NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 8, 2016

2:20 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

I ask all present to please rise and join with me as we recite the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: In the absence of clergy, I would ask that everyone please bow their heads in a moment of silent prayer and reflection.

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, June 7th, the Senate met pursuant to adjournment. The Journal of Monday, June 6th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT GRIFFO: Without objection, the Journal will stand approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 11, Senator Lanza moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 8140A and substitute it for the identical Senate Bill 3342A, Third Reading Calendar 393.

On page 22, Senator Ritchie moves to discharge, from the Committee on Agriculture, Assembly Bill Number 9536 and substitute it for the identical Senate Bill 7011A, Third Reading Calendar 761.

On page 28, Senator Croci moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9118 and substitute it for the identical Senate Bill Number 6942, Third Reading Calendar 928.

On page 30, Senator Croci moves to discharge, from the Committee on Corporations and Authorities, Assembly Bill Number 9751 and substitute it for the identical Senate Bill 7198, Third Reading Calendar 1025.

On page 32, Senator Avella moves to discharge, from the Committee on Environmental

Conservation, Assembly Bill Number 9289 and substitute it for the identical Senate Bill 6630, Third Reading Calendar 1061.

On page 34, Senator Griffo moves to discharge, from the Committee on Cultural Affairs, Tourism, and Parks and Recreation, Assembly Bill Number 9860 and substitute it for the identical Senate Bill 7231, Third Reading Calendar 1087.

On page 35, Senator Funke moves to discharge, from the Committee on Social Services, Assembly Bill Number 9317 and substitute it for the identical Senate Bill 7278, Third Reading Calendar 1097.

On page 42, Senator Savino moves to discharge, from the Committee on Labor, Assembly Bill Number 9766 and substitute it for the identical Senate Bill 7854, Third Reading Calendar 1198.

On page 43, Senator LaValle moves to discharge, from the Committee on Transportation, Assembly Bill Number 297 and substitute it for the identical Senate Bill 1119, Third Reading Calendar 1209.

On page 53, Senator Murphy moves to

discharge, from the Committee on Environmental Conservation, Assembly Bill Number 9219 and substitute it for the identical Senate Bill 6729, Third Reading Calendar 1333.

On page 53, Senator Marcellino moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10113 and substitute it for the identical Senate Bill 7223, Third Reading Calendar 1337.

On page 56, Senator Ortt moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 7226A and substitute it for the identical Senate Bill 7584, Third Reading Calendar 1369.

On page 57, Senator Bonacic moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 1819A and substitute it for the identical Senate Bill Number 1608A, Third Reading Calendar 1382.

On page 62, Senator Bonacic moves to discharge, from the Committee on Codes, Assembly Bill Number 9455 and substitute it for the identical Senate Bill 6683, Third Reading Calendar 1453.

And on page 64, Senator Funke moves

to discharge, from the Committee on Consumer Protection, Assembly Bill Number 7610E and substitute it for the identical Senate Bill 4771E, Third Reading Calendar 1489.

ACTING PRESIDENT GRIFFO: The substitutions are all so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, I wish to call up Senator Seward's bill, Print Number 2346, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 839, by Senator Seward, Senate Print 2346, an act to amend the Tax Law.

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

ACTING PRESIDENT GRIFFO: The

Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT GRIFFO: The bill is restored to its place on third reading.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Next I wish to call up Senator Marchione's bill, Print 5792A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 502, by Senator Marchione, Senate Print 5792A, an act to amend the Criminal Procedure 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, 45.

ACTING PRESIDENT GRIFFO: The bill

is restored to its place on third reading.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

SENATOR DeFRANCISCO: On page 18 I offer the following amendments to Senator Hannon's bill, Calendar 673, Print Number 6767A, 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: On page 40, I now offer the following amendments to Senator Murphy's bill, Calendar 1180, Senate Print 7004, and ask that the bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: On page 52, I offer the following amendments to Senator

Marcellino's bill, Calendar 1323, Print Number 6837A, and ask that the bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: And finally, I move to recommit Senate Print 7772A, Calendar 1515, by Senator LaValle, and ask that the bill retain its place on the Third Reading Calendar -- no, I don't mean that.

ACTING PRESIDENT GRIFFO: That's why I didn't say anything yet.

SENATOR DeFRANCISCO: Okay. I've got to say it again.

I move to recommit Senate Print Number 7772A, Calendar Number 1515, which is on the order of third reading, to the Committee on Rules. That's Senator LaValle's bill.

ACTING PRESIDENT GRIFFO: It is so ordered.

SENATOR DeFRANCISCO: Thank you.

Would you please recognize Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator

Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Avella, on page 24 I offer the following amendments to Calendar 825, Senate Bill 7031, 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.

We are having a little difficulty, though, trying to hear what is taking place. So if everyone will please take your conversations outside the chamber, we'd appreciate that.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now take up previously adopted Resolution 6058, by Senator Kennedy, read the title only, and call on Senator Kennedy to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6058, by Senator Kennedy, mourning the death of Jesse Edward Nash, Jr.,

distinguished citizen and devoted member of his community.

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

I rise today to honor the remarkable life of Jesse Edward Nash, Jr., who passed away on May 11th at the age of 90.

Mr. President, imagine for a second that it's 1965 at Canisius College in Buffalo, New York. The student body and a small population of African-American students are looking to change the world around them, starting with the lack of leadership positions for African-American students. These students had grit, they had a message, they had energy -- all they needed was a mentor to guide them. And they found this and more in a first-year sociology professor, Jesse Edward Nash, Jr., who helped them found the Afro-American Society, seeking constructive ways to advance civil rights.

That was Jesse Nash, always seeking constructive change to the people and communities around him. Frustrated with the lack of advancement for inner-city residents, Mr. Nash took action by serving as the executive director

of the Model Cities agency from 1967 to 1971. Disappointed with the lack of healthcare access on Buffalo's east side, Mr. Nash worked tirelessly to establish a health center in 1972, which has since been dedicated in his name. Noticing a lack of academic research in African-American studies, Mr. Nash focused his career on urban power structures and their effect on the black community.

You see, Mr. Jesse Nash, Jr., came from a family of doers. His father, the Reverend Jesse Edward Nash, Sr., was a long-time pastor of the Michigan Avenue Baptist Church in Buffalo, helping to bring branches of the Urban League and NAACP to Buffalo. His mother, Frances Jackson Nash, was the solid rock, helping his father help all people throughout his life.

Jesse Nash, Jr., followed in his parents' footsteps, seeking ways to give back. He founded Seventy-Eight Restoration, focused on community development, and created the Emerson Row apartments for low-income individuals. Mr. Nash spearheaded the Buffalo Waterfront Alternatives Study, the War Memorial Stadium Restoration Project, and the Erie Community

College City Campus feasibility study.

Among civic groups, Mr. Nash was a member of Alpha Sigma Nu, the Jesuit National Honor Society, Omega Psi Phi, a lifetime member of the NAACP, and vice president of the Buffalo Urban League.

And as a professor concerned with education and health access, he gave back through service on the College Council of SUNY Buffalo State, the New York State Commission on Minorities in Health-Related Professions in Higher Education, as well as on the boards of Child and Family Services, the Millard Fillmore Gates Hospital, and the Erie County Industrial Development Agency.

Mr. Nash is survived by his wife of 65 years, Hortense Nash; two sons, George Raymond Nash and Jesse Edward Nash, III; and one daughter, Deborah Nash Franklin.

Jesse Edward Nash, Jr., it was clear from his first year as a professor as Canisius that he would do great things. Over his life he showed that determination and grit, combined with kindness and being a gentle soul. He demonstrated that with these traits, an

individual can go very far in life and have a resounding impact on his or her community.

Buffalo and New York thank Jesse Edward Nash, Jr., for a lifetime of commitment to Buffalo, New York State, and this great nation. His example will be revered for generations to come.

Mr. President, thank you for your indulgence. And I would ask that the honor of the house be given to the Nash family at this time. Thank you very much.

ACTING PRESIDENT GRIFFO: The resolution was previously adopted on June 2nd of this year.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Senator Kennedy has agreed to open this up for cosponsorship.

