NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 14, 2016

1:12 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 on this Flag Day.

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by Bishop Aubrey C.H. Brown, Jr., pastor of Cathedral of Praise in Brooklyn.

BISHOP BROWN: Let us pray.

Almighty God, the monarch of the universe, the sovereign deity of all mankind, we approach Your throne with awe and complete wonderment, rejoicing in the glory of Your might and the mercies of Your grace. It is with profound joy and hearts of gratitude that we come before You today, thanking You for having brought us together in the unity of Your love, in the bond of peace.

We solicit Your presence today. These honorable men and women come together to execute business on behalf of the great State of

New York. We ask that Your divine wisdom and power will guide them as they labor for the common good of their constituents. May You grant them wisdom, courage, and understanding as they conduct the business of this house for the good of the citizens of the state.

O God of Abraham, Isaac and Jacob, cause Thy face to shine upon them even in their darkest hour of decision-making. Grant them success in fulfilling their God-given responsibilities.

Dear Father, hear our prayers in this sacred hour of human solicitations. Grant Thy divine guidance upon these, Your public servants. We pray that the power of the Holy Spirit will guide them in all their undertakings.

May You bless them as they serve in this era of untold difficulties, of humans' malignity. Grant them the outer strength to overcome the vicissitudes and the various obstacles of the passing day. May their hearts be joined together as one so their task will be made easy, the rugged mountains will be climbable, the rivers will be better to cross,

and the rough paths be made smooth.

O Thou God of Israel, we pray for all those that are called to govern and to legislate laws that will affect the lives of all people of the State of New York. Give them wisdom and courage each day and every hour. May You rest Your merciful hands upon them and grant them peace in the midst of a storm.

Gracious God of heaven, visit those who mourn the result of the senseless act of terror over the past days that have left us as a nation in deep forlornness. Will You comfort the hearts of those families that are broken this hour. Grant them peace of mind in a troubled world. Bear them up in Your arms, O Lord and Master. Help them through the nights that lie ahead. Remind them that You are the God of comfort and the God of joy, and that weeping may endure for a night, but joy cometh in the morning.

Lord, we thank You for Your grace and Your mercy. Remind us that they that wait upon the Lord shall renew their strength. They shall mount up with wings as eagles. They shall run and not be weary. They shall walk and not

faint.

I pray that whatever comes before us today, that Your holy spirit will guide us, pray whatever we put our hands to will be prosperous, pray that the lives of Your people will be lived in praises to Your glory and to Your honor. Bless this honorable house today, and grant Your peace upon your people. Let Your holy spirit take preeminence in their midst.

Lord, may Your blessing be upon these public servants of God from now and always until the day dawns and the shadows flee away. Let the words of my mouth and the meditation of my heart be acceptable in Thy sight, O Lord, my strength and my redeemer.

Amen.

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 13th, the Senate met pursuant to adjournment. The Journal of Sunday, June 12th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Could I have some order in the house, please.

The Secretary will read.

THE SECRETARY: On page 5, Senator Bonacic moves to discharge, from the Committee on Racing, Gaming and Wagering, Assembly Bill Number 9125 and substitute it for the identical Senate Bill 6550A, Third Reading Calendar 105.

On page 17, Senator Hannon moves to discharge, from the Committee on Health, Assembly Bill Number 446 and substitute it for the identical Senate Bill 4325, Third Reading Calendar 671.

On page 17, Senator Lanza moves to discharge, from the Committee on Health, Assembly Bill Number 8650B and substitute it for the identical Senate Bill 6835B, Third Reading Calendar 674.

On page 19, Senator Amedore moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 9034 and substitute it for the identical Senate Bill 6331, Third Reading Calendar 740.

On page 20, Senator Amedore moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 9040 and substitute it for the identical Senate Bill 6332, Third Reading Calendar 741.

On page 20, Senator Amedore moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 9035 and substitute it for the identical Senate Bill 6333, Third Reading Calendar 742.

On page 22, Senator Boyle moves to discharge, from the Committee on Higher Education, Assembly Bill Number 680 and substitute it for the identical Senate Bill 4449, Third Reading Calendar 799.

On page 26, Senator LaValle moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9689A and substitute it for the identical Senate Bill 7133A, Third Reading Calendar 929.

On page 26, Senator LaValle moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9371 and substitute it for the identical Senate Bill 7226, Third Reading Calendar 930.

On page 27, Senator Rivera moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 7500A and substitute it for the identical Senate Bill 5427A, Third Reading Calendar 941.

On page 27, Senator LaValle moves to discharge, from the Committee on Rules, Assembly Bill Number 1683A and substitute it for the identical Senate Bill 1485A, Third Reading Calendar 962.

On page 32, Senator Seward moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 10085 and substitute it for the identical Senate Bill 7490, Third Reading Calendar 1088.

On page 33, Senator Nozzolio moves to discharge, from the Committee on Transportation, Assembly Bill Number 7307 and substitute it for the identical Senate Bill 4173A, Third Reading Calendar 1105.

On page 33, Senator Klein moves to discharge, from the Committee on Transportation, Assembly Bill Number 6561A and substitute it for the identical Senate Bill 4311A, Third Reading

Calendar 1106.

On page 35, Senator Lanza moves to discharge, from the Committee on Health, Assembly Bill Number 7181 and substitute it for the identical Senate Bill 5100, Third Reading Calendar 1142.

On page 35, Senator Hannon moves to discharge, from the Committee on Health, Assembly Bill Number 5510B and substitute it for the identical Senate Bill 7369A, Third Reading Calendar 1148.

On page 39, Senator Robach moves to discharge, from the Committee on Labor, Assembly Bill Number 9755 and substitute it for the identical Senate Bill 7291, Third Reading Calendar 1195.

On page 47, Senator Boyle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10203 and substitute it for the identical Senate Bill 7308, Third Reading Calendar 1342.

On page 49, Senator DeFrancisco moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 3461C and substitute it for the

identical Senate Bill 5154C, Third Reading Calendar 1365.

On page 54, Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 9688 and substitute it for the identical Senate Bill 7121, Third Reading Calendar 1507.

On page 55, Senator Funke moves to discharge, from the Committee on Finance, Assembly Bill Number 9858 and substitute it for the identical Senate Bill 7475, Third Reading Calendar 1509.

On page 55, Senator Amedore moves to discharge, from the Committee on Rules, Assembly Bill Number 10258 and substitute it for the identical Senate Bill 7894, Third Reading Calendar 1516.

On page 55, Senator LaValle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10264 and substitute it for the identical Senate Bill 7908, Third Reading Calendar 1517.

On page 59, Senator Croci moves to discharge, from the Committee on Finance, Assembly Bill Number 8562A and substitute it for

the identical Senate Bill 6446, Third Reading Calendar 1560.

On page 60, Senator Gallivan moves to discharge, from the Committee on Finance, Assembly Bill Number 9762 and substitute it for the identical Senate Bill 7191, Third Reading Calendar 1578.

On page 60, Senator Murphy moves to discharge, from the Committee on Finance, Assembly Bill Number 9696 and substitute it for the identical Senate Bill 7224, Third Reading Calendar 1579.

On page 61, Senator Ortt moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 9239 and substitute it for the identical Senate Bill 7252, Third Reading Calendar 1581.

And on page 61, Senator Murphy moves to discharge, from the Committee on Rules, Assembly Bill Number 10242 and substitute it for the identical Senate Bill 7660A, Third Reading Calendar 1589.

ACTING PRESIDENT GRIFFO: The substitutions, as presented, are 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: Yes, Mr. President, I offer the following amendments to the following Third Reading Calendar bills:

On page 9, Calendar Number 321, Senator Martins' bill, Senate Print 5276;

Another Senator Martins bill, on page 15, Calendar Number 621, Senate Print 5783A;

A Senator Golden bill, on page 37, Calendar Number 1188, Senate Print 7516;

A Senator Akshar bill, page 54, Calendar Number 1499, Senate Print 6665;

And a Senator Gallivan bill, page 60, Calendar Number 1571, Senate Print 6949A.

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

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

Calendar.

Senator DeFrancisco.

SENATOR DeFRANCISCO:

Mr. President, there's a privileged resolution at the desk by Senators Flanagan, Klein and Stewart-Cousins. Could you please read it in its entirety and first call on Senator Flanagan.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution by Senators Flanagan, Klein and Stewart-Cousins, expressing sincerest, heartfelt condolences to the Orlando community in wake of the devastating tragedy which took place at a nightclub in Orlando, Florida, and applauding all those who acted immediately and heroically in the face of danger.

"WHEREAS, The very principles of American freedom, and the safety and security of every American at home and abroad, were challenged by the unspeakable atrocities committed in Florida, during the early morning hours of Sunday, June 12, 2016, at Pulse, a popular nightclub located in the heart of Orlando; and

"WHEREAS, For all New Yorkers, the images of this horrific domestic act of terrorism rekindles heartbreaking memories and causes us to pause and reflect on our daily lives; and

"WHEREAS, A heavily armed man entered the nightclub and began shooting, killing 49 people and wounding 53 more; and

"WHEREAS, The very heart and soul of America has once more been shaken to its core and this tragedy stands as a reminder that such senseless acts of violence will not destroy the values that make America great; and

"WHEREAS, The power of human compassion and the strength and spirit of the American people were revealed in Orlando as we learned of the immediate and heroic outpouring of service and concern for the victims of this act of terrorism and in its aftermath; and

"WHEREAS, This Legislative Body cannot express sufficient gratitude to those devoted first responders, including police officers, Orange County sheriff's deputies, and FBI agents, as well as paramedics and firefighters from three fire departments, who inspire us all by carrying out their sworn duties

with great courage and bravery; and

"WHEREAS, The combined and coordinated efforts of these individuals and their swift response are a testament to the spirit of unity and fellowship in the face of adversity which characterizes the best of America; and

"WHEREAS, The people of the State of New York stand steadfast in their solidarity with Orlando, Florida, all of whom were victimized by the attack on Sunday, June 12, 2016; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to express sincerest, heartfelt condolences to the victims and their families and to applaud all those who acted immediately and heroically in the face of danger, and to extend to the people of Orlando the sincere best wishes and heartfelt prayers of all New Yorkers; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to The Honorable Rick Scott, Governor of the State of Florida."

