City is

providing a service or a product and, in turn, you have to pay for it. That is a fee.

But here, the government is not providing anything. New York City has decided that the retailer providing the bag -- not the city -- is going to collect money from you for each bag. That's not a fee. I'm sorry, that is not a fee, yes. That's a tax. A tax is where government uses its power to take your money and then decides how it wants it spent.

And that's exactly what New York City is doing here. The fact that the city is not keeping the money, the fact is that the city is not keeping the money doesn't make it a fee. It makes it a tax where the city is not keeping the money.

So it's clearly a punitive measure to get people to change their behavior. And if we really wanted to encourage recycling -- now, I'm not suggesting this, by any means, but there's a -- my colleague Senator Savino always talks about the Bottle Bill.

The Bottle Bill, the way it worked is the state said if you want to buy a soda or anything like that, you have to put a nickel

deposit. And if you bring back the bottle, you get your nickel back. And in fact it's become so popular that there are many people who have made a living out of it. Many people don't want to bother.

But that's -- that's how the state decided to encourage people to recycle. And they either do or don't. But if they decide to do it, they get their nickel back.

In this case the city is telling people clearly that it's a tax. Because they're not giving you your nickel back, they're not telling you to recycle it at the store.

Oh, I forgot one other point you might have wanted to ask me in the future. I forgot to tell all of us, tell everyone that it's a misnomer to say that people in New York do not recycle their bags. I dare suggest that if you asked a hundred New Yorkers randomly what they do with the plastic bags they get and they use to bring home their groceries, they will give you multiple answers. Some use it to get rid of diapers. Some use it to make sure that they clean up after their dogs. Some people give it to their kids to be able to take their lunch to

school. Some people take their books to school.

Very rare -- I'm not going to tell you that there's no one -- very rarely do people take their bags and just throw them in the garbage. I know in my own home we have a place where we keep bags for those types of uses. And I might add, people in apartment buildings, they don't go out and buy Glad or some other company garbage bags, they use bags. They put the bags in the garbage, they put the garbage in the bags, and then they bring it down. Is that nothing not recycling? I don't think there's any better way to recycle.

So this whole concept that's been created by some advocates that there is this --

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

SENATOR FELDER: I'll continue, I'll continue later. I want the Senator to have a chance to continue with her questions.

SENATOR KRUEGER: Thank you.

So so far we have the sponsor has a different definition than I think the state has about what does it mean to be allowed to sell

or charge for a bag. We have a different definition of what the state defines as tax versus fee.

By the way, it clearly is not legally a tax that the city passed, because the City of New York, as both the sponsor and I know, doesn't have a right to pass tax. So it --

ACTING PRESIDENT GRIFFO: Senator Krueger, are you on the bill or are you asking a question to Senator Felder?

SENATOR KRUEGER: I'm on the bill and I'll go back to questions.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

So it is a fee, because the City of New York couldn't pass a law that taxed. And in fact, it's not even a fee that you have to pay, it's only a fee that you choose to pay if you continue to use plastic or paper bags in the City of New York. If you bring your own reusable bags, there is no fee, there is no tax. It is up to you.

That is why it is correlated so effectively with changing people's behavior,

because they fairly quickly realize this is a win/win. They can be using reusable bags and not paying any fee at the store. And yet if they decide they really need plastic or paper for some reason, they can pay the fee and still have access to it.

As to my colleague's point about recycling when you use the bag for the diapers or you use the bag for -- I think picking up after the dog, I believe, was an example -- that's actually not the definition of recycling. It's reusing, but that plastic bag is still ending up in the waste stream. And the premise of why this law is important is to ensure we are decreasing plastic entering the waste stream, whether or not it might have a dirty diaper in it also or some dog poop in it also. That isn't recycling.

If I could now ask the sponsor to continue to yield to some questions.

ACTING PRESIDENT GRIFFO: Senator Felder, do you yield?

SENATOR FELDER: I do yield. I just wanted to make sure that my colleague heard the other examples that I gave.

SENATOR KRUEGER: Beyond diapers

and dog poop.

SENATOR FELDER: Yeah, because it seemed to me that my colleague enjoyed those two examples more than the other.

(Laughter.)

SENATOR KRUEGER: I might have appreciated those more, it's true, Mr. President.