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

SENATOR DeFRANCISCO: Next, would you take up previously adopted Resolution 6079, by Senator Serino, read it in its entirety, and

call on Senator Serino.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6079, by Senator Serino, honoring Chase Piotrowski upon the occasion of his designation as recipient of a Liberty Medal, the highest honor bestowed upon an individual by the New York State Senate.

"WHEREAS, It is the sense of this Legislative Body to recognize and pay tribute to those young people within the great Empire State who have made strong contributions to their communities and who serve as role models for their peers; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to honor Chase Piotrowski upon the occasion of his designation as recipient of a Liberty Medal, the highest honor bestowed upon an individual by the New York State Senate; and

"WHEREAS, The New York State Senate Liberty Medal was established by resolution and is awarded to individuals who have merited

special commendation for exceptional, heroic, or humanitarian acts on behalf of their fellow New Yorkers; and

"WHEREAS, Seven-year old Chase Piotrowski of Beacon, New York, was playing outside of his home on Thursday, April 21, 2016, when he spotted a forest fire and immediately alerted his mother, who dialed 911; and

"WHEREAS, Beacon City firefighters subsequently responded to the call and extinguished the 10-foot-high flames; and

"WHEREAS, In addition to this most prestigious recognition, Chase Piotrowski received an official Beacon Fire Department helmet and t-shirt for his quick, astute and heroic actions; and

"WHEREAS, With his sense of civic duty and his commitment to others, Chase Piotrowski represents the best development of the potential which is inherent in our most precious resource, our youth; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Chase Piotrowski upon the occasion of his designation as recipient of a Liberty Medal, the highest

honor bestowed upon an individual by the New York State Senate; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Chase Piotrowski."

ACTING PRESIDENT GRIFFO: Senator Serino.

SENATOR SERINO: Thank you, Mr. President.

Today I am honored to have the opportunity to recognize a small hero who played a big role in ensuring the safety of our community. Meet 7-year-old Chase Piotrowski, of Beacon. Chase, can you please stand up and wave? Hi.

Chase was playing outside of his home on Thursday, April 21st, when he spotted a forest fire burning nearby. He acted immediately and alerted his mother, Tara, who dialed 911. Beacon City firefighters responded to the call and were subsequently able to extinguish the 10-foot-high flames.

Chase's quick thinking and immediate action enabled our firefighters to respond and contain a fire that had the potential to cause

significant damage.

I read somewhere that a true hero isn't measured by the size of his strength, but by the strength of his heart. Let me tell you, this young man has a huge heart. When he was made an honorary fireman by the City of Beacon, Chase was quick to say that he thought the firemen who responded were the real heroes. But I think that all of us here can agree that Chase is also a true hero.

It is my honor to award him with our state's highest mark of distinction, the New York State Liberty Medal. If this action is any indication, this young man has a very bright future ahead of him. And it is my hope that his good work will inspire others throughout our community and state to act in the face of trouble.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Serino.

The resolution was previously adopted on June 2nd.

At this time we'd like to extend our congratulations to the award recipient, Chase

Piotrowski, and also commend him for taking such outstanding action at such a young age. Truly a young leader, and we can be very impressed with your actions.

So on behalf of the Senate, please rise, and we extend the courtesies of the house to you and your family.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: I just want to tell Chase, good job. And he got to get a day off of school. Isn't that good?

(Laughter.)

SENATOR DeFRANCISCO: Terrific.

Please open this up for cosponsorship.

ACTING PRESIDENT GRIFFO: The reso is open for cosponsorship. Should you choose not to be a cosponsor, notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now take up Senate Resolution 6144, by Senator Hamilton, and read the title only and call on Senator Hamilton.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6144, by Senator Hamilton, memorializing Governor Andrew M. Cuomo to proclaim June 2016 as Caribbean-American Heritage Month in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Hamilton.

SENATOR HAMILTON: Mr. President, I rise to salute the past, present and ongoing contributions of the Caribbean-American community to New York and in recognition of June as Caribbean Heritage Month.

We take this moment to honor our intertwined history with the Caribbean since New York was New Amsterdam. Caribbean immigration didn't start in the 20th century -- it is essential to the founding, and foundations, of this country.

There is certainly no shortage of distinguished Caribbean-Americans to name: Founding Father Alexander Hamilton, former Secretary of State Colin Powell, actor and singer Harry Belafonte, basketball star Patrick Ewing,

former U.S. Attorney General Eric Holder, actor Sidney Poitier, and the late Congresswoman Shirley Chisholm.

And I will not neglect those whose names are not bold-faced in the papers, those people in our history who did not migrate voluntarily, and people whose jobs are behind the scenes, those who have been scientists, inventors, caretakers, transit workers or secretaries -- just a few of the jobs we don't take the time to recognize often enough.

Caribbean-Americans have worked in all sectors that make New York State the capital of the world. Through generations, we have built family and community. Those families include my own.

My 101-year-old great-uncle Robby Tate is still alive today, who migrated to New York City from St. Thomas Parish in Barbados with my great-grandparents. They continued to share stories with my family about our rich Caribbean history. Growing up as a third-generation Barbadian, they taught me the value of hard work and advocating for the people. My uncle served our country bravely in the U.S.

Army through our country's most difficult times.

Caribbean immigrants have been contributing to the well-being of American society since its founding. During Caribbean-American Heritage Month, we honor the courage and perseverance of the Caribbean-American community. Families with roots in the Caribbean like mine, and millions across the state, pursued the American dream, sharing the immigrant story held in common with countless millions of fellow Americans. I take this moment to honor them and their sacrifice.

Often overlooked in the immigrant experience is the propensity to overcome barriers. The barriers may relate to language -- Spanish and French being among the languages Caribbean-Americans can lay claim to -- culture shock, a difference in the pace or cold weather, and navigating one's way far from home, without family and familiarity.

Despite those challenges, these generations of migrants and their Caribbean-American descendants persisted, persevered, and created the largest Caribbean population outside the Caribbean here in

New York -- a vibrant and impactful representation that enriches our economy and institutions and communities.

I can't hear myself talk.

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

SENATOR HAMILTON: Thank you. I appreciate that.

Now I have to start all over again for the videotape.

(Laughter.)

SENATOR STAVISKY: We're listening.

SENATOR HAMILTON: You're listening? All right.

Excuse me for those of you who are watching.

As a Caribbean-American, my own experiences in sharing of celebrations and culture began with the New York Caribbean Carnival Week presented during Labor Day week by the West Indian American Day Carnival Association in my district, which draws 2 million people and brings in $300 million in revenue -- excuse me. Excuse me. Excuse me. I can't hear myself talk, for the second time. I'm going to start all over

again --

As a Caribbean-American, my own experiences in sharing of celebrations and culture began with New York Caribbean Carnival Week, presented during the Labor Day week by the West Indian American Day Carnival Association in my district, which draws 2 million people and brings $300 million in revenue to the state. It is our pleasure to celebrate Caribbean-American heritage with and host people from all over the world. Last Labor Day I met people from California and Louisiana, from New Zealand and Australia, and from Spain and Portugal, all coming to celebrate with us.

I invite all of my colleagues, and all New Yorkers who haven't already come to our carnival, to visit. And those who have come, I invite you to come celebrate with us again. You're welcome to march with us in the parade to the sweet sounds of steelband music -- the only instrument invented in the 20th century.

And I just want to say thank you all for letting me speak here today, and God bless the Caribbean and to the Caribbean islands of Jamaica, St. Kitts and Nevis, Barbados, Bahamas,

St. Lucia, Puerto Rico, Aruba, St. Martín, Haiti, Guyana, and the Dominican Republic.

Thank you very much.

UNIDENTIFIED SENATOR: Don't forget Brooklyn.

SENATOR HAMILTON: And Brooklyn, yes.

(Laughter.)

ACTING PRESIDENT GRIFFO: The resolution was adopted previously on June 7th.

SENATOR DeFRANCISCO: Please open that resolution up for cosponsorship.

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

SENATOR DeFRANCISCO: I'd like to call an immediate Rules Committee meeting in Room 332 of the Capitol.

And please bring your tablets in case you want to read the bills.

ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Rules Committee in Room 332. Please bring tablets and please return them to the chamber.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 2:43 p.m.)