ACTING PRESIDENT GRIFFO: Senator

Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

You know, there are times when any one of us has the opportunity to get up and speak and I can be very proud and kind of bask and revel in the work that we do here in the seat of government in the New York State Senate. On a day like today, I'm humbled. And I feel to some degree I'm at a loss, mentally and, you know, when you think about what has transpired, almost physically. Because the events that unfolded in Orlando could be right in the City of Albany, they could be in any community across the State of New York.

And certainly no one needs a reminder from me about the tragic events of 9/11. What had transpired now close to 15 years ago is ever-present in our mind. At that time the whole country embraced the State of New York, as they did for Washington, D.C. and the state of Pennsylvania.

So today I think about Flag Day, Flag Day in a good way, as one of the most important symbols of our country and all that it

stands for, for freedom, our principles, democracy, our values.

I also think, and I had expressed this briefly to Senator Lanza -- I had an opportunity to speak at a community event after 9/11, and I was thinking about being a New Yorker. So I look up at the beautiful stained glass behind Mr. President, and our state motto is "Excelsior," which, properly translated, means "ever upward."

So what has transpired is an attack on every person in this room, every person in this state, every person in this country, and frankly, I think, all across the world. Because the things that we believe in and the things we hold sacred, we should be even more emboldened now to stand up for those principles.

Now, everyone has a frame of reference. And I -- well, let's put it this way. Life is precious, and life can be fleeting. And on any given day, something very significant in a negative way can happen. The first thing I thought of about Orlando was how horrific this was, how horrific it was for those families, the individuals who died, the people who were

injured.

And as a parallel, I thought of my own children, because it could be anyplace, anytime, anywhere. And I had a conversation with my daughter Ashley, who is an extraordinary human being, talking about the fact that she didn't even know any of these people but it could have been anyone.

So when we think about these things, I think it's extraordinarily important for us as a legislative body to deliberate, to commiserate, to express our condolences, and to do so in a New York, very heartfelt way. And that includes all kinds of people -- all the people involved in law enforcement, first responders, volunteers, people who just came with thoughts and prayers, laying flowers all over the place.

And even now as we speak, there still is a horrible crime scene that has to be investigated for days, where people can't even see the people that they love who were killed.

So I want to just add as one voice, on behalf of our Senate and our conference, our thoughts, our condolences. And we need to be ever-vigilant for the things that we believe in,

whether it's Flag Day or not.

Florida is very similar to New York. In fact, there's a lot of New Yorkers who live in Florida. So we need to embrace them at this time of human tragedy and speak out against terror, speak out for the dignity of human life, and make sure that we never forget how important it is, the work that we do, whether it's with our colleagues in Florida or just here in the State of New York.

Mr. President, I would like to express, again, our sincere condolences to the great people of the State of Florida and to all the families that have been subject to this incredible human tragedy.

Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Flanagan.

Senator Klein.

SENATOR KLEIN: Thank you, Mr. President. I too rise to talk about what I think Senator Flanagan said best, sort of a coming together.

You know, I know most of us have watched the news as it unfolded. But certainly

when I watched this morning a mother, named Mina Justice, speak about her son on the news, I think it gets -- would get most of us, certainly myself, thinking.

She scrolled through the text messages from her son and his last words to her before he was killed, like 49 others, was "I love you," he wrote, as he huddled in a bathroom with others. It was 2:06 a.m. Soon after, he texted again: "He's coming. I'm going to die."

Can you imagine a mom getting a text like that, in this day and age, the greatest nation in the world, from her soon-lost son?

Well, I think all of us heard a lot of I guess the political rhetoric on both sides. But I think what it's up to us to do now is mourn and remember. And always remember what makes us great as a nation, what really makes us great as Americans is that we all recognize a very simple truth, that we're either going to sink or swim together. So when one group feels a tragedy, we all mourn and we all feel that tragedy.

And certainly what happened in Orlando was pure evil which ripped 49 lives from each and every one of us. A life, we all

recognize, by a man who disapproved of life in America, a life where people are free to be who they are -- gay, lesbian, straight -- practice their religion as they see fit. This is really what makes America great.

But I think I just want to close by basically saying that this deadly terrorist act, all of us as one, no matter who we pray to, no matter who we love, must be condemned. Because the fear and hate that came through the barrel of his gun will never stop Americans from living their lives freely regardless of sexual orientation.

We in America do not live in a world of hate, and we will never waiver in the face of terror and hate. We know as New Yorkers that terrorist acts only serve to unite us. We are Americans, we are free, and today each and every one of us are Orlando.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Klein.

Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you. Thank you, Mr. President.

And I certainly rise with my colleagues to express our deepest condolences and the reality of what this tragedy in Orlando has done.

I think, frankly, it's left us all numb. The news was shocking, devastating, and unfortunately, in this day and age, for so many of us not surprising. We live in a world where hate and terror seem to be all too common. And unfortunately, hate and terror can too easily access weapons of death.

Now, while this resolution didn't mention this, the crime appears to have been directed at two specific communities, the LGBTQ community and, at the same time, the Hispanic community. And I'm told that since this was a Puerto Rican Parade weekend, a lot of the people were Puerto Rican.

But as my colleagues have said, this is not about anything other than all of us. We are all attacked when something like this happens.

So yes, we need to come together. We need to unite. We need to love more, hate less. We need commonsense laws to protect

people. We need to stop selling these weapons of war.

Here in New York I think we can look across the aisle and say that we've outlawed a lot of these weapons and we need to do more. And we need Washington to do more. We need Washington to act.

You may not be able to legislate hate out of a man's heart, but as Dr. King said, it may be true that laws cannot change the heart, but it can restrain the heartless. It may be true that laws cannot make a man love me, but it can keep him from lynching me. And I think that's pretty important also.

In times like these we struggle to find meaning, we struggle to find peace, and I look towards words that can comfort and guide us. Again, in the words of Dr. King, darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that.

We wish the community of Orlando love and the strength of America to drive out the hatred.

Thank you.

ACTING PRESIDENT GRIFFO: Thank

you, Senator Stewart-Cousins.

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

You know, I think of the word Orlando and my daughter. And -- excuse me, because this chokes me up. Five-year-old kids think of Disneyland and Universal Studios, but forever now we'll associate Orlando with this terrible, tragic incident of Sunday morning.

I was at Stonewall last night, in my district, the Stonewall Inn. I think my colleagues are familiar with it. It's really the front porch or the town square for the LGBT community. The 6th Precinct, which is in my district, estimated anywhere between 8,000 and 10,000 New Yorkers came out to grieve with Governor Cuomo and Mayor de Blasio.

We've celebrated some enormous successes at Stonewall over the years. In 2011, this chamber played a vital role in passing marriage equality, with Governor Cuomo. We've mourned a lot of losses, including the death of Mark Carson, who was killed in a hate crime. And last night, unfortunately, we mourned another

loss, but a loss so monumental that I think it makes us grasp for words.

The tragedy of the Sunday morning incident in Orlando, let's be clear, though: The biggest mass shooting in American history, and the biggest hate crime against LGBT Americans as well.

You know, June marks the LGBT Pride Month, because back in 1969, on June 29th, the modern LGBT rights movement was founded at Stonewall, where I was last night. And we should have all been there celebrating that success last night, and we all should have been there celebrating the fact that this chamber just this session allowed legislation to go forward that would enable President Obama to make Stonewall a national landmark. We should have been celebrating that last night.

Pride, which is the month of June, also has a more basic purpose. At its core, Mr. President, pride is an affirmation for LGBT people that we have the right to exist and live and love freely and openly in our society. It's times like this, like Sunday morning, when this fundamental concept is put to the test, that

we're reminded that pride in many ways, at its core, is a means of survival.

We've heard the harrowing stories. We heard about a woman, Brenda Lee McCool, age 49, the mother of 11 kids, the grandmother of six, a two-time cancer survivor. She was at Pulse for Latin Night, dancing with her gay son. She saved his life and lost her own.

Amanda Alvear, 25, she went to the nightclub with her friend Mercedez. She uploaded a Snapchat video right before she was cut down by bullets.

Eddie Justice hid in a bathroom stall and texted his mother in real time. He lost his life.

Christopher Leinonen, who was only 32, he won an award in his high school for founding the Gay-Straight Alliance.

And Enrique Rios, Jr., from Brooklyn, a constituent of Senator Dilan, lost his life as well. And I thank Senator Dilan for reaching out to his family.

The fact that these people -- and they weren't all young, by the way. One gentleman was 50 years old. That's my age. But

the average age was only 29. The youngest was 18.

The fact that it happened during Pride is tragic, ironic. But the fact that they were killed in a gay club is particularly devastating because, Mr. President, you may not know, gay clubs are a place where a lot of young people go for safety and security. They went to Pulse for the community, for the revelry, but so they could feel safe. Some of them probably weren't even out of the closet to their parents. In fact, I imagine more than one individual who was killed at Pulse came out posthumously to friends and family and coworkers.

You know, 49 people were killed as a response to the most basic expression of affection. Fifty-three injured, and many struggling for their lives as we speak.

But you know, we talk about our thoughts and prayers, and we've heard the political debate. But it's true that the thoughts and prayers aren't going to cut it this time around. We need, of course, to ban assault weapons in the State of New York. But we need to ban them across the nation. The assault rifle

that was bought in Florida could have been easily transported to New York and used in a gay club on Latin Night in our great state.

And we can't, of course, claim a perfect record on LGBT rights either. In the State of New York, if you commit a hate crime against a transgender person, you can't be charged specifically for that crime. But you can for other groups. And New York veterans are still denied benefits because they're LGBT. There's no law on the books that specifically protects transgender people from discrimination in public accommodations, employment and housing. The list goes on.

This backdrop makes it all the more outrageous that the language of public safety, Mr. President, has been used this year to justify discrimination against LGBT people, in the North Country and elsewhere, rather than as an effort to support and protect our community. Marriage was an important victory, but the road to equality, of course, is far from over.

But I want to express my disappointment, Mr. President. Whether it was a colossal oversight or an intentional omission,

nowhere do the words LGBT or Latino read in this resolution. And I think that is a mistake, because frankly one could suggest that we're trying to rewrite an important part of American and LGBT history. I don't think we should condone expunging words -- transgender, gay, lesbian, bisexual, Latino -- from resolutions as important as this.

And if we don't recognize these words, Mr. President, we're not recognizing the people who lost their lives and the loved ones who are suffering today. Our community, my community, has fought too hard for decades to get people to understand that silence equals death.