SENATOR FELDER: Okay, yes.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR KRUEGER: But I'm willing to list all the examples that my colleague gave me.

ACTING PRESIDENT GRIFFO: Senator Felder yields.

SENATOR KRUEGER: Thank you.

Does Senator Felder believe we have a problem with climate change caused by human activity?

SENATOR FELDER: Through you, Mr. President, what I do believe is God's running the world and people have to do whatever they can to keep this world in good shape. You can't waste, you can't do things that hurt other people.

And by the way, I didn't have a chance to say that I do believe that New Yorkers are more important than bags.

So I don't -- I'm not here to discuss my opinion about climate change or what -- what was the -- I don't remember the second thing. Global warming?

ACTING PRESIDENT GRIFFO: I'm going to caution both members, let's stick to the premise of the bill right now, please. We're debating the specifics on the New York City regulation and whether or not we're going to take action here.

So Senator Krueger, do you want to pose a question?

SENATOR KRUEGER: Mr. President, I would premise that we're discussing whether we tried to get plastic out of the waste stream, which is correlated with increased environmental damage. So climate change and environmental damage is the theme of the underlying bill, Mr. President.

SENATOR FELDER: Through you, Mr. President. Is it my turn?

(Laughter.)

SENATOR FELDER: I don't know whether --

ACTING PRESIDENT GRIFFO: Senator Krueger, do you object?

Senator Felder, you may speak.

SENATOR KRUEGER: {Inaudible.}

SENATOR FELDER: Was that a yes?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT GRIFFO: Yes.

SENATOR FELDER: Through you, Mr. President, I beg to differ with my colleague. We're not here to debate whether it's important to protect the environment. We're not here to debate climate change or global warming. We're here to debate whether New York City has the right to circumvent state law to impose a tax because it doesn't like the way things are being handled at this time.

I'm not discussing whether plastic bags are good, bad, or otherwise. And let me just say that I understood the distinction between reusable and recyclable. What I would also say is there's no way in the world that the examples I gave you are happening otherwise. So if they're not going to use the plastic bags they

get from the store, they're going to go buy bags. And if they buy bags, they'll put -- I don't know why I keep on picking Glad. Maybe they were on sale. But they're going to have to buy Glad bags to send lunch to school with their kids. They're going to have to buy Glad bags, plastic bags, to be able to take care of dog poo and diapers. It's not as though we're going to be able to avoid that.

So that's why I emphasize -- through you, Mr. President -- this discussion is not about the merits or the importance of saving the environment or trying to avoid the use of plastic bags. This is about making sure that this precedent of New York City's councilmembers telling New Yorkers "We're going to irritate you into changing your behavior to stop using plastic bags. And if you want to use them, you're going to pay a nickel."

And I might add that there have been -- in their law, in order to get it passed, they exempted -- for example, they exempted people who are on food stamps from this law entirely, under the theory that if people come to shop they only bring their card and they won't

have any change in case they want to buy a bag, and they can't use the card for the bags. And I would say wow, this is a win/win. There's no way -- first of all, they don't have money so they can't even get a bag if they wanted to. So the only way they'd be able to is by making sure they bring money, which would encourage them to use the bags that Senator Krueger is suggesting.

So just to recap, in case I didn't say it more than three times, I'm not debating or at least I'm not discussing those things. I'm discussing the process and the way government works. There has to be some orderly process of some sort, or else government is in havoc. And that's what I'm discussing.

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: I want to thank my colleague for his explanations. I don't think he does understand the details of his own bill. But we can agree to disagree.

Here's why I disagree. Yes, the City of New York passed a local law. Municipalities pass local laws all the time. In fact, a fairly conservative Republican premise of this house for years has been the concept of local right to make decisions over what's going on in their counties and in their municipalities. And it is extremely rare for this body to pass a bill that would supersede local law and go further and prevent other localities from potentially passing similar bills.

Suffolk County, Westchester County, Erie County, individual towns in those counties and throughout the state are exploring following the lead of New York City. But if we pass this bill into law, we've taken that right away from them.