(Whereupon, the Senate reconvened at 3:08 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

SENATOR DeFRANCISCO: If we could return to the reports of standing committees, please.

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

SENATOR DeFRANCISCO: There's a report of the Rules Committee at the desk, is there not?

ACTING PRESIDENT GRIFFO: There is, and the Secretary will read.

SENATOR DeFRANCISCO: Thank you.

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

Senate Print 228, by Senator LaValle, an act to amend the Education Law;

Senate 426B, by Senator Marcellino, an act to amend the Vehicle and Traffic Law;

Senate 434, by Senator Gallivan, an act to amend the General Business Law;

Senate 845, by Senator Robach, an act to amend the Correction Law;

Senate 992, by Senator Rivera, an act to amend the Executive Law;

Senate 1109B, by Senator Golden, an act to amend the Penal Law;

Senate 1147C, by Senator Avella, an act to amend the Agriculture and Markets Law;

Senate 1483A, by Senator LaValle, an act to amend the Executive Law;

Senate 1633, by Senator Bonacic, an act to amend the County Law;

Senate 1647, by Senator Robach, an act to amend the Environmental Conservation Law;

Senate 1994A, by Senator Golden, an act to amend the Criminal Procedure Law;

Senate 2020, by Senator Hassell-Thompson, an act to amend the Penal Law;

Senate 2060A, by Senator DeFrancisco, an act to amend the Public Health Law;

Senate 2104, by Senator LaValle, an act to amend the Vehicle and Traffic Law;

Senate 2134, by Senator Flanagan, an act to amend the Highway Law;

Senate 2135, by Senator Flanagan, an act to amend the Highway Law;

Senate 2150, by Senator Carlucci, an act to amend the Social Services Law;

Senate 2160, by Senator Hannon, an act to amend the Executive Law;

Senate 2653A, by Senator Griffo, an act to amend the Highway Law;

Senate 2847, by Senator Lanza, an act to amend the Public Health Law;

Senate 2924, by Senator DeFrancisco, an act to amend the State Finance Law;

Senate 2941A, by Senator Griffo, an act to amend the Executive Law;

Senate 3067A, by Senator Young, an act to amend the Public Authorities Law;

Senate 3094, by Senator Marchione, an act to amend the Executive Law;

Senate 3627, by Senator Ortt, an act to amend the Correction Law;

Senate 3847, by Senator Lanza, an act to amend the Mental Hygiene Law;

Senate 4237A, by Senator Gallivan,

an act to amend the Tax Law;

Senate 4603, by Senator Griffo, an act to amend the State Finance Law;

Senate 4737, by Senator Carlucci, an act to amend the Town Law;

Senate 4964B, by Senator Ritchie, an act to amend the Vehicle and Traffic Law;

Senate 5131, by Senator DeFrancisco, an act in relation to authorizing;

Senate 5270, by Senator Little, an act to amend the Mental Hygiene Law;

Senate 5355A, by Senator Marchione, an act to amend the General Business Law;

Senate 5601C, by Senator Golden, an act to amend the State Finance Law;

Senate 5637A, by Senator Seward, an act to amend the Vehicle and Traffic Law;

Senate 5941A, by Senator Espaillat, an act to amend the Criminal Procedure Law;

Senate 6034A, by Senator DeFrancisco, an act to amend the Vehicle and Traffic Law;

Senate 6320, by Senator Ranzenhofer, an act to amend the Education Law;

Senate 6334, by Senator Latimer, an

act to amend the Public Officers Law;

Senate 6373, by Senator Avella, an act to amend the Education Law;

Senate 6446, by Senator Croci, an act to amend the Executive Law;

Senate 6509, by Senator Marcellino, an act to amend the Education Law;

Senate 6572, by Senator DeFrancisco, an act to amend the Tax Law;

Senate 6583B, by Senator Hannon, an act to amend the Social Services Law;

Senate 6689, by Senator Serino, an act to amend the Correction Law;

Senate 6715, by Senator Krueger, an act to amend the Public Health Law;

Senate 6733, by Senator Funke, an act to authorize;

Senate 6746, by Senator Farley, an act to amend the Education Law;

Senate 6865A, by Senator Ranzenhofer, an act to amend the Public Officers Law;

Senate 6926, by Senator Golden, an act to amend the Executive Law;

Senate 6949A, by Senator Gallivan,

an act to amend the Public Officers Law;

Senate 6954A, by Senator Little, an act to amend the Private Housing Finance Law;

Senate 6963, by Senator Persaud, an act to amend the Elder Law;

Senate 7025, by Senator Venditto, an act to amend the Tax Law;

Senate 7067A, by Senator Savino, an act to amend the Social Services Law;

Senate 7082A, by Senator Avella, an act to amend the Family Court Act;

Senate 7127, by Senator Croci, an act to amend the Executive Law;

Senate 7191, by Senator Gallivan, an act to amend the Executive Law;

Senate 7224, by Senator Murphy, an act to amend the Executive Law;

Senate 7246, by Senator DeFrancisco, an act to amend the Criminal Procedure Law;

Senate 7252, by Senator Ortt, an act to amend the Correction Law;

Senate 7408A, by Senator Young, an act to amend the County Law;

Senate 7501, by Senator Seward, an act to amend the Environmental Conservation Law;

Senate 7521, by Senator Farley, an act in relation to authorizing;

Senate 7529, by Senator Hannon, an act to amend the Public Health Law;

Senate 7563, by Senator Murphy, an act to amend the Vehicle and Traffic Law;

Senate 7619, by Senator Ortt, an act to amend the State Administrative Procedure Act;

Senate 7653, by Senator Bonacic, an act to amend the Alcoholic Beverage Control Law;

Senate 7660A, by Senator Murphy, an act to amend the State Administrative Procedure Act;

Senate 7948, by Senator Robach, an act in relation to authorizing;

Senate 7959, by Senator Larkin, an act to authorize;

Senate 7973, by Senator Farley, an act to amend the Public Authorities Law;

Senate 7976, by Senator Valesky, an act to amend the State Finance Law;

Senate 7992, by Senator LaValle, an act to authorize;

Senate 8027, by Senator Little, an act to amend the Environmental Conservation Law;

And Senate 8028, by Senator Little, Concurrent Resolution of the Senate and Assembly.

All bills reported direct to third reading.

SENATOR DeFRANCISCO: I move to accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The report of the Rules Committee is accepted.

Senator DeFrancisco.

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

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

SENATOR DeFRANCISCO: I wish to call up Senator Young's bill, Print Number 3671, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 490, by Senator Young, Senate Print 3671, an act to amend the Criminal Procedure 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, 60.

ACTING PRESIDENT GRIFFO: The bill is restored to its place on third reading.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Would you please recognize Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On page 67, I offer the following amendments to Calendar 1519, Senate Bill 7952, and ask that said bill retain its place on the Third Reading Calendar. That's on behalf of

Senator Carlucci.

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

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 41, by Senator Hannon, Senate Print 3461A, 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.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 95, by Senator Martins, Senate Print 5880, an act to

amend the Workers' Compensation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 163, by Senator Larkin, Senate Print 5666, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

296, by Senator Serino, Senate Print 4337, an act to amend the Uniform Justice Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 296, those recorded in the negative are Senators Breslin, Comrie, Gianaris, Hoylman, Krueger, Parker, Perkins, Rivera, Serrano and Stavisky. Also Senator Sanders.

Ayes, 49. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 322, by Senator Golden, Senate Print 5745B, an act to amend the Workers' Compensation 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 393, substituted earlier by Member of the Assembly Wright, Assembly Print 8140A, an act to amend the Public Housing Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 474, by Senator Squadron, Senate Print 2190A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Hassell-Thompson recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 475, by Senator Larkin, Senate Print 2251A, 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 same date and in the same manner as Chapter 472 of the Laws of 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to

Calendar 475, those recorded in the negative are Senators Comrie, DeFrancisco, Hassell-Thompson, Krueger, Montgomery, Perkins and Rivera. Also Senator Sanders.