And, Mr. President, I'm afraid that I will not be going on this resolution. But I do appreciate the sentiment that the individuals and their families are suffering, but it's time we did something about it.

Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Hoylman.

Senator Croci to close on the resolution. Senator Croci.

SENATOR CROCI: Mr. President,

thank you.

You know, we are an unlikely nation. We had no business being a nation. We had the audacity to challenge the greatest power on the face of the earth and rebel against them. We were bold. We were brave. We were audacious. And we became a nation because of that boldness, because of that audacity, that willingness to stand up when no one else would.

You know, a Constitution is that one document, next to Scripture, the greatest document ever penned by the hand of man. And it means that everybody, every American, has rights that can never be taken away. And it's not because they're written in the document, it is because of the belief that the Almighty endowed us with those rights. And it is our job as a society to ensure that man can never take them away.

What happened in Orlando, to those of us who are familiar with this brand of terror -- specifically, the Taliban and what they did in Afghanistan -- it is no surprise, when I've witnessed female schools, all-girl schools that were blown up because the Taliban didn't

think that women should be educated. Or young men who had to watch their mother in a burka be shot in the head in the middle of a soccer stadium. They don't care who you are, what you believe, what your faith is. If you do not subscribe to their brand of thought, you are the enemy and they come after you.

Mr. President, I'm the Senator for the Third Senate District, which includes the Fire Island National Seashore and two historic beaches that are, I believe, landmarks in the gay community -- the Pines and Cherry Grove, places where Truman Capote, Andy Warhol and others -- since Prohibition, that community has celebrated those areas.

Whether it's New York City or Orlando, Florida, or San Bernardino or Paris or Brussels or Lower Manhattan, whether it's Spain, Madrid -- wherever it is, it is a brand of terror that unless you subscribe to exactly, precisely what they want you to believe, you are their enemy.

I think that I have to agree with our Minority Leader. She said that the way we combat this is to be together. And I don't

believe that there is an enemy that this country cannot face, a challenge that we cannot meet if we are together. It's the brand of togetherness, it's the brand of strength and boldness that we saw after September 11th in this state when we were united against a common enemy. And the common enemy isn't each other, it's out there.

If you ask our brothers and sisters in Israel what it was like to live through the Intifada, where getting on a bus could be the last time you ever got on a bus, we are slowly, as a society, a free and open society, getting a taste of the brand of terror that the Taliban brought to Afghanistan, a population that was disarmed so that they could not possibly defend themselves. And those young men could not possibly defend their mother in that soccer stadium. And no one could possibly defend that girls' school because they had been disarmed.

I think that there is a way to defeat this enemy if we are united. I think that this body should be very proud of the work that they have done this year. But I also think that this body is a representation of the best of New York. It really is. Every one of us in this

room woke up with a sick feeling in our stomach when we saw what happened in Orlando, Florida, and it's our job to make sure that that doesn't happen here, that we support good policies to make sure that we take care of our people. We have no greater responsibility than the safety and security of the residents of New York.

Mr. President, I would ask, in solidarity with our brothers and sisters, our fellow Americans who were killed in Orlando, that the chamber be asked to stand in a moment of silence in their memories.

ACTING PRESIDENT GRIFFO: We will call first for the question. All in favor of the resolution signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

All are listed as cosponsor unless otherwise directed or indicated at the desk.

We will now all rise at the request of Senator Croci as we pay tribute and respect to those who lost their lives in Orlando.

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

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution Number 5987, by Senator Marchione, and read the title only and then call on the Senator.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5987, by Senator Marchione, commemorating the 50th anniversary of Saratoga Performing Arts Center on July 8, 2016.

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

Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

I rise for the purpose of speaking on the legislative resolution that recognizes, celebrates and honors SPAC on its 50th anniversary taking place this coming July 8, 2016.

SPAC truly is a beloved treasure,

not only for Saratoga but for our Capital Region and our entire state. SPAC hosts the very finest in dance, music, and world-class entertainment -- world-class entertainment such as the Philadelphia Orchestra and the New York City Ballet, whose association with SPAC is the longest-running summer residency for a ballet company in our nation.

Each season more than 400,000 people pass through SPAC's gates, and each season SPAC continues to lead the way in promoting, supporting, and strengthening the arts and culture in Saratoga County, the Capital Region, and in New York State.

This summer, SPAC's 50th anniversary will feature many new and wonderful events, including the world premier by the Twyla Tharp Dance Company, a two-day engagement by the award-winning Alvin Ailey Dance Theatre, a New York City Ballet World premiere by Justin Peck, and a Philadelphia Orchestra world premier of composer Michael Torke's "Unconquered."

With us in the Senate today as my very special guest -- and I would like to ask her to stand at this point -- I'm honored to

recognize Marcia White, SPAC's president and executive director.

Marcia White's leadership has had a tremendous positive impact on SPAC. Many of you know Marcia from her years of dedicated service to former Majority Leader and my friend, of course, Joe Bruno. But you know, Marcia White went on to being the president and executive director in SPAC's history when it was a very difficult time, in 2005. And through her tremendous leadership, her ability to know how to get it done, SPAC has thrived over the past years. And we thank Marcia for all that she has done.

She's going to be going on to other challenges at the end of this year, and we know that anywhere that Marcia lands is going to be fortunate to have her in their organization.

We applaud you, Marcia, for your service and your visionary leadership of SPAC, and we join together in congratulating SPAC on its 50th anniversary.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Marchione.

The resolution was previously adopted on June 6th of this year. It is open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk. Any member wishing not to be a cosponsor please notify the desk.

Marcia, congratulations on the 50th celebration, to Marcia White and her staff who are here today.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 5027, by Senator Peralta, read the title only, and call on the Senator to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5027, by Senator Peralta, expressing sincere heartfelt condolences to the people of Ecuador in the wake of the devastating earthquake which struck the country on April 16, 2016.

ACTING PRESIDENT GRIFFO: Senator

Peralta.

SENATOR PERALTA: Thank you, Mr. President.

I want to personally welcome with us today Linda Machuca, Consul General of Ecuador in New York, to our state's Capitol. I also want to welcome, Eduardo Sanchez, First Secretary of the Consul General of Ecuador in New York City, and my brother from the other side, Assemblyman Francisco Moya, who's here with us today.

Bienvenidos al Capitolio. Bienvenidos al Albany.

First, in my name and the name of my colleagues, I want to express my heartfelt condolences to the people of Ecuador in the wake of this massive, powerful, and devastating earthquake which shook the country on April 16th. This was the deadliest quake to strike Ecuador in decades. It killed at least 650 people. It injured more than 16,000. And more than 25,000 were left without a home. It leveled some tourist-destination coastline cities like Portoviejo and Pedernales. And more than 25,000 schoolchildren were affected, as almost 300 schools were destroyed or damaged.

This was a terrible tragedy. To make matters worse, the Zika virus is an added problem as the rubble has become a virus transmitter because of the heavy rains.

Ecuadorian authorities estimate the earthquake caused at least $3 billion in damages.

Ecuador is rebuilding, digging through the rubble. This past weekend, rescuers pulled from the rubble a 72-year-old survivor of the disaster.

I'm sure that Ecuador and its people will come out of this natural disaster stronger than ever. But in the meantime, the international community needs to help. And they are helping.

More than 46,000 Ecuadorians and Ecuadorian-Americans live in my district. I share that honor with Assemblyman Francisco Moya. A few weeks ago, I, along with other elected officials, helped organize a benefit concert to provide aid to Ecuador and its people. We helped raise funds towards the cause. It wasn't much, but this was our way of directly helping Ecuador and the victims of this terrible tragedy. All the proceeds went to the Hispanic Federation,

an organization that deposited the money into UNICEF.

New Yorkers need to continue to help. Americans need to continue to help. Nations worldwide need to continue to help.

We stand with Ecuador. We stand with Ecuadorians. This first resolution that I am presenting in the name of this legislative body expresses our condolences to the people of Ecuador, honors the memory of those who lost their lives, remembers the survivors, and praises all of those who came to their assistance.

The second resolution I'm presenting today, in my name and in the name of my colleagues, is to extend our best wishes to our Ecuadorian and Ecuadorian-American friends in communities as you will celebrating, this summer, Ecuador's independence. It will be August 10th, marking the 207th Independence Day of Ecuador, a fight for freedom that began with the so-called "El Primer Grito de Independencia" (in Spanish) in 1809. This was the first postcolonial government. It's a celebration to commemorate the struggle of people driven by patriotic sentiments.

And like it happened here in the United States, in Ecuador it was also the bravery of a small band of patriots who declared independence, in this case from Spain, in (in Spanish) the Battle of Pichincha. It was there, on the slopes of the Pichincha volcano that the people of Quito claimed independence. It was in 1824 when Ecuador gained full independence from Spain. Their hunger for liberty and the need to liberate themselves from oppression empowered them to defeat the Spanish army as they were seeking freedom and liberty.

Today the independence of Ecuador is celebrated in many parts of Ecuador, especially in its capital, Quito. But festivities are not limited to Ecuador, as we also celebrate their heroic efforts here in our great nation and in our great Empire State.

And in Queens, and in my district, we also celebrate Ecuadorian Independence Day with a wonderful and colorful parade along Northern Boulevard. Thousands participate and enjoy Ecuadorian culture, folk music, and food.

And Ecuadorians in our nation have contributed to every aspect of life, from

politics and the arts to the economy and culture. Thousands of Ecuadorians and Ecuadorian-Americans make neighborhoods like Jackson Heights and Corona their home. They contribute to make Queens the most diverse borough in the nation, especially the United Nations of all Senate districts.

By way of this resolution, we extend our best wishes to our Ecuadorian-American friends in communities across the state in advance of the important celebration and enjoyment of Independence Day. And although a terrible tragedy occurred, now we will stand together in celebration of Ecuador's independence.

Please help me welcome the Consul General of Ecuador, Ms. Linda Machuca.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: The resolution was previously adopted on May 4th of this year.

It is open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Again, we want to acknowledge and

extend the courtesies of the house to Madam Consul General, to the staff that is here, and to our colleague in the Assembly.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now take up previously adopted Resolution 6086, by Senator Kennedy, read the title only, and then call on Senator Kennedy, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6086, by Senator Kennedy, honoring Anthony C. Conte upon the occasion of his retirement after 15 years of distinguished service as President of Shea's Performing Arts Center.

ACTING PRESIDENT GRIFFO: Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to honor Tony Conte on the occasion of his retirement from Shea's Performing Arts Center after 15 years as president.