Now, why would they need to do this? Because whether or not my colleague agrees, the research from science that is not funded by the plastic industry shows that plastic bags are a serious problem in the waste stream, that they disproportionately impact negatively poor communities, that they increase the amount of garbage trucks going through our communities, the

costs of collecting them and throwing them into the solid waste stream. The plastic never really deteriorates. That's not the word I wanted. What does a plastic bag not do? It shreds, but it never actually goes away.

The research shows that this model works. And it's hardly unique to the bag issue. Many people in this chamber -- well, we're getting younger, but I think still quite a few people in this chamber voted to expand cigarette taxes in this state. Why? Because there was research showing the more expensive you make a pack of cigarettes, the fewer people will take up smoking. That saves the state money in healthcare costs. Why did we create the cigarette tax? Because we knew cigarette smoking was bad for your health and we wanted to incentivize people not to smoke or deincentivize smoking by increasing the cost.

In this example, the City of New York is saying, We want to incentivize people not to use plastic and paper bags that end up in the waste stream, doing harm to the environment, costing poor communities and the City of New York so much money. We want to offer them and

encourage them to use alternatives. And they take many steps towards helping them, including offering free reusable bags, exempting low-income people from the fee, working with the stores to insure that this all can go smoothly.

It's a model that is not unique to New York City. As I said, there's 200 cities throughout this country that have already implemented similar laws. These laws have also been implemented in Germany, Belgium, Britain, France and Israel. These places have seen their bag waste reduced from 60 to 90 percent.

Now, my colleague's answer before was that environmental groups are lobbying for the city's bill and against his bill. And the plastic industry is underwriting research saying that plastic bags aren't a problem. I guess I would have to ask the question, we know that the plastic and chemical industry makes money on the continued use of plastic bags. I don't think anyone believes Citizens Campaign for the Environment, League of Conservation Voters, the Sierra Club, The Nature Conservancy, Riverkeeper, Environmental Advocates, et cetera, actually make money from advocating for the environment. So I

actually do think the legitimacy of the analyses is quite different.

There might be flaws with the City Council law. They might decide it's not working after some period of time. Although I'd be surprised, because in every other city and country that has implemented it, it's been working just fine.

People catch on quite quickly. There is some change in behavior, just like we saw fewer people smoking when we increased the cost of cigarettes.

You raised -- the sponsor raised an example of perhaps recycling, like bottles, could work. Unfortunately, while there's a market for recycled bottles, there's nobody who has successfully created a recycled market for plastic bags. It just doesn't lend itself to that. Another reason that the bags all do end up in our waste stream, whether unused after they return from the food store or filled with dirty diapers, dog poop, and the other items that my colleague used in his examples.

Frankly, the State of New York hasn't overrode a local law and superseded a

local law, I guess, since I believe the Urstadt bill repealed the city's right to have a say over its own housing policies. And that bill was passed either in 1968 or '71; I don't remember at the moment. So it's been a very long time since this legislative body has taken an action to supersede local law.

And for the record, yes, localities pass laws all the time for themselves, and most of the time we respect their right to do so. I hope we will respect the City of New York's right to implement the law that they just passed, and let's watch and see whether it's a problem for people or not. I suspect it won't be.

I urge people to vote no, Mr. President. Thank you very much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger. Seeing and hearing -- Senator Savino, I thought you were going to explain your vote, I was told.

SENATOR SAVINO: Thank you, Senator Griffo.

I rise in support of this bill, and I want to thank Senator Felder for bringing it and for shepherding this through the Senate. I

also want to thank him for taking the time to hold a hearing on this bill in the City of New York. He held it about two weeks ago. I participated in that hearing, along with other members. I know Senator Hoylman was there, Senator Golden was there, I was there, Senator Felder. Assemblymember Dov Hikind attended. If I missed anybody, I apologize.

But it was an opportunity for some of us to really delve into the details of this policy that the City Council adopted and the mayor hastily signed into law.

And so for those of you who weren't there and didn't take the opportunity to attend, you can probably watch it on video. It was a five-hour hearing. We learned an awful lot that day. But let's just go over the policy itself that the City of New York adopted.

And by the way, just for those of you who didn't pay attention, this was not unanimously adopted by the City Council. It wasn't even close. In fact, it was a very close vote: 24 yes and 20 no. I have six City Councilmembers who cross my Senate district. Every single one of them voted in the negative,

Brooklyn and Staten Island. That's pretty hard, to get all of them to vote no. They all agreed that this was a bad policy.