Ayes, 52. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 599, by Senator Marchione, Senate Print 6497B, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 629, by Senator Croci, Senate Print 7130, 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 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 665, by Senator Young, Senate Print 3084, an act to amend the Social Services 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 665, those recorded in the negative are Senators Addabbo, Avella, Breslin, Comrie, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Kaminsky, Kennedy, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Savino, Serrano, Squadron, Stavisky and Stewart-Cousins. Also Senator Perkins. Also Senator Dilan.

Ayes, 36. Nays, 24.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 709, by Senator Espaillat, Senate Print 7157, an act to amend the Public Officers 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

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 the bill aside.

THE SECRETARY: Calendar Number 761, substituted earlier by Member of the Assembly Magee, Assembly Print 9536, 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 815, by Senator Ritchie, Senate Print 6648, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 837, by Senator Croci, Senate Print 7497, an act authorizing.

ACTING PRESIDENT GRIFFO: There is

a home-rule message at the desk.

The Secretary will 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 867, by Senator Parker, Senate Print 2787A, an act to amend the Public Health 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: In relation to

Calendar 867: Ayes, 59. Nays, 1. Senator Funke recorded in the negative.

ACTING PRESIDENT GRIFFO: Reannounce the results.

THE SECRETARY: In relation to Calendar 867, those recorded in the negative are Senators Felder, Funke and Robach.

Ayes, 57. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 877, by Senator Gallivan, Senate Print 7111, an act granting.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 922, by Senator Ortt, Senate Print 3125, 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 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

The chamber is getting somewhat loud. Please, if we can have some order so we can hear all the bill numbers and the stenographer will be able to get all the information she needs. Thank you.

The Secretary will continue.

THE SECRETARY: Calendar Number 928, substituted earlier by Member of the Assembly Buchwald, Assembly Print 9118, 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 January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 955, by Senator Avella, Senate Print 893B, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 23. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 955, those recorded in the negative are Senators Dilan, Hamilton, Hassell-Thompson, Hoylman, Kennedy, Montgomery, Perkins, Rivera, Sanders, Serrano and Squadron.

Ayes, 49. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1025, substituted earlier by Member of the Assembly Russell, Assembly Print 9751, 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1061, substituted earlier by Member of the Assembly Cymbrowitz, Assembly Print 9289, an acknowledgment establishing.

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, 56. Nays, 4. Senators DeFrancisco, Marchione, Ortt and Seward recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1070, by Senator Griffo, Senate Print 7840, an act to amend the Public Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1080, by Senator Little, Senate Print 6083A, an act to amend the Navigation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 2. Senators Perkins and Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1083, by Senator Marcellino, Senate Print 6836B, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1087, substituted earlier by Member of the Assembly Butler, Assembly Print 9860, 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, 59. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1097, substituted earlier by Member of the Assembly Hevesi, Assembly Print 9317, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1198, substituted earlier by Member of the Assembly Mayer, Assembly Print 9766, an act to amend Chapter 831 of the Laws of 1981.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1207, by Senator Hannon, Senate Print 823, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1209, substituted earlier by Member of the Assembly Dinowitz, Assembly Print 297, 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 first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1214, by Senator Little, Senate Print 1684B, an act to amend the Lien Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1226, by Senator Lanza, Senate Print 3352, 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.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. I rise to explain why I'm voting no today.

Really, you would think the City of New York, a city of 8.5 million people, one of the largest local governments in the country, bigger than many states in this country, was incapable of making any of its own decisions at a local level. Yet again the State Senate is attempting to micromanage the government decisions appropriately made at the local level, and uniquely only for the largest city in the state.

It's unjustified. It's unnecessary.

I vote no.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1226, those recorded in the negative are Senators Comrie, Gianaris, Hamilton, Hoylman, Krueger, Montgomery, Perkins, Persaud, Sanders and Squadron. Also Senator Rivera. Also Senator Stavisky.

Ayes, 48. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

And again, I'm going to ask everyone to get some order in the house. We're having some difficulty getting all the information to the desk. So if you would please give us some quiet in the house so we can conduct the business of the house.

The Secretary will continue.

THE SECRETARY: Calendar Number 1234, by Senator Golden, Senate Print 4133, 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 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1234, those recorded in the negative are Senators Montgomery, Parker, Perkins and Sanders.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1239, by Senator Lanza, Senate Print 4583A, 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 immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1240, by Senator Lanza, Senate Print 4621, 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, 57. Nays, 3. Senators Comrie, Rivera and Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1250, by Senator Farley, Senate Print 5405A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1252, by Senator Lanza, Senate Print 5556, 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.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1272, by Senator --

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

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

THE SECRETARY: Calendar Number 1275, by Senator Bonacic, Senate Print 7655A, 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 immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1275, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Parker, Perkins, Persaud, Rivera, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 44. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1276, by Senator Murphy, Senate Print 7659, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1277, by Senator Valesky, Senate Print 7855, an act in relation to authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1285, by Senator Breslin, Senate Print 6789, an act to amend the Insurance Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number

1296, by Senator Little, Senate Print 7352A, 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 5. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 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 read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1306, by Senator LaValle, Senate Print 7773, an act to amend Part F of Chapter 54 of the Laws of 2016.

ACTING PRESIDENT GRIFFO: There is a home-rule message present 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1333, substituted earlier by Member of the Assembly Zebrowski, Assembly Print 9219, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 6. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1337, substituted earlier by Member of the Assembly Englebright, Assembly Print 10113, 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, 59. Nays, 1. Senator LaValle recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1354, by Senator Felder, Senate Print 5469, an act to amend the Multiple Dwelling Law.

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

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

THE SECRETARY: Calendar Number 1363, by Senator Espaillat, Senate Print 4261, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1368, by Senator Carlucci, Senate Print 7414, an act to amend the Social Services 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1369, substituted earlier by Member of the Assembly Gunther, Assembly Print 7226A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1376, by Senator Díaz, Senate Print 358, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1381, by Senator Ranzenhofer, Senate Print 1051, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1381, those recorded in the negative are Senators Comrie, Hassell-Thompson, Hoylman, Krueger and Perkins. Also Senator Rivera.

Ayes, 54. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1382, substituted earlier by Member of the Assembly Gunther, Assembly Print 1819A, an act to amend the Correction 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, 59. Nays, 1. Senator Parker recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1383, by Senator Little, Senate Print 1683A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

SENATOR GIANARIS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Gianaris, why do you rise?

SENATOR GIANARIS: Point of clarification. I don't see that calendar number on the list.

ACTING PRESIDENT GRIFFO: It's 1393, Senator Gianaris.

Senator Gianaris, your point is well taken. The Secretary will reread Calendar Number 1393.

THE SECRETARY: Calendar Number 1393, by Senator Savino, Senate Print 4238B, 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.)

ACTING PRESIDENT GRIFFO: Senator

Krueger to explain her vote.

Can I have some order again, please, in the house.

SENATOR KRUEGER: Thank you, Mr. President.

Now that we've clarified the number and the sponsor, this is a bill that would allow for exceptions to certain standards in emergencies for architects and construction.

There are several bills moving through this house that do similar but not exactly the same thing. In fact, when we had Rules today, we moved a bill by Senator Hannon which does something very similar. I can support Senator Hannon's bill. I unfortunately cannot support Senator Savino's bill.

But I'm hoping this house, since it seems to be moving two similar yet different bills, will have an opportunity to take a look at both bills side by side and think this through very quickly.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1393, those recorded in the negative are Senators DeFrancisco, Hoylman, Krueger and Stavisky.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1405, by Senator Young, Senate Print 5049, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1417, by Senator Ranzenhofer, Senate Print 865, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1431, by Senator Lanza, Senate Print 3489, 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1431, those recorded in the negative are Senators DeFrancisco, Hassell-Thompson, Montgomery and Perkins.

Ayes, 56. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1434, by Senator Ortt, Senate Print 3651D, an act to amend the Social Services 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1435, by Senator Lanza, Senate Print 3755, 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, 59. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1436, by Senator Lanza, Senate Print 3852, 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 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 1436, those recorded in the negative are Senators Comrie, Dilan, Hoylman, Krueger, Montgomery, Parker, Perkins, Persaud, Rivera, Sanders, Serrano and Squadron.