Today we're joined on the floor of

the Senate by Tony, his wife Linda, his daughter Jeanne, and his son Michael. Their son Carl was unable to join us today, but he's in here in spirit.

Tony's been involved with Shea's as a volunteer going back to the 1970s. And in 2000, he was asked to take over as its president. And he took this challenge head on, using his experience as a former M&T Bank executive to organize and complete the renovations of the theater, which was built in 1926, 90 years ago.

By 2014, the renovations of the theater that had fallen into disrepair were completed, restoring the theater into the jewel of Buffalo, the central point of the burgeoning theater district.

And I'll tell you that renovations did wonders for Shea's and for Buffalo. Touring Broadway shows began booking more performances in Buffalo, and the public responded. The public came out in droves to support the visiting productions, spending money at surrounding businesses throughout the theater district, the City of Buffalo and Western New York.

The numbers speak for themselves.

Shea's Performing Arts Center has seen a 310 percent increase in the number of season tickets sold since Tony took over as president. That's over 13,000 season tickets for each touring production that comes to Buffalo. Eighty-five percent of season ticket holders renew, and 55 percent of all tickets are bought prior to opening shows to general sale. That's an impressive feat. And in an age of television and Internet entertainment, Shea's Theatre turns a profit.

But Tony has done that with simply turning around the finances and facilities at Shea's and has also worked to build up these smaller, more intimate theater spaces, supporting less popular but just as important productions. He spearheaded the creation of Shea's 710 Main Theatre, which boasts 625 seats and features dramatic plays, including some from Buffalo-area playwrights.

In addition, the 230-seat Shea's Smith Theater features off-Broadway musicals and comedies, oftentimes partnering with other area theaters and collaborating on productions. There's a venue space for every single type of

production at Shea's.

If turning Buffalo into a theater destination wasn't enough, Tony has also given back through charitable endeavors. He served as president of the Theater District Association and as a member of both the Road, Labor and Legislative Committees of the Broadway League and on the Advisory Council of the Wehle School of Business at Canisius College.

Western New York has demonstrated its strong appreciation of Tony Conte through countless awards, including being named Buffalo Business First's Most Influential Business Leader for three years straight; being presented with the Visit Buffalo Niagara's Tim Russert Award; named the Buffalo News 2012 Outstanding Citizen, and being inducted into the Buffalo Ambassador's Hall of Fame.

Tony, I know I speak for my fellow Buffalonians and New Yorkers when I say thank you to you for everything that you've done for our great community and our great state, turning Shea's into the powerhouse that it is today in the Buffalo theater district. You have played an enormous part in Buffalo's resurgence, and we're

indebted to you.

And while I know you'll be staying on as a consultant, I'm sad to see you retire, though I know our loss is your family's gain. I wish you the very best in spending time with your wife, your children and your grandchildren. It's very well deserved.

And, Mr. President, as if today's occasion couldn't be any sweeter for Tony Conte, he and his wife Linda celebrate their 47th wedding anniversary as well today. Congratulations, Tony, Linda, your family, and Godspeed.

Thank you very much.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: As noted, the resolution was previously adopted on June 7th of this year.

We again want to express our thanks and appreciation to Tony for the hard work and all of his leadership at Shea's Performing Arts Center, and also want to extend our congratulations to Tony and Linda as they celebrate their 47th wedding anniversary. And I'm sure Senator Kennedy will be taking you out

to dinner tonight.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you. Could you open the resolution 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: Could you now recognize Senator Rivera for a brief introduction of some very important people.

ACTING PRESIDENT GRIFFO: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

I noticed, Senator DeFrancisco, that the word "brief," you kind of hung on that word for a little bit.

Mr. President, thank you so much.

Today is not the first time that these gentlemen have been up in Albany, or some of them have been up in Albany, but I think it is

important always to point them out when they are here.

As we go through the end of the session and we talk about the challenges that are faced by the public education system in the State of New York, a lot of times we underline those challenges, we underline the things that are sometimes going wrong. But I think it is important to notice, to underline, and to really shine a light on the things that are going well.

And one of those things is the Eagle Academy. The Eagle Academy was founded back in 2004 as part of a vision from 100 Black Men and a guy named Banks, who said we need to focus, we need to have a school that's specifically for young men of color that are at a very -- they are graduating at a very low rate and that are having all sorts of challenges in their education system. They wanted to prove that a public school could provide not only high-quality education but could provide higher graduation rates and could really train young men of color, in the neighborhoods that certainly I represent, for success.

Since then, since 2004, they have

opened up schools in Brooklyn, Queens, Staten Island, and even in Newark, New Jersey. But the original Eagle Academy is in the Bronx and is in my district.

We are joined by three men -- and I'd ask them all to stand up, if they could -- Mr. Kobe Evans, Antone Gary, and Hector Bonilla. And these three men represent the scholars of Eagle Academy. They're certainly going to graduate, they're going to go to college, and some of them might be sitting in this room or in the room across the hall soon enough.

And I'm incredibly proud to have them here. Because as they come up, they learn a little bit about what we do up here. They learn about civic participation, civic engagement, they learn about government, and they put their effort into not only graduating but knowing that once they graduate, it is going to be part of their responsibility and their obligation to make sure that their neighbors, their family members and their community members know that they can succeed as well.

So I am incredibly proud to have them here today. And Mr. President, if you

would, I would ask everybody to just recognize them and celebrate not only Eagle Academy but these three fine young men as we are here today.

ACTING PRESIDENT GRIFFO: Thank you, Senator Rivera.

We extend the courtesies and the privileges of the house to these three fine students, these young men from Eagle Academy. Thanks for being here, and we wish you the best of luck.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now -- excuse me. Would you please recognize Senator Montgomery.

ACTING PRESIDENT GRIFFO: Senator Montgomery.

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

I just wanted to thank my colleague for this acknowledgment of the wonderful school in the Bronx. We also have an Eagle Academy in Brooklyn. However, one of the Eagle Academy in the Bronx scholars is now an intern in my office,

and I'm very proud of him.

So while we honor these young men, the Eagle Academy is responsible for sending young men out into the world to be great people. And I appreciate your school. I appreciate my own -- the young man who is in my own office, Fabian Smith. And please let the administrators know that we thank you very much for what you represent: a great future for our state, our city, and our nation.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Montgomery.

Senator Hamilton briefly.

SENATOR HAMILTON: Yes, Mr. President, I rise to congratulate the young men of Eagle Academy. I want to thank Senator Rivera for bringing them here.

I just want to say that David Banks, who created Eagle Academy, he was the president at St. John's law school for the black law students, and I was the president at Seton Hall Law School for law students. And at that time we were both advocating for educating our young men of color. In Brownsville, only 13 percent of

young men are reading at grade level, which to me is a criminal act.

But I want you young men to know that you are our future, we believe in you. You will do well. I grew up in NYCHA, and here I sit before you today. So you have a bright future ahead of you.

And I just want to thank David Banks for forgoing his law career for giving back to the community and making sure you young men are our future. God bless you. Keep up the good work.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we return to motions and resolutions, if we ever left it.

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

SENATOR DeFRANCISCO: I wish to call up Senator Amedore's bill, Print Number 6515, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number

212, by Senator Amedore, Senate Print 6515, an act to amend the Highway Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: All right, Mr. President, can we now return to the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will begin the noncontroversial reading of today's active-list calendar, June 14th, with Calendar Number 19.

THE SECRETARY: Calendar Number 19, by Senator Lanza, Senate Print 6388A, an act to amend the General City Law.

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 on the same date and in the same manner as a chapter of the Laws of 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 54, by Senator Klein, Senate Print 6040B, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 11. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 67,

by Senator Boyle, Senate Print 3357A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 82, by Senator Murphy, Senate Print 5983, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 105, substituted earlier by Member of the Assembly Pretlow, Assembly Print 9125, an act to amend Chapter 473 of the Laws of 2010.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 266, by Senator Ranzenhofer, Senate Print 6460, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 322, by Senator Golden, Senate Print 5745C, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 524, by Senator Martins, Senate Print 1245, an act to amend the Village Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 533, by Senator Ritchie, Senate Print 7018A, 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 5. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 608, by Senator Valesky, Senate Print 6809B, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 648, by Senator Ortt, Senate Print 3123A, an act to amend the Vehicle and Traffic 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 648, those recorded in the negative are Senators Avella, Breslin, Carlucci, Espaillat, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera,

Savino, Serrano, Squadron, Stavisky and Stewart-Cousins. Also Senator Kennedy.

Ayes, 42. Nays, 19.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 671, substituted earlier by Member of the Assembly Gottfried, Assembly Print 446, 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

Senator Montgomery, do you wish to explain your vote?

SENATOR MONTGOMERY: Yes, please. Thank you, Mr. President, I will explain my vote.

I want to compliment Senator Hannon. This certainly is a bill that puts our state, I believe, into the current mainstream of

healthcare. The bill would allow for midwives to actually run birthing centers. That is a very good thing, it's very desirable for our state.

And again, I compliment Senator Hannon and look forward to this bill becoming law in the State of New York. Thank you.

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

Please announce the results.

THE SECRETARY: In relation to Calendar 671, those recorded in the negative are Senators Akshar, DeFrancisco, Little and Stavisky.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 674, substituted earlier by Member of the Assembly Paulin, Assembly Print 8650B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect after one year.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 740, substituted earlier by Member of the Assembly Santabarbara, Assembly Print 9034, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 741, substituted earlier by Member of the Assembly Santabarbara, Assembly Print 9040, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 742, substituted earlier by Member of the Assembly Santabarbara, Assembly Print 9035, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 771, by Senator Marchione, Senate Print 4236, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Avella and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 783, by Senator Hannon, Senate Print 5903A, 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: Ayes, 60. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 799, substituted earlier by Member of the Assembly Rosenthal, Assembly Print 680, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 828, by Senator Murphy, Senate Print 7255, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: There is

a home-rule message at the desk.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 838, by Senator DeFrancisco, Senate Print 7500A, an act in relation to authorizing.

ACTING PRESIDENT GRIFFO: There is a home-rule message present 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 886, by Senator Murphy, Senate Print 6448A, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 913, by Senator Lanza, Senate Print 4505, an act to prohibit.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 929, substituted earlier by Member of the Assembly Glick, Assembly Print 9689A, an act to amend Chapter 405 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

930, substituted earlier by Member of the Assembly Gunther, Assembly Print 9371, 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 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 931, by Senator Valesky, Senate Print 7348A, 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 934, by Senator Robach, Senate Print 1959A, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Some order in the house, please {gaveling}.