So let's talk about why they thought it was a bad policy. Not because they think that overuse of plastic bags is good. They're not anti-environment -- none of us are. They rejected it because it was not a well-thought-out solution to this problem, and here's the reason why. Because it's some bags in some stores, some people in some income levels. It is inconsistent policy.

And so based upon that, I would say the councilmember who sponsored the legislation may have succeeded in his stated goal of irritating people, because inconsistent policy is irritating in and of itself because it's difficult to implement, and then it becomes completely unsuccessful.

This body went through a tortured compromise in 2010 -- some of you may remember it, those of you who were here -- when we expanded the Bottle Bill into -- remember, we called it the Bigger Better Bottle Bill. It was a very difficult negotiation. All of the

environmental advocates who are writing memos in opposition on this bill today were involved in the development of that policy.

But here's the difference between the Bottle Bill and this plastic bag fee. The Bottle Bill applies to all bottles in all stores and all income levels. Everybody pays the nickel, and all the nickels go into recycling. There is an expectation that the money is going to go to recycling. So we don't object to the idea of collecting a fee for the use of this item. What we object to is the money goes to the stores. They keep it.

The stores don't even want it. The storekeepers who came in and testified before us said they don't want to impose this extra fee on their customers. They don't want to have to ask their customers who are on public assistance to prove that they're on public assistance, like it's a scarlet letter. They don't want to have to ask their seniors who aren't on public assistance to pay a nickel more out of their pocket even though they may actually earn less in monthly income than someone who is on public assistance. They don't want to be in that

position.

And more importantly, they don't want to keep track of nickels that they have no use for.

So they said, Why are we doing this? There's no requirement that any of these plastic bags or paper bags be recycled.

So we're simply saying that if the City of New York wants to do something to reduce the overuse of plastic bags, we'd probably agree. They should have come to us. They should have sought our advice and our expertise. And it may have dragged out the process a little longer; maybe they wouldn't have gotten to where they are as quickly.

But they would have had a better policy, one that applied to all bags and all stores. So that when you went to the grocery store you might have had to pay a fee, but when you went across the street to the pharmacy, you pay the same fee. Or when you went to the liquor store. Because right now, under the policy that the City Council adopted and the mayor signed hastily, bags that you get from a liquor store are somehow less offensive to the environment

than plastic bags that come from a supermarket. I don't know why. Bags that you get from a takeout restaurant are less offensive to the environment than bags that you get in Macy's or another retailer. I don't understand why. No one could explain that to any of us.

So it is inconsistent policy which is irritating. And that is not going to change people's behavior, it is just going to create a problem for shopkeepers in New York City, it's going to create a problem for families in New York City.

And for people who represent coastal areas or border communities, here's what's going to happen. Staten Islanders are going to go shopping in New Jersey. They're going to take their money with them, they're going to go there and they're going to bring the plastic bags that they got in stores in New Jersey back to New York and it's not going to change their behavior in the slightest, we're just going to lose business. We know this.

And as a Staten Islander -- I know I can speak for Senator Lanza as well -- there are no people more sensitive to bad environmental

policy than the people that we represent. Where we live, for 50 years we were victimized by the worst environmental decision by the Department of Sanitation, the Fresh Kills Landfill, which operated for 50 years without a permit. So we understand what bad environmental policy does.

Which is why we also understand you've got to get it right. Because if you don't get it right, it doesn't work. It has to be all in. That's the only way environmental policy works. We all have to be part of it.

And so right now we're not all part of it. Again, some bags in some stores and some people in some income levels doesn't work. It's not going to get us to where we need to go. That's why I am firmly in support of Senator Felder's bill.

And finally, that hearing was, you know, somewhat illustrative in many ways. It was kind of like a civics lesson and an environmental lesson. You know, Senator Hoylman mentioned how I use the terminology that the City of New York is a creature of the Legislature, and it is. And this will not be the first time, certainly not since I've been in the Senate, that this body

attempted to overturn something the city did.

In fact, in 2009 when we were in the Senate majority in the Democratic Conference, the City of New York came to Albany seeking the ability to raise their city sales tax to deal with their budget. And we said no. It took a little bit of shuttle diplomacy over the course of a few weeks before we finally granted it to them. But we as a body were prepared to say no to them.