Ayes, 48. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1437, by Senator Ranzenhofer, Senate Print 4198, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1438, by Senator Young, Senate Print 4407, an act to validate.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1441, by Senator Golden, Senate Print 4699, an act to amend the Criminal Procedure 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: In relation to Calendar 1441, those recorded in the negative are Senators Hoylman, Krueger, Montgomery, Parker, Perkins and Rivera. Also Senator Squadron.

Ayes, 53. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1452, by Senator Ritchie, Senate Print 6614, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the first of July.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1453, substituted earlier by Member of the Assembly Gunther, Assembly Print 9455, 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: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1456, by Senator Seward, Senate Print 7051, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1456, those recorded in the negative are Senators Dilan, Hoylman, Montgomery, Parker, Perkins, Persaud, Rivera and Squadron.

Ayes, 52. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1457, by Senator LaValle, Senate Print 7056, an act to provide.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1462, by Senator Savino, Senate Print 7338, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

This bill would create the felony crime of pretending to be or impersonating a public utility employee for the purpose of knowingly entering and remaining unlawfully on premises. It would be punishable by up to four years' imprisonment.

Earlier this year, in March, an 81-year-old Coney Island woman was attacked and robbed in her own home by someone posing as a

Con Ed employee. Later that month, two men also posing as Con Ed workers forced their way into a woman's Bronx home, tied her up, assaulted her and robbed her. Also this year a similar incident occurred in Dyker Heights when someone posing as a uniformed energy salesman tried -- thankfully unsuccessfully -- to force their way into a resident's home.

Criminals pretending to be utility workers are becoming a serious hazard, and the number of incidents of imposters posing as legitimate utility workers is growing. This has become an increasingly common crime in recent months, especially against seniors, though there have been stories of similar impersonation crimes since at least the aftermath of Hurricane Sandy. So this is a problem that only seems to be growing.

This bill would create a crime of impersonating a public utility worker in order to gain access to the home and commit another crime. It will be punishable, as I said, by up to four years in jail. This bill is being carried in the New York State Assembly by Assemblywoman Pam Harris.

New York State Councilman Mark Treyger has introduced legislation in the City Council that would require our local utility companies, National Grid and Con Ed, to require that their workers have access codes that customers will be able to call to guarantee that those people are in fact utility employees.

Con Ed is supporting this, National Grid is supporting this, Verizon is supporting this, because they want to make sure that when someone comes to your door claiming to be your employee, that you will have faith in them. And I suggest we all support this bill; it is that important.

Thank you, Mr. President.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1468, by Senator Marchione, Senate Print 7852, an act to amend Chapter 486 of the Laws of 1964.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect upon the issuance of a certification.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1469, by Senator Gallivan, Senate Print 7862, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1470, by Senator Ranzenhofer, Senate Print 7914, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1472, by Senator Martins, Senate Print 7999, an act in relation.

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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1474, by Senator Gallivan, Senate Print 92A, 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1474, those recorded in the negative are Senators Addabbo, Comrie, Hoylman, Krueger, Rivera and Sanders. Also Senator Serrano.

Ayes, 53. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1475, by Senator Gallivan, Senate Print 96, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I'm voting no for this, not in principle but really only because in terms of the description of the fiscal implication, it says "None." And I find it hard to believe that if there's an exemption for sales and use taxes, that there wouldn't be some fiscal implication that should be delineated for our colleagues.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1475, those recorded in the negative are Senators Dilan, Hoylman, Krueger, Perkins, Serrano, Squadron and Stavisky. Also Senator

Hassell-Thompson.

Ayes, 52. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1478, by Senator Marcellino, Senate Print 457, 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1479, by Senator Addabbo, Senate Print 2496A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1483, by Senator DeFrancisco, Senate Print 2925, an act to amend the General Obligations 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: Announce the results.

THE SECRETARY: In relation to Calendar 1483, those recorded in the negative are Senators Comrie, Gianaris, Hassell-Thompson, Hoylman, Krueger, Perkins, Persaud, Rivera and Squadron. Also Senator Dilan. Also Senator Hamilton. Also Senator Serrano.

Ayes, 48. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1484, by Senator Sanders, Senate Print 3265A, an act to amend the Agriculture and Markets 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1487, by Senator Seward, Senate Print 3926, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: Ayes, 58. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1488, by Senator Lanza, Senate Print 4051A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1489, substituted earlier by Member of the Assembly Dinowitz, Assembly Print 7610E, an act to amend the General Business 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1490, by Senator Savino, Senate Print 5216A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1491, by Senator Lanza, Senate Print 5248, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1492, by Senator O'Mara, Senate Print 5477, 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 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

Some order in the house, please.

THE SECRETARY: In relation to Calendar 1492, those recorded in the negative are

Senators Addabbo, Avella, Breslin, Carlucci, Comrie, Dilan, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Kaminsky, Kennedy, Klein, Krueger, Latimer, Montgomery, Parker, Perkins, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 35. Nays, 25.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1493, by Senator Savino, Senate Print 5624, an act to amend the Banking 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1493, those recorded in the negative are Senators Comrie, DeFrancisco, Hamilton, Hassell-Thompson, Krueger, Martins, Parker,

Perkins, Rivera and Serrano.

Ayes, 50. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1494, by Senator Valesky, Senate Print 5789B, an act to amend the Public Health 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1496, by Senator DeFrancisco, Senate Print 6027A, an act to amend the Labor 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, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1499, by Senator Akshar, Senate Print 6665, an act to amend the Environmental Conservation Law.

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

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

THE SECRETARY: Calendar Number 1500, by Senator Ortt, Senate Print 6675, an act to amend the Navigation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1501, by Senator Griffo, Senate Print 6815, an act to amend the Penal 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, 59. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1502, by Senator Boyle, Senate Print 6864A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1518, by Senator Savino, Senate Print 7922, an act to amend Chapter 62 of the Laws of 2011.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1519 has been amended. It is high and ineligible for consideration.

As a result of that, Senator DeFrancisco, that completes the noncontroversial reading of today's active-list calendar.

SENATOR DeFRANCISCO: Thank you.

We do have a supplemental calendar, 51A, based on the bills that were reported from Rules. I'd like to take up one of those bills,

Calendar 1573, Senate Print 6963, if we could, please, noncontroversial.

ACTING PRESIDENT GRIFFO: We are going to the Senate Supplemental Calendar 51A, and we will do the noncontroversial reading of Senator Persaud's bill, Calendar Number 1573.

The Secretary will read.

THE SECRETARY: Calendar Number 1573, by Senator Persaud, Senate Print 6963, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please recognize Senator Gianaris for an announcement and also some motions.

ACTING PRESIDENT GRIFFO: Senator

Gianaris.

Can I have some order in the house, please. Thank you.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

First of all, the bill we just passed was by our colleague, who's passed bills in the State Legislature before because she came to us from the Assembly. But this was her first bill as a member of the Senate, so we should congratulate Senator Persaud.

(Applause.)

SENATOR GIANARIS: And on motions and resolutions, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Gianaris, we will return to motions and resolutions.

SENATOR GIANARIS: Thank you.

On behalf of Senator Kennedy, I wish to call up Print Number 4229A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number

261, by Senator Kennedy, Senate Print 4229A, an act to amend the Real Property Tax Law.

SENATOR GIANARIS: I 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, 60.

ACTING PRESIDENT GRIFFO: The bill is now before the house. I'll accept amendments.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR GIANARIS: And also, on behalf of Senator Breslin, on page 48 I offer the following amendments to Calendar 1285, Senate Print 6789, and ask that said bill retain its place on third reading.

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

Thank you, Senator Gianaris.

Senator DeFrancisco.

SENATOR DeFRANCISCO:

Mr. President, we have two bills that have been laid aside for debate, but we must first do an immediate meeting of the Finance Committee in Room 332. And I would appreciate if everyone could return promptly when it's so over so that we can quickly start the controversial calendar.

ACTING PRESIDENT GRIFFO: There is an immediate meeting of the Senate Finance Committee in Room 332. Immediate meeting of the Senate Finance Committee in Room 332.

The Senate will stand temporarily at ease.

(Whereupon, the Senate stood at ease at 4:08 p.m.)

(Whereupon, the Senate reconvened at 4:42 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, Mr. President, can we lay aside the rest of the supplemental calendar.