Announce the results.

THE SECRETARY: In relation to Calendar 934, those recorded in the negative are Senators Comrie, Hassell-Thompson, Montgomery and Perkins.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 941, substituted earlier by Member of the Assembly Joyner, Assembly Print 7500A, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar Number 941, those recorded in the negative are Senators Akshar, Croci, Griffo, Marchione and O'Mara.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 962, substituted earlier by Member of the Assembly Englebright, Assembly Print 1683A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 972, by Senator Seward, Senate Print 2357, an act to amend the Insurance 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 972, those recorded in the negative are Senators Addabbo, Avella, Carlucci, Comrie, Dilan, Espaillat, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Kaminsky, Kennedy, Krueger, Latimer, Montgomery, Panepinto, Peralta, Perkins, Persaud, Rivera, Sanders, Savino, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 35. Nays, 26.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 999, by Senator Murphy, Senate Print 5774A, an act to require.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1017, by Senator Seward, Senate Print 7867A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2.

Senators Perkins and Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1047, by Senator Murphy, Senate Print 4980A, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1049, by Senator Boyle, Senate Print 7377A, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1062, by Senator Akshar, Senate Print 6664A, an act to amend Chapter 412 of the Laws of 1990.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1078, by Senator Savino, Senate Print 5660A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1081, by Senator Serrano, Senate Print 6271A, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: In relation to Calendar 1084, on page 32 Senator Nozzolio moves to discharge, from the Committee on Rules, Assembly Bill Number 10519 and substitute it for

the identical Senate Bill 6966B, Third Reading Calendar 1084.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1084, by Member of the Assembly Morelle, Assembly Print 10519, an act to amend the Parks, Recreation, and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1088, substituted earlier by Member of the Assembly Magee, Assembly Print 10085, an act to amend Chapter 267 of the Laws of 1988.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1105, substituted earlier by Member of the Assembly Lupardo, Assembly Print 7307, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1106, substituted earlier by Member of the Assembly Abbate, Assembly Print 6561A, an act to

amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1142, substituted earlier by Member of the Assembly Paulin, Assembly Print 7181, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1148, substituted earlier by Member of the Assembly Jaffee, Assembly Print 5510B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1150, by Senator Hannon, Senate Print 7801, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1156, by Senator Serrano, Senate Print 1165, an act to direct.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1169, by Senator Ranzenhofer, Senate Print 3386, an act to amend the Public Authorities 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, 2. Senators Murphy and Serino recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1180, by Senator Murphy, Senate Print 7004A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1195, substituted earlier by Member of the Assembly Jaffee, Assembly Print 9755, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1201, by Senator Martins, Senate Print 290, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1216, by Senator Golden, Senate Print 2153, an act to amend the Domestic Relations Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1222, by Senator Griffo --

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

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

Calendar Number 1247.

THE SECRETARY: Calendar Number 1247, by Senator Martins, Senate Print 5129, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1257, by Senator Serrano, Senate Print 5859B, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1263, by Senator Martins, Senate Print 6450, an act to amend the Vehicle and Traffic Law.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1268, by Senator O'Mara, Senate Print 6969, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1288, by Senator Serino, Senate Print 7777A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1290, by Senator Stewart-Cousins, Senate Print 2243A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1295, by Senator Little, Senate Print 6343, an

act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1325, by Senator LaValle, Senate Print 7932, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1327, by Senator Martins, Senate Print 4377A, an act to amend the Public Authorities 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1342, substituted earlier by Member of the Assembly Williams, Assembly Print 10203, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1.

Senator LaValle recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1360, by Senator Little, Senate Print 7828A, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1365, substituted earlier by Member of the Assembly Magnarelli, Assembly Print Number 3461C, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1367, by Senator Carlucci, Senate Print 7410A, an act to amend the Mental Hygiene 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, 59. Nays, 2. Senators Hassell-Thompson and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1370, by Senator Ortt, Senate Print 7627, 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. Nays, 1. Senator Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1371, by Senator Ortt, Senate Print 7644A, an act to amend Part O of Chapter 59 of the Laws of 2016.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1373, by Senator Gallivan, Senate Print 7804, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1388, by Senator Golden, Senate Print 3383, an act to amend the Executive 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. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1394, by Senator Hannon, Senate Print 5968A, an act to direct.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1395, by Senator Sanders, Senate Print 6437A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1397, by Senator Nozzolio, Senate Print 6658, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. I rise to explain my vote no.

You know, sometimes we pass bills because we think it sounds like we're doing the right thing. And on the face of it, this bill may sound like we're doing the right thing, but it's one more bill to create one more offender registry in the State of New York.

And the coalition of organizations that make up the Coalition Against Domestic Violence -- I believe it's almost 240 organizations represented -- all but one of the

organizations actually oppose the bill because they point out that the history of domestic violence registries are that they don't create a deterrent effect, but they switch our funding and law enforcement efforts into tracking whether somebody has signed up or not -- not whether we are preventing domestic violence from taking place, not that we are ensuring that continuing domestic violence doesn't happen to new people all the time.

So while I appreciate the sponsor's efforts, we keep creating these registries or proposing the creation of registries of almost anyone lately, and it's not going to solve our problems, Mr. President.

I vote no. Thank you.

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

Senator Nozzolio to explain his vote.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President and my colleagues, I ask permission to be absent from voting and explain my vote.

That this measure is a measure that was named after Brittany Passalacqua, a young lady who at the age when most students are entering junior high, was unfortunately murdered by a perpetrator who was brought into her home by her mom, who didn't know the background of this individual. The individual killed her mom and killed Brittany in the span of an hour one fateful afternoon.

This law was named after Brittany Passalacqua, in her memory, to try to prevent domestic violence victims from happening in the first place. We hear so much about protecting the victims, and we should. We should care for them, we should nurture them and take care of their needs as they go through the heinous process of recovering at least their bodily wounds from that violence, when in fact the emotional scars will remain forever.

My thought in presenting this legislation -- and it's something this Senate has passed over a half a dozen times directly. We sought out Assembly Democrat bills, those who were majority members of the Assembly, and took their version of their bill, and it is

pro-offered before you today in an effort to obtain bipartisan support for protecting domestic violence victims before they happen by establishing simple transparency -- something many members who are voting against this measure talk about so much in government, when in fact citizens really need to know who's dangerous and who may be brought into their lives because they've been convicted of a very violent crime.

That knowledge is knowledge that I believe would prevent domestic violence victims. If Brittany Passalacqua's mother had that knowledge, she may be alive here today and we wouldn't need to have a Brittany's Law.

But in fact the tragedy requires addressing, and that this Domestic Violence Prevention Act does just that, Mr. President. And I appreciate those of my colleagues who are supporting it. And I will continue to fight for it, because it should become law, to prevent victims of domestic violence from happening in the first place.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1397, those recorded in the negative are Senators Comrie, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Sanders and Squadron.

Ayes, 50. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1401, by Senator Hannon, Senate Print 7873B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 45th day.

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 support this bill by Senator Hannon. I want to thank Senator Hannon for his work on this issue.

It was actually brought to my attention by a constituent who had struggled so hard and so long to try to get the funding for his severely disabled child that in theory he is entitled to, the reimbursement for healthcare costs, under the Medical Indemnity Law that we passed here in this state several years ago.

Unfortunately, the system is not yet working, which is why we need this law and perhaps more enforcement to ensure people who give birth to children who have serious medical problems due to the situation at birth are provided the health insurance benefits and coverage that we promised them when they chose to participate in the Medical Indemnity Program instead of going to court in a medical malpractice case.

I certainly hope this bill will be signed by the Governor quickly.

Thank you, Mr. President. I vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1402, by Senator Bonacic, Senate Print 5302D, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1463, by Senator Young, Senate Print 7416, an act to legalize, validate, and ratify.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1473, by Senator Golden, Senate Print 8015, an act to amend the Retirement and Social Security Law.

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

The Secretary will read the last section.

THE SECRETARY: Section 21. 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. I rise today to thank the legislators here today for voting for this bill.

Our Fire Department has been without a disability pension since 2009. The agreement has been made with the City of New York for both Correction and Sanitation. The only one that's still outstanding is NYPD, and one would hope that over the next couple of days that the City of New York and the PBA can come to an agreement so that we can have three-quarters for police

officers as well.

I don't have to tell you what our firemen went through on 9/11 -- 343 perished. But what some of you may not know are the funerals that we go to on a regular basis of those that got cancers from 9/11 and are perishing, actually two or three a month in the past six months. That is a pretty high statistic for the number of people that are dying from cancers from 9/11.

So ladies and gentlemen, I want to thank our legislators here today and thank the Assembly for passing a good piece of legislation that gives our firemen the ability to get their disability and to be able to raise their families and stay and live in this great city.

So this is a great bill, a good bill, and it's the right thing to do. And I thank you all and the mayor of the City of New York and the Governor for coming together on the initial agreement and allowing this to go forward. Thank you.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1477, by Senator Díaz, Senate Print 262B, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1485, by Senator Croci, Senate Print 3464C, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Croci to explain his vote.

SENATOR CROCI: Thank you, Mr. President.

I was so gratified last year when this bill passed the house and the Minority Leader, Senator Stewart-Cousins, was among the aye votes.

We don't have -- there's no one solution to the terrorist problem, and domestic radicalization of terrorists has made the battlefield, instead of distant shores, it's now here in the United States.

This bill takes a step towards helping the law enforcement and intelligence analysts in our country have another piece of the puzzle. And I think that if you were to ask the director of the FBI, who's looking for more information, if you were to ask members of local law enforcement who are looking for more information, this is a great step.

I think if you look at some of the crimes that it covers -- making a terrorist

threat, criminal use of a chemical or biological weapon -- I think we can all agree in this day and age this is an important piece of legislation, and my colleagues in the Senate on both sides should be commended for their support.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1485, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hassell-Thompson, Hoylman, Krueger, Panepinto, Peralta, Perkins, Rivera, Sanders, Squadron, Stavisky and Stewart-Cousins. Also Senator Montgomery. Also Senator Serrano.

Ayes, 45. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1486, by Senator Venditto, Senate Print 3925, 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: In relation to Calendar 1486, those recorded in the negative are Senators Hassell-Thompson, Montgomery, Perkins, Rivera and Sanders. Also Senator Dilan.