So this would not be the first time that we say no when the City Council asks for something that we disagreed with. This time they can get it right. They can come back to us. This bill in the City Council that was signed by the mayor doesn't go into effect until October. They have an opportunity to work with us to get it right and develop a sound, consistent environmental policy that achieves the stated goal of reducing unnecessary plastic bag use, cleaning up our environment, and making sure that everybody participates in a policy that works for all of us.

I vote in the affirmative.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Lanza.

SENATOR LANZA: Thank you, Mr. President. On the bill.

First I want to thank my colleague Senator Felder for doing something that too few people in government do today, and that is to listen to the people that we come here to represent.

I take exception to something that was said during the debate, which is that Senator Felder doesn't understand this legislation. I know of no one who knows more about more things that Senator Felder. And I can tell you he understands exactly what he is doing here. And that is he is listening to the people who sent him here. He is representing the best interests of the people and not listening to a few special interests.

The other side I think misconstrued and misrepresented what this legislation does. It was suggested that the plastic industry is the number-one proponent of this legislation, and that's simply not true. The number-one proponent in support of this legislation are the people we

represent.

I don't know about you, but I know this past weekend and the weekend before, as I traveled through my district, I was approached by scores of constituents who were just scratching their heads in wonderment that the City Council would even suggest that this makes sense and that this is the right thing to do. To impose what Simcha Felder, Senator Felder clearly stated as fact, which is that this is a tax. And we could call it whatever you want, but that's what it is.

And you know, a number of reasons have been advanced over the last several years as to why people have lost faith in government. I think the biggest reason among them all is because all too often people in government prove that they are so far removed from the real living and breathing in their own communities, they've lost sight of what truly affects the people we represent. And so what happens? False issues are advanced, day in and day out, to fill people's heads about what we think or it is suggested that they think should be important. And I think, quite frankly, it's because the tough issues are tough and people don't have

answers for them.

You know, I listened to the City Council at their press conference announcing this tax talk about the effect on the environment that plastic bags have. And one member said that a plastic bag lasts for 5,000 years, it doesn't decompose. Senator Krueger alluded to that fact and then seamlessly moved into a conversation about greenhouse emissions and global warming.

I mean, that sounds like the environmentalists that I hear from so often who clearly were absent the day they taught science in school. If something does not break down for 5,000 years -- or, as Senator Krueger says, forever -- well, then it does not release greenhouse gases. If it doesn't decompose or decay, then in effect, Senator Krueger, you might want to argue that a plastic bag is great for the environment because it locks up that portion of greenhouse gas emissions forever, never to be released into the environment.

You know, you listen to the other side on this and you would think that plastic bags are the greatest threat to our community and to our society and that we must immediately rid

ourselves of this plague of plastic. However, if you can't afford the nickel, you can continue to pollute. If you can, simply buy the bag and you can continue to pollute.

By the way, the supermarkets will stock up -- I think Senator Felder mentioned Glad, but there are other manufacturers; you can continue to buy these bags.

And of course for all the people that use them for the countless uses, some of which were mentioned by Senator Felder, you can keep doing it. You just have to do what the city wants you to do, which really is not to stop using plastic bags, it is to pay for using plastic bags.

And so it was also mentioned by Senator Felder these are the same brain surgeons -- when I was a kid we had paper bags at supermarkets. These are the same people who said they're so horrible for the environment, stop immediately using them -- and by the way, we have the answer, the solution which will save the environment. Here it is, it's a plastic bag. Go forth, use plastic bags, because we need to save the environment.

This is the stuff that really causes people to lose faith in government. Democrats, Republicans, conservatives, liberals across my district -- and probably across the city, I can only tell you from whom I've heard over the last several weeks -- have come to me and have said, of this tax, this is the dumbest thing, the most ridiculous thing that I've ever heard of. What is wrong with that City Council? What is wrong with that New York City government? I heard that across every demographic for the last month.

We've got to start focusing on the things that matter. We've got to stop making it difficult for ordinary New Yorkers to live in our communities. We've got to stop telling people that we want to control every little thing that they do just to support and to carry on and to live and breathe in our communities.

Senator Felder, thank you for listening to the people. Thank you for recognizing an action of New York City government that is going to hurt the people we represent and, more importantly, for doing something about it.