ACTING PRESIDENT GRIFFO: So Senate Supplemental Calendar 51A will be laid aside for the day, the remainder of that calendar.

SENATOR DeFRANCISCO: Thank you.

Could you go back to motions and resolutions and recognize Senator Valesky, please.

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

And Senator Valesky, you're recognized.

SENATOR VALESKY: Mr. President, on behalf of Senator Savino, on page 34 I offer the following amendments to Calendar 1078, Senate Bill 5660, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR VALESKY: Also on behalf of Senator Savino, on page 20 I offer the following amendments to Calendar 737, Senate Bill 4702A, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, could we remain at ease for a moment.

ACTING PRESIDENT GRIFFO: The Senate will temporarily stand at ease.

(Whereupon, the Senate stood at ease at 4:43 p.m.)

(Whereupon, the Senate reconvened at 4:45 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, can we now go on to the reading of the controversial calendar.

ACTING PRESIDENT GRIFFO: We will have the controversial reading of the calendar.

The Secretary will ring the bell.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: Hi.

(Laughter.)

ACTING PRESIDENT GRIFFO: You may continue, Senator Krueger.

SENATOR KRUEGER: Thank you so much, Mr. President.

Would the sponsor please yield to some questions.

SENATOR GOLDEN: I would be glad to, Mr. President.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So the Department of Buildings already has certain authority to make exemptions in a variety of kinds of buildings, but not in Multiple Dwelling Law. Why do you feel that we need to give them that power to exempt developers doing rehabilitation of multiple dwellings from existing standards?

SENATOR GOLDEN: Well, what happens, Mr. President, the owners of these buildings are not inclined to do any work because they have to go to the Standards and Appeals, to the board, and that's going to cost them anywhere from $25,000 to $50,000 to get out of the board, and they would have to rehab the entire building.

So what they do with these tenements that were built in the early 1900s, they don't do anything. And they just sit there and they deteriorate. And as they deteriorate, they reduce the quality of life for the people that live there. We're talking about houses that have wooden stairs or doors that open into the staircases and are not fireproof.

So we need to be able to make these locations safe, and this would reduce one of the regulations -- or I should say not reduce it, but give that opportunity to give waivers to the Building Department to be able to get the stairs done, to get these doors put back so they don't open up onto staircases, and to bring these buildings somewhat into code. But since they've been built so many years ago and there's so much work and so much money required to repair them, they don't. And so this would be an incentive to get those tenements up to code.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR GOLDEN: Yes, Mr. President.

SENATOR KRUEGER: So I don't necessarily disagree with the sponsor on the desire to make sure that buildings are being kept up to code and modernized. My dilemma is that under current practices, the Department of Buildings seems to be incapable of actually ensuring that -- standards of reasonable protection for the residents in buildings when rehab is going on is almost out of control.

We file complaints regularly, along with other elected officials, for the Department of Buildings not ensuring tenant protection plans for developers and owners doing work, declaring on forms that the building is empty, therefore they have to do no protection plans. And that the concept of exempting them from any current laws would be a serious mistake and increase the number of problems we're seeing.

Could the sponsor help me understand how we can do more to make sure that the current problems don't continue and get expanded if this is becoming law?

SENATOR GOLDEN: Mr. President,

through you, some of the issues that Senator Krueger speaks to go back to the early 1900s as well.

It's unfortunate, but we are in a very bureaucratic city. When it comes to the Building Department, there's a lot of construction going on and a lot of issues going on in the City of New York. I believe this Building Department that we presently have is doing its best to get the buildings inspected and the inspectors out to these locations where there is a complaint.

I know that I work with them in my community where I have illegal conversions going on, and we have some legislation coming up here in this body on illegal conversions in our city and in our state. And I've had so far, over the past year and a half or so, a good rapport with -- the past year and a half, two years -- the Building Department getting those complaints answered and projects stopped where they had to be stopped and made safe where they had to be made safe.

But you can look at this as a public school today that's under guidelines that are

equal to none, and you can still see some safety issues -- I just had a pipe fall at one of my schools only yesterday. And so they do have issues regardless, and we try to get around as best we can to make sure that they are made safe and made to conform to the law.

SENATOR KRUEGER: Through you, Mr. President, on the bill.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: I want to thank the sponsor for his explanation.

His answer about concerns about schools I would with agree with. But this bill would specifically change the rules on construction or alteration of multiple dwellings, which are residential buildings; it wouldn't impact the school building issue.

I cannot support this bill at this time because there are too many incidents, day in, day out, even under existing law, of Department of Buildings not disapproving illegal activities, not doing the correct audits, not implementing stop-work orders even when other agencies of the City of New York are bringing

cases against specific buildings.

So you can have the Law Department bringing a case against a building for a violation of law and the Department of Buildings actually okaying them on work permits. You can have buildings which have 1200 residents in them -- I believe it was Senator Hoylman's district, quite recently -- where it's a building of 1200 units and the paperwork filed with the Department of Buildings is that it's a vacant building and therefore nothing needs to be done to protect tenants, and the Department of Buildings simply signs off on it.

So in fact, maybe if everything was working okay, decreasing the checks and balances by skipping Department of Buildings process or BSA process might make sense. But under the current reality in New York City, where there is so much construction going on in buildings where people are living -- with real harm being done to people, and not nearly enough enforcement or watching whether in fact any of the rules are being followed -- the concept, for me, of allowing the commissioner of buildings to waive provisions -- again, for residences where people

are living -- in order for construction to move ahead is not acceptable.

We are talking about safety and health of people who are living in apartment buildings where construction is going on. And really, if anything, we should be strengthening the requirements on the Department of Buildings and those who violate its existing laws. We shouldn't be weakening the laws increasing the chances that more people will be harmed under this kind of situation.

I'm urging my colleagues to vote no.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes to be heard, debate is closed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, if -- I don't know if we have to ring the bell again or ring something else in order to get people in here.

ACTING PRESIDENT GRIFFO: We can ring the bell, but I thought you had a suggestion.

SENATOR DeFRANCISCO: No, I don't

have anything to say. I guess that's the end of the debate.

ACTING PRESIDENT GRIFFO: All right. So debate is closed. The Secretary has rung the bell. We are awaiting members.

I would ask all members to please remain in their seats during the last section.

Senator Golden, debate has been closed.

SENATOR GOLDEN: I want to speak on the bill.

ACTING PRESIDENT GRIFFO: Debate is closed, Senator Golden. So I can have you explain your vote.

SENATOR GOLDEN: To explain my vote.

ACTING PRESIDENT GRIFFO: We haven't called the roll yet, Senator Golden.

SENATOR GOLDEN: I can wait.

ACTING PRESIDENT GRIFFO: We have one more bill on the controversial reading, so if members can stay close to the chamber.

Can I have some order in the chamber, please.

I'm going to ask the Secretary to

read the last section, and then we're going to allow for any explanation of votes. But we're going to need some quiet in the house, please.

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.)

ACTING PRESIDENT GRIFFO: Senator Golden to explain his vote.

SENATOR GOLDEN: Thank you, Mr. President.

Again, these multiple dwellings are not large units these are five, 10, 15 units, walk-ups that were created in the early 1900s -- 1901, 1909, 1938. So the only repairs -- they have wooden stairs. We need to be able to get steel stairs in there. We need to be able to get doors put away from the staircases. We need to get in these sprinkler systems and make them fireproof.

They're not going to spend this money if they have to rehab the entire building.

So what we're doing -- in essence, by voting this bill down, what you do is you allow those buildings to deteriorate. And you not only allow it to deteriorate, but you ruin the quality of life for the people that live in those buildings.

This is to help people that live in those buildings to have a better quality of life and to clean up the housing stock in the City of New York. So think twice when you're voting no, ladies and gentlemen.

I vote aye.

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

Those in the negative, please raise your hand.

The Secretary will announce the results.

THE SECRETARY: In relation to Calendar 715, those recorded in the negative are Senators Avella, Dilan, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Parker, Peralta, Perkins, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 44. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill

is passed.

I'd ask the members to please remain in the chamber or close to the chamber. We have one more bill.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Krueger.

Can we have some order in the house, please.

SENATOR KRUEGER: Thank you, Mr. President. If the sponsor would please yield to some questions.