Ayes, 55. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1499 has been amended and is high, ineligible for consideration.

Calendar 1507 is before the house.

THE SECRETARY: Calendar Number 1507, substituted earlier by Member of the Assembly Cusick, Assembly Print 9688, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1508, by Senator Marchione, Senate Print 7464, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1509, substituted earlier by Member of the Assembly Markey, Assembly Print 9858, an act to amend Chapter 138 of the Laws of 1998.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1510, by Senator Murphy, Senate Print 7480, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1512, by Senator Serino, Senate Print 7690, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1513, by Senator Serino, Senate Print 7691, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1514, by Senator Ortt, Senate Print 7752, 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 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1515, by Senator LaValle, Senate Print 7772A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1516, substituted earlier by Member of the Assembly Blake, Assembly Print 10258, an act to

amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1517, substituted earlier by Member of the Assembly Englebright, Assembly Print 10264, an act in relation to creating.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1519, by Senator Carlucci, Senate Print 7952A, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Bonacic and Larkin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1520, by Senator Avella, Senate Print 7983A, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1522, by Senator Marcellino, Senate Print 426B, an act to amend the Vehicle and Traffic 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1523, by Senator Gallivan, Senate Print 434, 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 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1526, by Senator Golden, Senate Print 1109B, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1527, by Senator Avella, Senate Print 1147C, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1527, those recorded in the negative are Senators Bonacic, Boyle, Croci, Griffo, Martins, Ortt, Ranzenhofer, Serino and Seward.

Ayes, 52. Nays, 9.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1528, by Senator LaValle, Senate Print 1483A, 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: Announce the results.

THE SECRETARY: In relation to

Calendar 1528, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hassell-Thompson, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Sanders and Serrano. Also Senator Breslin. Also Senator Squadron.

Ayes, 47. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1534, by Senator LaValle, Senate Print 2104, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: 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.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1536, by Senator Flanagan, Senate Print 2135, an act to amend the Highway Law.

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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1537, by Senator Hannon, Senate Print 2160, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Ayes, 60. Nays, 1.

Senator DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is still passed.

THE SECRETARY: Calendar Number 1541, by Senator Griffo, Senate Print 2941A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1549, by Senator Ritchie, Senate Print 4964B, 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 January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Dilan and Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1552, by Senator Marchione, Senate Print 5355A, an act to amend the General Business 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1557, by Senator Ranzenhofer, Senate Print 6320, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1558, by Senator Latimer, Senate Print 6334, an act to amend the Public Officers Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1560, substituted earlier by Member of the Assembly Dinowitz, Assembly Print 8562A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1564, by Senator Serino, Senate Print 6689, an act to amend the Correction 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.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1564, those recorded in the negative are Senators Hassell-Thompson, Montgomery, Perkins,

Rivera and Sanders.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1566, by Senator Funke, Senate Print 6733, an act authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1567, by Senator Farley, Senate Print 6746, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect June 30, 2016.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1569, by Senator Golden, Senate Print 6926, 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 Golden to explain his vote.

SENATOR GOLDEN: Thank you, Mr. President. I rise on this piece of legislation.

It would give the New York City Police Department the ability to put together an active-shooter team with advanced ballistic vests, with advanced ballistic helmets and approved long guns or rifles.

Right now nothing more cries out for this legislation than we see the innocents slaughtered, those unfortunate people that were slaughtered in Orlando. We need active-shooter teams ready to go. And this would allow these

active-shooter teams in New York City to be able to go out there and to protect our citizenry.

Just think about these numbers. One-third of police officers that enter into an active-shooting incident are killed, one-third. In September of 2013, the FBI did an analysis and out of that analysis, where more than one police officer went into that, where there were several officers going in, in 21 of the 45 incidents police officers were shot. Forty-six percent incident rates on officers entering into active-shooter situations have been shot.

These ballistic helmets, ballistic vests, and of course the long guns would give these officers the tools and the equipment they need to be able to enter into an active-shooter situation and to get them to respond that much quicker. Since we only have a handful of emergency service trucks in each borough, this would put more units on the street ready to go. And we need them.

So I ask my colleagues to vote for this bill, I thank them for voting for it, and I hope the Assembly follows through and does the right thing, because our city needs this

legislation.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1575, by Senator Savino, Senate Print 7067A, 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 91st day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1578, substituted earlier by Member of the Assembly Peoples-Stokes, Assembly Print 9762, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1579, substituted earlier by Member of the Assembly DenDekker, Assembly Print 9696, 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 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Hassell-Thompson and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1581, substituted earlier by Member of the Assembly Englebright, Assembly Print 9239, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1582, by Senator Young, Senate Print 7408A, an act to amend the County Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1583, by Senator Seward, Senate Print 7501, 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.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

You know, we frequently see bills like this, or close to this, where a department wants to go into a lease arrangement or is going to bid something out.

But just for the record, and why I'm voting no, because it actually would require a 40-year lease with a particular entity by the DEC, but the DEC is actually opposed to the

proposal. I don't know that we should be passing laws making our agencies go into these kinds of lease agreements.

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

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

Announce the results.

THE SECRETARY: In relation to Calendar 1583, those recorded in the negative are Senators Gianaris, Hoylman, Krueger, Perkins and Squadron.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1586, by Senator Murphy, Senate Print 7563, an act to amend the Vehicle and Traffic Law.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1587, by Senator Ortt, Senate Print 7619, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1589, substituted earlier by Member of the Assembly Zebrowski, Assembly Print 10242, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1591, by Senator Larkin, Senate Print 7959, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1595, by Senator Little, Senate Print 8027, an

act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a Concurrent Resolution of the Senate and Assembly.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1610, by Senator Felder, Senate Print 4172, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1610, those recorded in the negative are Senators Bonacic, Espaillat, Gianaris, Hassell-Thompson, Kennedy, Krueger, Larkin, Montgomery, Peralta, Perkins, Rivera and Stewart-Cousins.

Ayes, 49. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1618, by Senator Hannon, Senate Print 5644, an act to amend the Real Property 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, 59. Nays, 2. Senators Avella and Klein recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1621, by Senator Croci, Senate Print 5842B, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1621, those recorded in the negative are Senators Dilan, Espaillat, Gianaris, Hassell-Thompson, Hoylman, Krueger, Montgomery, Panepinto, Peralta, Perkins, Rivera, Sanders, Serrano, Squadron and Stavisky.

Ayes, 46. Nays, 15.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1625, by Senator Bonacic, Senate Print 6546A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: It's getting a little noisy in the chamber.

THE SECRETARY: Ayes, 60. Nays, 1 --

ACTING PRESIDENT GRIFFO: We're on 1625, by Senator Bonacic. All those in the negative please raise your hands.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 2. Senators Espaillat and Felder recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1664, by Senator Marcellino, Senate Print 7911C, an act 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: In relation to Calendar 1664, those recorded in the negative are Senators Bonacic, Larkin and Perkins.

Ayes, 58. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR DeFRANCISCO: We have one resolution that I'm going to announce in a minute, but I'd like to make an announcement that as soon as that's over we're going to go to an immediate meeting of the Rules Committee in Room 332.

So if you're in chambers, please go there right away. We've got 40-some-odd bills, then another Rules Committee meeting. So let's please keep this thing moving.

The next resolution -- if we can go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: We will

return to motions and resolutions.

SENATOR DeFRANCISCO: If we would take up the last resolution on the agenda, previously adopted Resolution 4113, by Senator Carlucci, read the title only and call on Senator Carlucci, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

Senator Carlucci, be prepared.

THE SECRETARY: Legislative Resolution Number 4113, by Senator Carlucci, memorializing Governor Andrew M. Cuomo to proclaim June 12, 2016, as Filipino Independence Day in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President. I rise to support this resolution to proclaim June 12th as Filipino Independence Day in the State of New York.

And Filipino Independence Day gets its background from in 1898, when the Philippines declared independence over Spain and portrayed all of the liberties that -- much similar to what we hold dear on Independence Day, which we

celebrate on July 4th here in the United States.

And to fast forward, since 1962 this holiday has been celebrated on June 12th every year as a national holiday in the Philippines.

And it's very fitting that we proclaim Filipino Independence day in the State of New York, because we're really the beneficiaries in New York State of having Filipino-Americans as one of largest immigrant groups in New York State and in the United States. In fact, the Migration Policy Institute says that Filipino immigrants constitute one of the largest foreign-born groups in the United States.

And we truly are the beneficiaries of that here in New York. And particularly I'm very grateful, because in Rockland County we have a very strong and prideful Filipino-American group.

And we're so fortunate because gracing us with their presence here today is the Filipino Association of Rockland County and the Filipino-American Senior Association of Rockland County. Even though there's no seniors up there, they're here representing them. Oh, oh, wait --

no, there we go.

But -- and the leaders of the groups are here as well. We have Elmer-Rheci Abustan, who has been the leader of the Filipino Association of Rockland. We have Rudy Marasigan, who is the leader of the Filipino-American Senior Association of Rockland. And the current president of the Filipino Association of Rockland is Mark Sanchez, who's with us here today as well.

And it's fitting as well to celebrate this in June, because we just celebrated Santa Cruzan, an annual festival which we're so thankful that we have that in Rockland County, where we celebrate that and celebrate the rich culture of the Philippines in our community and throughout New York State. And next year our commitment is to expand that and really show the pride of the Philippines by having a parade right in Rockland County down Main Street.

So we're looking forward to all the wonderful people here with us today to organize that great event, and we're inviting everybody in the chamber here today to join us next June as we celebrate Santa Cruzan and Filipino Independence

Day in New York State again.

So, Mr. President, I enthusiastically will be supporting this resolution and encourage my colleagues to do the same. Thank you so much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Carlucci.

As noted, the resolution was previously adopted in March of this year.

We want welcome our guests who are with us today celebrating Filipino independence. Congratulations, and we extend the courtesies of the house to all of you.

You may stand and be recognized.

(Applause.)

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

Senator DeFrancisco has noted that there's an immediate meeting of the Rules Committee in Room 332. Please bring your tablets with you and return the tablets back to the chamber.

Senator DeFrancisco, anything else?

SENATOR DeFRANCISCO: There will be an immediate meeting of the Rules Committee in Room 332, as promised.

ACTING PRESIDENT GRIFFO: Okay, so there's an immediate meeting of the Rules Committee in Room 332. Please bring your tablets and return them to the chamber.