Mr. President, I vote in the

affirmative.

ACTING PRESIDENT GRIFFO: Senator Latimer.

SENATOR LATIMER: Mr. President, I rise to indicate my opposition to this bill and to tell you why.

ACTING PRESIDENT GRIFFO: Senator Latimer on the bill.

SENATOR LATIMER: I have served four years on the Rye City Council. I've never served four minutes on the New York City Council, until the last two hours of this discussion. This debate is a debate in the City of New York between the duly elected members of the New York City Council.

Now, some of us in the room did not like the way that debate turned out. And therefore, in the New York State Senate and in the Assembly, we are going to redebate that issue.

Every day, I have people come to me in my district that say: Do you know what the Port Chester Village Board did? Oh, my God, the Westchester County Legislature did this. And do you know what the Bronxville Village Board did?

How about that vote by the Eastchester Town Council last night?

What I generally say is: You elect your town councilman, your village trustees, your local city councilman and your county legislators to be your voice in those levels of government. My job is to deal with those issues that are at the state level of scope and not to come in and big-foot every single decision made in Harrison and in North Castle and in Bedford and in every one of those communities.

When I sit here and I vote for local bills that come from other parts of the state, I presume that those local governments and that local representative -- and oftentimes it's only one of us that represents the smaller communities, and even the counties of this state -- that when they speak, they speak on behalf of the council that they represent or the county they represent, and that's enough.

I don't want to have a public hearing on every issue when we have to reauthorize a tax and bring in the board of supervisors from this county or the county executive from that county or the mayor of this

village or the town supervisor of that town in order for them to address a Westchester legislator and pass my test of judgment on their judgment.

That is why we have small-d democracy, because people vote for their town, village, city, county officials no matter how big or small that city or county or town is.

My concern in voting no is not about the City of New York. This is a debate to be had in the City Council. And that is a debate to be reargued in the City Council if the City Council got it wrong.

But I don't want to send a message to Bronxville, to North Castle, to New Rochelle, to White Plains, communities I represent: Boys, girls, whatever you do, you'd better be careful because the New York State Senate might not like what you're doing. The New York State Assembly might have a problem with what you're doing today. And even if you're duly elected in your community and by a vote of 5-2 you pass something, those two guys can find their way into Albany and undo what was done.

We have shown so much disrespect for

municipal government -- and I'm not talking about the City of New York. The City of New York is the uber municipal government. But there's plenty of other local governments that we represent -- no increase in aid, hard time getting their bills passed, back of the hand treatment when they come to visit us on issues. We've done that universally. Unfunded mandates. We'll pass a bill that says no unfunded mandates, and then later on we'll pass an unfunded mandate.

So the bottom line to me is this. Whatever the merit of this issue is, this is an issue that belongs in the City of New York. Are we the government that can override in some fashion? Yes, we are. That power does exist. But when do we use it? We use it sparingly, in only the issues of the greatest magnitude. Because how would we feel, Mr. President, if the Congress of the United States decided to pass judgment on every law that the State of New York government passed? Which they do from time to time. How would we feel as duly elected Senators representing our districts arguing an issue out and coming to closure -- and maybe carrying the vote 24 to 20 or whatever the numerical

equivalent in this room is -- working hard just to pass it and to have some Congressman from Texas say: "Well, son, I don't like what you all did up in New York, and we're going to reverse that down here in Washington."

Now if you think about this, if you think about this, we're doing a very bad thing today. We're saying if any group of people, however large or small they are, in a jurisdiction doesn't like the way it turned out and don't feel they can reverse it, come to me, come to me and we'll reverse it. We will have Suffolk issues on this floor, we will have Erie County issues on this floor, Syracuse City issues on this floor.

And we don't really want them here. We want them resolved in their jurisdiction, and then let the voters of those communities decide whether they were well-decided or not.

ACTING PRESIDENT GRIFFO: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Mr. Chairman.

Mr. President and my colleagues, I rise to join this debate. But before I do,

I want to say a couple of things about the sponsor of this legislation.

Over the last four years, I've had the privilege of sitting next to the sponsor, and I can say this unequivocally. This person, this Senator, Senator Felder, has the utmost integrity, the highest standard of principled life. And it has been my pleasure and honor to sit next to him over these past four years.