ACTING PRESIDENT GRIFFO: Senator Seward, do you yield?

SENATOR SEWARD: I will.

SENATOR KRUEGER: Thank you.

Through you, Mr. President, there's been an argument made that this legislation is actually unconstitutional under the New York State constitution, since our constitution states the legislative power of the state shall be vested in the Senate and the Assembly.

We have controlled insurance law in this state, and this would hand over our responsibilities to some interstate compact. Does the sponsor agree me that there are constitutional concerns?

SENATOR SEWARD: Mr. President, I do not.

First, I've heard that argument raised regarding this legislation, which has passed this house every year since 2007 with bipartisan support.

Quite frankly, the fact is that by New York joining this compact, it could only happen by action of the Senate and the Assembly and of course the legislation signed into law by the Governor. So we are covered, I believe, in that way because it would be -- New York's joining the compact would be through legislation enacted by the Legislature and signed into law by the Governor.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR KRUEGER: We have passed it in this house -- I think I voted against it every year since 2007 -- so we haven't had an opportunity to test the constitutionality yet. But I think there's a series of legal cases that would confirm that this would be unconstitutional.

But to continue with questioning, Mr. President, does the sponsor believe that this would undermine our existing statutory and regulatory consumer protections and quite possibly lower the standards on insurance products under existing law in this state?

SENATOR SEWARD: Mr. President, I do not have those concerns, for a number of reasons. In fact, I see some advantages to consumers here in New York State with the enactment of this legislation and New York's ultimately joining this interstate compact.

And I say that for this reason. Very often we all see the ads that insurance products are available throughout the country except New York, because of the fact that it can take the department up to a year to approve a new

insurance product.

Now, the compact deals with life insurance-related products, life insurance, annuities, disability income, long-term care insurance. That's what's covered under this legislation. That's what dealt with at the existing Interstate Insurance Product Regulation Compact. Which, by the way, 45 other states are a member of that compact.

But back to the consumer concerns, there are advantages to the consumer because products can come to market faster and be available to consumers to meet their needs here in New York if we were a member of the compact.

Also, you know, in today's mobile society, where people tend to be moving across state lines, these life insurance products have a long life span, for the most part. And as people move across state lines, the uniformity of the product and other aspects of the regulation of these products through the compact, that would follow them from state to state.

Now, I would point out that, you know, the compact is designed to be a single point of contact so that companies that have an

insurance product and want both their product and the rate approved can do so with a compact, and then that product would be available throughout all of the member states. As I said, 45 states; 46 if New York joins. And that's an advantage. Obviously it streamlines the whole process.

But also I would point out that if New York State, the department or this Legislature, felt that for whatever reason the compact -- they did not agree with a decision made at the compact, there is an opt-out provision here so that New York, either through regulation or legislation, could opt out, and then the normal process here in New York could proceed. And so that's further protection if something goes awry at the compact in the view of New York State.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So I'm reviewing the opt-out option

within the state compact, and in fact the option is quite burdensome and restrictive on the state and effectively designed to preclude a state who's part of the compact from opting out. There's a heavy burden to meet in order to opt out once you've joined the compact. There's inadequate time to make the case for the opt-out. The potential for challenge on appeal is there where they can refuse to allow you to opt out.

And interestingly, for the states that participate, the one story I could find was that Florida, having stronger protections for consumers than the compact once they joined, but the compact actually threw them out because they wanted to keep their stronger protections in their insurance law. So they ended up throwing the state out of the compact rather than allowing the state to keep its stronger consumer protections.

So again, why is the sponsor so sure that we would have the flexibility we need to opt out when it seems to be so biased in favor of the compact, not the individual state?

SENATOR SEWARD: Well, Mr. President, I would respond with two points.

Number one, New York, should we join the compact, because of our market share here in New York, we would be a major voice and a major force on the compact. We would automatically become part of the management of the commission and have a large voice in decisions made at the compact. So I think the concerns of New York would be reflected in decisions made by the compact.

But I would point out again, the opt-out is there, that option is available. And should New York State disagree with a decision made at the compact, then we do have that option to opt out. Or, as -- I wasn't aware of the Florida incident that you cited. But if it's accurate, we could be thrown out.

So it's a -- one way or the other, New York would have a major voice at the compact. If we disagree, there are options to go it alone here in New York State.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR KRUEGER: Thank you.

Actually, we're looking it up, but we think Florida is bigger than New York in population now, so -- it is. Thank you, Senator Griffo.

ACTING PRESIDENT GRIFFO: Number three state in the union.

SENATOR KRUEGER: So if they actually choose to override Florida and throw them out, they could probably do the same to us as well.

The sponsor was talking about the concern that right now we may in fact have different insurance -- I'm sorry, I don't want to -- are you okay, Mr. President?

ACTING PRESIDENT GRIFFO: Yeah.

SENATOR KRUEGER: Good. Thank you.

The sponsor pointed out that because New York State has its own laws and standards and isn't part of the compact, we have different insurance products than other states. That's true. I actually think we have better insurance products.

I just want to clarify. I thought I

heard him say that that means as people leave and go to other states, or come, they can't take their New York State insurance coverage with them. But just double-checking, I thought if you live in New York and you buy insurance that you continue to have the right to keep that insurance if you move to a different state. Am I correct?

SENATOR SEWARD: Yeah, I don't disagree with that. Depending on the contract, obviously.

But the point is that with -- there are advantages to the consumer because of the fact that with the compact, they could -- if they move to another state, if they have purchased a product under the auspices of the compact, that's been approved by the compact, they can make -- it's a little easier to make alterations, additions, changes, those types of things because it would be uniform in their new state. That is a point.

But you're correct, you can maintain your coverage if you do move.

SENATOR KRUEGER: Thank you for that answer.

Mr. President, through you, if the

sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SEWARD: Yes.

SENATOR KRUEGER: Thank you.

There's also concerns about because we have higher standards than many states, that people under a contract would actually lose a number of the protections.

One of the examples is that in New York State, deferred annuity contract holders have protections under New York non-forfeiture law. And if we were to roll into the contract, our deferred annuity holders would not have the same protections of our existing non-forfeiture law. Account values, surrender values, death and benefit values would all be lower under the compact-approved annuity products.

Is that not a concern for us here in New York?

SENATOR SEWARD: Well, we would be talking about here new products going forward that come before the compact. Certainly if -- we're not looking to roll back existing consumer protections that are in place.

And as I would point out once again, if that is a concern here in New York, that the compact was in fact not adequately protecting consumers here in New York, we always have that opt-out option.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Appreciate the answers.

So no, we're not totally sure we would have the opt-out option, because opting out is difficult.

But if we join the compact, while if you owned an annuity the day before we joined the compact you might have all the existing protections -- excuse me, Mr. President. May I ask Senator Hannon a question?

SENATOR HANNON: No.

ACTING PRESIDENT GRIFFO: Senator Hannon has not spoken, so is not eligible to be questioned at this point in time, Senator

Krueger. So you may continue with Senator Seward.

SENATOR KRUEGER: Thank you.

So Senator Seward, existing law, if I have a product that I've purchased the day before we go into the compact, I have these protections. But if I'm buying a product a week after we join the compact, I wouldn't have the same protections because we know for a fact that the compact has weaker standards on deferred annuity. Is that correct?

SENATOR SEWARD: Well, Mr. President, it wouldn't be that automatic. We would be joining the compact under this legislation, or give New York the option of doing that, to allow us to do. And what would occur would be insurance companies would be approaching the compact with a new product and seeking a rate, and then after the compact has approved that, considered it, approved it, only that going forward. It would not impact existing protections.

And once again, if there's concern about lack of protections for consumers, we have the opt-out. But also, as I pointed out before,

New York would have a major voice on the compact. And I would suggest that many of the protections that we currently have in New York would be reflected in ongoing future decisions of the compact.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So under the current compact, without New York, they have lower account values, surrender values, death benefits and income benefits than our insurance products in New York.

Do we think we could make sure that our existing standards were applied to a compact with 45 other states, since theirs are all lower than ours now?

SENATOR SEWARD: If New York were to join the compact in decisions going forward, New York would have a major voice. And I think many of our protections that we have here in New York would -- I would predict would be

reflected in future decisions of the compact.