SENATOR DeFRANCISCO: I just don't want you to overstep your bounds, okay?

(Laughter.)

ACTING PRESIDENT GRIFFO: The Senate will stand at ease, with Senator DeFrancisco's permission.

(Whereupon, the Senate stood at ease at 3:21 p.m.)

(Whereupon, the Senate reconvened at 3:45 p.m.)

ACTING PRESIDENT AKSHAR: The Senate will come to order.

SENATOR DeFRANCISCO: Is there a Rules Committee report at the desk?

ACTING PRESIDENT AKSHAR: There is, Floor Leader.

SENATOR DeFRANCISCO: Would you please read the bills on that committee report.

ACTING PRESIDENT AKSHAR: The Secretary will read.

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

Senate 23A, by Senator LaValle, an act to amend the Tax Law;

Senate 213A, By Senator Martins, an act to amend the Tax Law;

Senate 449, by Senator Marcellino, an act to amend the Executive Law;

Senate 735, by Senator Marcellino, an act to amend the Vehicle and Traffic Law;

Senate 1706A, by Senator Golden, an act to amend the Social Services Law;

Senate 1983A, by Senator Young, an act to amend the Social Services Law;

Senate 2383, by Senator Gianaris, an act to amend Penal Law;

Senate 2655, by Senator Parker, an act to amend the Penal Law;

Senate 2718A, by Senator Griffo, an act to amend the Workers' Compensation Law;

Senate 3419C, by Senator Young, an act to amend the Insurance Law;

Senate 3676A, by Senator Savino, an act to amend the Tax Law;

Senate 3940A, by Senator Flanagan, an act to amend the Penal Law;

Senate 4617A, by Senator Lanza, an act to amend the Tax Law;

Senate 4744, by Senator Funke, an act to amend the Environmental Conservation Law;

Senate 4799D, by Senator LaValle, an act to grant authority;

Senate 4826A, by Senator Valesky, an act to amend the Public Authorities Law;

Senate 5000B, by Senator Golden, an act to amend the Correction Law;

Senate 5218A, by Senator Savino, an act to amend Public Health Law;

Senate 5432A, by Senator Funke, an act to amend the Agriculture and Markets Law;

Senate 5498A, by Senator Amedore, an act to establish;

Senate 6220B, by Senator Hamilton, an act in relation to enacting;

Senate 6232A, by Senator Funke, an act to amend the Tax Law;

Senate 6703, by Senator Golden, an

act to amend the Tax Law;

Senate 6743, by Senator Griffo, an act granting;

Senate 6842B, by Senator Avella, an act to amend the Agriculture and Markets Law;

Senate 7116, by Senator Lanza, an act to amend Chapter 154 of the Laws of 1921;

Senate 7300, by Senator Hassell-Thompson, an act relating to providing;

Senate 7403, by Senator Avella, an act to amend Chapter 395 of the Laws of 2008;

Senate 7439, by Senator Hannon, an act to amend the Tax Law;

Senate 7468, by Senator Ortt, an act to establish;

Senate 7482, by Senator Murphy, an act to amend the Tax Law;

Senate 7495, by Senator Akshar, an act to amend the Mental Hygiene Law;

Senate 7514A, by Senator Robach, an act to authorize;

Senate 7637, by Senator Little, an act in relation to;

Senate 7668A, by Senator Ortt, an act directing;

Senate 7724A, by Senator Murphy, an act to amend the Retirement and Social Security Law;

Senate 7755, by Senator Bonacic, an act in relation to;

Senate 7758, by Senator Ortt, an act to amend the Environmental Conservation Law;

Senate 7788, by Senator Bonacic, an act to amend Chapter 538 of the Laws of 2013;

Senate 7807, by Senator Bonacic, an act to amend the Civil Practice Law and Rules;

Senate 7853A, by Senator Gallivan, an act to amend the Public Health Law;

Senate 7860, by Senator Amedore, an act to amend the Public Health Law;

Senate 7891, by Senator Murphy, an act to direct;

Senate 7903A, by Senator Little, an act to amend the Private Housing Finance Law;

Senate 7945, by Senator Hannon, an act to amend the Public Health Law;

Senate 7958, by Senator Marchione, an act to amend the Public Officers Law;

Senate 7969, by Senator Valesky, an act to amend the General Municipal Law;

Senate 8004, by Senator Lanza, an act to amend the General Municipal Law;

And Senate 8070, by Senator Amedore, an act to amend the Civil Service Law.

All bills reported direct to third reading.

ACTING PRESIDENT AKSHAR: Floor Leader.

SENATOR DeFRANCISCO: Move to accept the Rules report.

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

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed, nay.

(No response.)

ACTING PRESIDENT AKSHAR: The report is accepted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: May we now return to messages from the Assembly.

ACTING PRESIDENT AKSHAR: We will return to messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Avella moves to discharge, from the Committee on Agriculture, Assembly Bill Number 1231B and substitute it for the identical Senate Bill 6842B, Third Reading Calendar 1690.

Senator Little moves to discharge, from the Committee on Rules, Assembly Bill Number 10255 and substitute it for the identical Senate Bill 7637, Third Reading Calendar 1699.

Senator Bonacic moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 10121 and substitute it for the identical Senate Bill 7788, Third Reading Calendar 1704.

Senator Bonacic moves to discharge, from the Committee on Codes, Assembly Bill Number 10357 and substitute it for the identical Senate Bill 7807, Third Reading Calendar 1705.

Senator Marchione moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6959A and substitute it for the identical Senate Bill 7958, Third Reading Calendar 1711.

And Senator Valesky moves to discharge, from the Committee on Local

Government, Assembly Bill Number 10351A and substitute it for the identical Senate Bill 7969, Third Reading Calendar 1712.

ACTING PRESIDENT AKSHAR: The substitutions are so ordered as read.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I'd like to compliment the desk at its alacrity in moving these various things back and forth between the houses. It's going very smoothly, and thank you.

We have at our desks Senate Supplemental Calendar Number 53A, and these are the bills that we just accepted from the Rules Committee. Would you please do the noncontroversial reading of that calendar.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 1634, by Senator LaValle, Senate Print 23A, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1655, by Senator Martins, Senate Print 213A, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Krueger to explain her vote.

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

While the commuter tax for the MTA has been quite a -- the Metropolitan Commuter Transportation Mobility Tax, let me get that one correct, has been controversial from the very

beginning. But the concept that today we would pass a law to specifically exclude political subdivisions from having to pay it, except not exclude the City of New York from the bill -- allowing the political subdivisions in the other seven counties of the MTA region to exempt that cost for themselves, but not exempt the City of New York -- is yet again another example of this house treating one locality in New York State, the City of New York, differently than it treats every other locality. And hence I'm voting no.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1655, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hamilton, Hoylman, Krueger, Montgomery, Peralta, Perkins, Rivera, Serrano and Squadron. Also Senator Persaud. Also Senator Addabbo.

Ayes, 47. Nays, 14.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number

1660, by Senator Marcellino, Senate Print 449, an act to amend the Executive Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1669, by Senator Marcellino, Senate Print 735, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce

the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1670, by Senator Golden, Senate Print 1706A, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1671, by Senator Young, Senate Print 1983A, an act to amend the Social Services Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 120th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 1671, those recorded in the negative are Senators Comrie, Dilan, Gianaris, Hoylman, Krueger, Panepinto, Peralta, Perkins, Rivera and Squadron.

Ayes, 51. Nays, 10.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1672, by Senator Gianaris, Senate Print 2383, an act to amend the Penal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 15th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1673, by Senator Parker, Senate Print 2655, an act to amend the Penal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1674, by Senator Griffo, Senate Print 2718A, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 60th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1675, by Senator Young, Senate Print 3419C, an act to amend the Insurance Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 13. This act shall take effect January 1, 2017.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number

1676, by Senator Savino, Senate Print 3676A, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Kaminsky to explain his vote.

SENATOR KAMINSKY: Thank you, Mr. President.

I rise today to explain my vote in the affirmative and to thank the sponsor for this innovative legislation.

After Hurricane Sandy, especially on the South Shore of Long Island, Staten Island, and several other unfortunate places, people found that after rebuilding it was difficult to deal with insurance companies, difficult to deal with government bureaucracy. And on top of that, flood insurance was just simply pricing them out of the area.

Allowing our businesses and our

homeowners to find it affordable to live near the shore is what we must continue to do, and I commend the sponsor on this important bill. We need more like it, and I vote in the affirmative.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1677, by Senator Flanagan, Senate Print 3940A, an act to amend the Penal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1678, by Senator Lanza, Senate Print 4617A, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2016.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1679, by Senator Funke, Senate Print 4744, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: In relation to Calendar 1679, those recorded in the negative are Senators Comrie, Hoylman, Perkins and Serrano.

Ayes, 57. Nays, 4.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1680, by Senator LaValle, Senate Print 4799D, an act to grant authority.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill

is passed.

THE SECRETARY: Calendar Number 1681, by Senator Valesky, Senate Print 4826A, an act to amend the Public Authorities Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1682, by Senator Golden, Senate Print 5000B, an act to amend the Correction Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 14. This act shall take effect on the first of November.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 58. Nays, 3. Senators Montgomery, Perkins and Rivera recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1683, by Senator Savino, Senate Print 5218A, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1684, by Senator Funke, Senate Print 5432A, an

act to amend the Agriculture and Markets Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1685, by Senator Amedore, Senate Print 5498A, an act to establish.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1686, by Senator Hamilton, Senate Print 6220B, an act in relation to enacting.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Hamilton.

SENATOR HAMILTON: Mr. President, I rise to state that this bill is very important to me. Youth violence is a matter that affects all of us in New York State. And I'm glad we're going to start a task force to look at youth violence.

Especially with what's happened in Orlando, Florida, we need to let children know that there are other ways to solve differences rather than fighting and murdering one another.

So I just want to thank everyone in the chamber who voted and supported me on this bill. Thank you.

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

Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1687, by Senator Funke, Senate Print 6232A, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President. I rise to explain my vote no.

I feel very strongly that our tax policies must reflect our belief in the

separation of church and state. And so while certain times of year, certain trees are used for religious purposes, I don't believe we can support a tax exemption because they are being used for a specific religion or set of religions at a certain time of year.