Winston Churchill said that the most important quality of any human being is courage, because courage is the quality that guarantees all other qualities. Simcha Felder is a person of courage. He's not one to go along to get along. He's not one to see the lemmings running in a certain way and joining that rush to the sea. He's not one to rush to judgment.

Frankly, contrary to the comments of the prior speaker, Senator Felder analyzed this issue and on behalf of his own constituents, as Senator Lanza pointed out very clearly, that this measure is to stop a new tax. This isn't simply to give a blanket authority to a local unit of government to enhance a policy. This is a new policy. Senator Felder and those who support

Senator Felder's measure clearly are stating on behalf of their constituents that a new tax is not a good tax. It's not a tax that their constituents can support.

And because of the courage of the sponsor, the direction that this legislation is headed is simply to say stop, stop this imposition. Our constituents are saying find another way.

And for that, Senator Felder, I thank you. I'm honored to join you in support of this legislation. And I congratulate you for the courage that you demonstrate not just here but each and every day.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Felder to close.

SENATOR FELDER: First of all, I want to thank my colleagues for supporting this bill, especially my ranking member, Senator Persaud: Senator Lanza, Senator Savino, Senator Golden, and more than a dozen other sponsors, all of whom live in New York City. So I appreciate it very much.

I also appreciate Assemblymember

Michael Cusick, who's been leading the fight in the Assembly. And I hope we will succeed there as well.

Just one -- two quick succinct points. As my colleague Senator Nozzolio said, this is about New York City imposing a new tax. In fact, Senator Krueger's example of the cigarette tax was a very good one. New York City did not decide to impose a tax on cigarettes, because they are not permitted to. It's New York State that imposed the tax, rightfully so. And if New York City decided tomorrow that they wanted to impose an additional tax on cigarettes, I hope we would come back and say no, we're going to prohibit that, because they do not have the authority to do so.

And finally, my colleague Senator Krueger said it's about time something like this -- I'm paraphrasing -- it's about time we respect New York City and localities and allow them to do whatever they want to do. My colleagues, I would say that it's about time to respect New Yorkers. It's about time to respect our constituents, who do not want to be driven crazy and nickled and dimed every day.

Thank you. I vote yes.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes to be heard, debate is closed.

The Secretary will ring the bell.

(Scattered applause.)

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 705, those recorded in the negative are Senators Boyle, Breslin, Carlucci, Comrie, Dilan, Espaillat, Hamilton, Hannon, Hoylman, Kennedy, Krueger, Latimer, LaValle, Marcellino, Montgomery, Murphy, O'Mara, Parker, Perkins, Rivera, Serrano, Squadron and Stewart-Cousins. Also Senator Hassell-Thompson.

Absent from voting: Senators Panepinto and Sanders.

Ayes, 35. Nays, 24.

ACTING PRESIDENT GRIFFO: The bill is passed.

(Scattered applause.)

ACTING PRESIDENT GRIFFO: Okay, can we have some order in the house.

The chair will recognize Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we please lay aside for the day the remaining bills on the controversial calendar.

ACTING PRESIDENT GRIFFO: The remaining bills on the controversial calendar of today's active list will be laid aside for the day.

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

ACTING PRESIDENT GRIFFO: There is no further business at the desk.

SENATOR DeFRANCISCO: Therefore I move -- excuse me. I have one other item.

Can we go back to motions and resolutions.

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

SENATOR DeFRANCISCO: I'd like to call up Senator Ritchie's bill, Print 7180, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1111, by Senator Ritchie, Senate Print 7180, an act to amend the Vehicle and Traffic 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, 61.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: And I also move to adjourn until Tuesday, June 7th, at --

ACTING PRESIDENT GRIFFO: Wednesday, June 8th?

SENATOR DeFRANCISCO: Excuse me, today is Tuesday.

ACTING PRESIDENT GRIFFO: It's like Groundhog Day.

(Laughter.)

SENATOR DeFRANCISCO: Yes. No, we've done this once, and that's enough.

So I'll move to adjourn until Wednesday, June 8th, at 1:30 p.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Wednesday, June 8th, at 1:30 p.m.

The Senate shall stand adjourned.

(Whereupon, at 6:27 p.m., the Senate adjourned.)