But if there -- I keep repeating myself, but if there were concerns, New York always has that option to opt out.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: I have a series of concerns, and I personally would opt out if we were in. But I'm trying to make sure we don't go and in then have to opt out.

An additional concern is that we have very strong solvency protections that the compact does not have. So a great discussion in this Legislature even earlier today in a committee meeting I was in were concerns about Health Republic having gone bankrupt, and the fact that we don't have certain standards for health insurance companies going under but we have them for other kinds of companies.

So if we joined the compact under their current law, our solvency protections would

be reduced for life insurance annuities and long term care, which under current New York State law have to be self-supporting for solvency purposes.

Does the sponsor share any of my concerns that we would be weakening the protections for policyholders regarding the ongoing solvency of insurance companies to have to make good on the products that they sell?

SENATOR SEWARD: No. And I would just say my previous answers apply to this question as well.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you, Mr. President.

Under current law, if you're objecting to how an insurance company is treating you under the contract you believed you signed and that you believe they're in violation of your contract, you can go to our DFS, who can take action against an insurer relating to their not

making good on their contract.

What would happen if we were under the 45- or perhaps 46-state compact? Where would you go to make a complaint that your insurance company violated the contract?

SENATOR SEWARD: Mr. President, this legislation and joining the compact would not dismantle the Consumer Protection Unit at DFS, and the current process that is in place would remain.

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

SENATOR SEWARD: Yes.

ACTING PRESIDENT GRIFFO: Senator Seward yields.

SENATOR KRUEGER: Thank you.

So it's my understanding that you could only go to DFS consumer protection with a complaint if there was prior authorization by the compact. Is that your understanding?

SENATOR SEWARD: That is not my understanding.

SENATOR KRUEGER: Through you, Mr. President, I think I have read the bill

differently. But I accept that we may have a different understanding of the powers of the compact versus the powers of DFS to protect us when we go into insurance contracts.

On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

So I think this all comes down to the question: Who does it advantage for us to go into a compact versus remain as a state with a strong insurance industry but strong consumer protections?

I would argue that we shouldn't be giving up any consumer protections and that going into this compact, even if found constitutional -- which I think it may not be -- would undermine existing regulatory and statutory protections for consumers.

I'm proud of the fact that New York State has such strong consumer protections when you go out into the insurance market. I'm proud of the fact that we have a Department of Financial Services -- could you ask for some quiet?

ACTING PRESIDENT GRIFFO: Quiet, please.

SENATOR KRUEGER: Thank you. Thank you.

I'm proud that we have a Department of Financial Services where you can go to try to get resolution of problems. I don't like at all the idea that we'd be actually giving up existing protections both for individual consumers and for the standards we have applied to solvency of insurance companies and insurance products in this state.

I like the fact that we have an ability to evaluate the rates that insurance companies charge and, if people think that they are being overcharged, the books must be opened and the DFS can evaluate whether or not the increased charges are justified by insurance companies.

I like the fact that we in the Legislature have continuing authority to try to fix problems when they arise. And please remember, we would be giving up that legislative authority also for any future products.

I don't like that the compact has

less stringent ethical prohibitions than our current state laws do and that our current stronger ethical prohibitions would be overridden by the compact. While the sponsor continued to say we could opt out, again, the experience of other states is that that has not been particularly effective or successful.

Yes, we could drop out, begging the question or raising the question of why should we go in in the first place if we have a better system in place.

The sponsor argues that New York would have the ability to influence the entire compact for all the other states. But New York would only have one vote as a member of the compact, and only one vote as the management commission, which consists of 14 members. So New York's ability to influence the interstate compact would be minimal, and there is no veto power on this commission.

So again, we have better laws than most states. We have stronger consumer protections. We have more opportunity to insert ourselves when things go wrong to try to fix them. We don't have a lack of insurance company

activity in New York State, and I personally don't understand why we want to give up our stronger protections, our stronger rights, and default down to some race to the bottom of protecting consumers so that the industry finds it easier because they can have one set of rules.

If the other 46 states showed up and said "We want to develop a compact that has New York State rules and regulations," I'd say "Hear, hear," because they would be realizing we've set it up with greater consumer protections for the people of New York State. But that's not what we're being asked to do. And if we join the compact, we will not have the power to change the lowered standards that already exist and are in place.

I urge my colleagues to think about this carefully. I know many of us have voted yes in the past. I'm hoping it's not going to come into law this year. I urge people to vote no.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Breslin on the bill.

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

I stand in support of this bill, having been a sponsor of it when we were in the majority and having been a cosponsor for the number of years prior and thereafter. And the Interstate Insurance Product Regulation Compact, -- let's take a step back. Compacts have been accepted in New York State for years and years and years. They've gone through the court process. A compact is valid, you can enter into agreements with other states.

Now, with insurance, insurance is state-based. It isn't like banks where there's a federal and a state charter. So insurance is state-based, but there are many products. And you think of those insurance products, they're just almost identical, okay, state by state.

So the National Association of Insurance Commissioners some 15 years ago, along with the National Conference of Insurance Legislators, got together and started talking about ways to make the insurance industry better. And one of it was with products that are marketable in a number of states and very similar, you could use this compact process. And it was entered into. And as Senator Seward said,

there are now 45 of the 50 states. And I might add, New York State is the number-one producer in the United States and in the world. But there are seven states that are among the top 20 producers in the world.

So with the Internet and electronic filings that are possible, this does a lot to make insurance companies in the State of New York better. It gives them an ability to get to the market quicker, rather than waiting for the inane process of approvals, when other states are ahead of them selling the same product.

And as Senator Seward said, in this compact -- which, incidentally, has been recommended by the Federal Insurance Office, which was set up by the Dodd-Frank legislation, it's been recommended that we get into it to help consumers.

So Senator Seward explains clearly the opt-out procedures that are available. And I could go on, but the time is late. Suffice it to say I believe it is positive for the State of New York, for its insurance industry that has been crying out for it for years.

And the idea that we are the best at

everything is -- to me speaks volumes about being too cocky about our ability to sell products. Because in many cases New York falls behind when it loses that competitive advantage.

And I would urge all my colleagues to consider this and vote for it and to get part of the interstate compact.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Breslin.

Seeing and hearing no other Senator that wishes to be heard, debate is closed.

The Secretary will ring the bell.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hannon to explain his vote.

SENATOR HANNON: Thank you. I rise in support and congratulate Senator Seward and Senator Breslin for sponsoring this bill.

This whole bill was a way to keep the state's jurisdiction over insurance preserved, because there's been a movement in the federal government to take over what has been a state prerogative.

The opposition to this bill reminds me of that famous New Yorker cover which showed somebody looking across America from Manhattan, and Manhattan was bigger than the rest of the world.

We're part of a nation, we're part of a nationwide market. The standards that are built into this bill protect consumers, they protect the state's jurisdiction for the Attorney General and the Insurance Department, and were carefully balanced so that New York would have a predominant role.

I vote yes.

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

Senator Sanders to explain his vote.

SENATOR SANDERS: Both sides, Mr. President, have made persuasive arguments here. With a heavy heart, I'm going to go with our ranker on this so I will stay in the

committee.

(Laughter.)

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

The Secretary will announce the results.

THE SECRETARY: Ayes, 58. Nays, 2. Senators Krueger and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the controversial reading of today's active-list calendar.

Can I have some order, please. The Senator may be making some interesting announcements.

SENATOR DeFRANCISCO: Well, not really. I'm just waiting --

(Laughter.)

SENATOR DeFRANCISCO: I'm just waiting for a motion. I believe he's running over here now.

Can we return to motions and resolutions.

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

SENATOR DeFRANCISCO: I wish to call up Senator Croci's bill, Print Number 6361, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 120, by Senator Croci, Senate Print 6361, an act granting.

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, 60.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: There is

no further business before the desk.

SENATOR DeFRANCISCO: In that case, I move to adjourn until Thursday, June 9th, at 11:00 a.m., 11:00 a.m.

ACTING PRESIDENT GRIFFO: That's the announcement.

The Senate will stand adjourned, on motion, until Thursday, June 9th, at 11:00 a.m.

The Senate is adjourned.

(Whereupon, at 5:29 p.m., the Senate adjourned.)