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

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

Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1688, by Senator Golden, Senate Print 6703, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1689, by Senator Griffo, Senate Print 6743, an act granting.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1690, substituted earlier by Member of the Assembly Jaffee, Assembly Print 1231B, an act to

amend the Agriculture and Markets Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1691, by Senator Lanza, Senate Print 7116, an act to amend Chapter 154 of the Laws of 1921.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 6. This act shall take effect upon the enactment.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1692, by Senator Hassell-Thompson, Senate Print 7300, an act relating to.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1693, by Senator Avella, Senate Print 7403, an act to amend Chapter 395 of the Laws of 2008.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1694, by Senator Hannon, Senate Print 7439, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1695, by Senator Ortt, Senate Print 7468, an act establishing.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1696, by Senator Murphy, Senate Print 7482, an act to amend the Tax Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1697, by Senator Akshar, Senate Print 7495, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 30th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1698, by Senator Robach, Senate Print 7514A, an act authorizing.

ACTING PRESIDENT AKSHAR: 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 AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

SENATOR DeFRANCISCO: Can you tell me what Calendar Number just passed?

ACTING PRESIDENT AKSHAR: 1698, Floor Leader.

SENATOR DeFRANCISCO: That's fine. Thank you.

(Laughter.)

THE SECRETARY: Calendar Number 1699, by Member of the Assembly --

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

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

THE SECRETARY: Calendar Number 1700, by Senator Ortt, Senate Print 7668A, an act directing.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1701, by Senator Murphy, Senate Print 7724A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1702, by Senator Bonacic, Senate Print 7755, an act relating to the eligibility.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1703, by Senator Ortt, Senate Print 7758, an act

to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1704, substituted earlier by Member of the Assembly Quart, Assembly Print 10121, an act to amend Chapter 538 of the Laws of 2013.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce

the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1705, substituted earlier by Member of the Assembly Simotas, Assembly Print 10357, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1706, by Senator Gallivan, Senate Print 7853A, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1707, by Senator Amedore, Senate Print 7860, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1708, by Senator Murphy, Senate Print 7891, an act to direct.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1709, by Senator Little, Senate Print 7903A, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1710, by Senator Hannon, Senate Print 7945, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1711, substituted earlier by Member of the Assembly Galef, Assembly Print 6959A, an act to amend the Public Officers Law.

ACTING PRESIDENT AKSHAR: Read the

last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1712, substituted earlier by Member of the Assembly Otis, Assembly Print 10351A, an act to amend the General Municipal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill

is passed.

THE SECRETARY: Calendar Number 1713, by Senator Lanza, Senate Print 8004, an act to amend the General Municipal Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

Well, this is a new bill this year, a one-house bill. I don't believe it went through any committee other than Rules.

And to be honest, I don't know whether there's a reasonable argument for this bill or not. It would change the way New York City collects its property tax. It would apparently take a significant amount of untaxable property off the rolls in a certain way, resulting in either the City of New York having

to reduce the amount of property tax it collects, or require them to increase property taxes somewhere else for somebody because they could no longer use what they now call the reserve amount as a calculation in their assessments and collection.

It's the kind of bill that actually should be looked at very carefully. It's the kind of bill perhaps we should even have public hearings on in relationship to the overall system of New York City property taxes.

For the record, this house has any number of times since I have been here urged the City of New York to reevaluate their entire property tax system, modernize it, ensure fairness and equity to everyone who lives in the City of New York and pays their property taxes.

If I understood this bill better, if I understood who were the winners and who were the losers if this became law, I might be convinced it was a good idea. What I know is not a good idea is to pass a bill that no one in this house actually understands the impacts of today. It impacts the one system of taxation the City of New York controls for itself.

The City of New York doesn't even have a memo pro or con, perhaps because no one even realized this bill existed and was going to come for a vote today. I don't know.

I think "I don't know" is the correct sentence for this bill. And in the absence of knowing, I'm voting no.

Thank you, Mr. President.

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

Announce the result.

THE SECRETARY: Ayes, 59. Nays, 2. Senators Krueger and Squadron recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Excuse me. In relation to Calendar 1713: Ayes, 58. Nays, 3. Senators Hoylman, Krueger and Squadron recorded in the negative.

ACTING PRESIDENT AKSHAR: The bill is still passed.

THE SECRETARY: Calendar Number 1714, by Senator Amedore, Senate Print 8070, an act to amend the Civil Service Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 20. This act shall take effect immediately.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT AKSHAR: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of Supplemental Calendar 53A.

SENATOR DeFRANCISCO: I would like to now call an immediate Republican conference in Room 332. And stand at ease in the meantime.

We will be at ease momentarily, and thank you.

ACTING PRESIDENT AKSHAR: There will be an immediate meeting of the Republican Conference in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease

at 4:15 p.m.)

(Whereupon, the Senate reconvened at 5:55 p.m.)

ACTING PRESIDENT AKSHAR: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now return to the controversial calendar. And I'm asking if you would please call up Calendar Number -- one second.

We are going to take up Calendar Number 913, please.

ACTING PRESIDENT AKSHAR: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 913, by Senator Lanza, Senate Print 4505, an act to prohibit the expenditure.

ACTING PRESIDENT AKSHAR: Senator Squadron.

SENATOR SQUADRON: Thank you.

If the sponsor would yield for a question.

ACTING PRESIDENT AKSHAR: Does the sponsor yield to a question?

SENATOR LANZA: Yes, Mr. President.
ACTING PRESIDENT AKSHAR: The sponsor yields.
SENATOR SQUADRON: Thank you.
I was wondering if the sponsor would tell me whether this bill, Senate Print 4505, is the same bill that we have debated in prior years.
SENATOR LANZA: Why yes, Mr. President, it is.
SENATOR SQUADRON: Thank you. On the bill, Mr. President.
(Laughter.)
ACTING PRESIDENT AKSHAR: On the bill.
SENATOR SQUADRON: Thank you.
ACTING PRESIDENT AKSHAR: Senator Squadron on the bill.
SENATOR SQUADRON: Thank you. I thank the sponsor for his accurate and illuminating response to my incisive question.
This is, as the sponsor says, the same bill that we've debated in prior years. It's a bill that has big ambition relative to national and international affairs that I'll

speak about in a moment, but has a very local impact.

We all represent districts made up of constituents and neighborhoods, communities. My district happens to include the courthouse for the -- the Southern District of the State of New York and the Eastern District of the State of New York federal courthouses. They would be significantly impacted by this bill.

I understand that when it comes to issues of Guantanamo Bay and enemy combatants and how we defend ourselves against the true risks of terrorism, the political winds blow strongly. However, to all of my colleagues, I urge you to remember that those issues are critical but our primary responsibility are to our very own districts, to the neighborhoods and communities that we represent.

This bill, were it to move forward and become law, would prevent local law enforcement from protecting my constituents, my communities, in the event that folks who were defined as enemy combatants were tried in those courthouses. That, whatever our broader goals, whatever our broader concerns or levels of

disagreement, is absolutely unacceptable.

My district shoulders more than its fair share of the burden by hosting the Southern District and Eastern District Courthouses and many other critical federal and state infrastructures. To burden my district with a prohibition on protecting the citizens and the businesses with local law enforcement and state law enforcement is absolutely unacceptable, and I know each one of my colleagues would say the same about their own districts.

We must not allow broader political issues or concerns to create a circumstance where anyone's constituents, anyone's communities or neighborhoods, have their hands tied when it comes to protecting them, especially when you're talking about the NYPD, the New York City Police Department, which is the world's best when it comes to preventing and fighting against risks of terrorism. The idea that we would take parts of my district, on both sides of the Brooklyn Bridge, and prohibit them from getting that support is something that I think we can all join in supporting my communities against this bill.

I would also point out this is not

an academic issue. On May 24th of this year, the Southern District brought charges against Sajmir Alimehmeti for providing material support to ISIL or ISIS, including military knives and equipment. Presumably Mr. Alimehmeti will be tried in the Southern District Courthouse, just a few blocks from residences and schools in my district -- and, were this bill law, potentially it could be without the protection of NYPD for any of the associated security needs, or the State Police.

You know, it's particularly difficult to know when this would apply and when it wouldn't, since the phrase "enemy combatant" used in this bill was actually in 2009 done away with by the Obama administration. It is no longer a phrase or a definition that is used by the federal government.

In prior years the sponsor and I have discussed in detail how one would define who an enemy combatant is or not, and I've been told that it would be based on the federal definition. Well, there is not an active federal definition that's consistent with the one it was before 2009. And, while it still exists, for purposes of the Geneva Convention, it changed in 2002 and

again in 2009 and may change again in the future.

That sort of evolving federal definition should not be something on which we hinge the ability to protect local communities in our district. In fact, the phrase "enemy combatant" or "unlawful enemy combatant" was used to justify things like stripping detainees of their habeas corpus and other rights, which no longer apply at the time they are being tried in a civilian courtroom.

So does this bill apply to current enemy combatants, prior enemy combatants, people who some percentage of us in this room might consider to be enemy combatants? It's not defined in this bill. And that's an additional problem.

If I were to go into another borough or another county and say because of something the federal government is doing, because of a land use policy or something else, you don't deserve the protection of local law enforcement, it would be unacceptable. We don't do that to each other's districts, and that is the impact of what this bill would do.

I know that the district I represent

is central in many of our minds. We suffered the attacks of September 11th in a primary way. We are full of some of the most extraordinary landmarks in the country or the world, the Statue of Liberty and Ellis Island, the Brooklyn Bridge, the World Trade Center site and the extraordinary memorial that has been built there to the tragedy of September 11, 2001, New York Harbor -- it is a district that rightfully all of us focus on, and I appreciate the shared focus from my colleagues.

However, it does not change the fact that at the end of the day I have about 300,000 constituents who are making their lives in these neighborhoods, trying to get by, sending their kids to school, playing in Little League on the weekends, just like in every other district in this state. And the idea that we should allow local law enforcement to be hamstrung in protecting them is unacceptable. I urge my colleagues to join me in voting no.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Squadron.

Senator Lanza.

SENATOR LANZA: Thank you,

Mr. President. On the bill.

What this bill simply says is that when a foreign enemy combatant wages war against the United States of America, that this state, the people of this state would not pay for a civil criminal trial of that enemy combatant.

Now, I must say that if what Senator Squadron is suggesting would happen is true, I would completely agree with him. His district or any district in this state should not be deprived of public protection under any circumstances.

But the idea behind this bill is this. It seeks to cause one of two results. First, the hope which motivated me to author this legislation is that if this were to become the law in the State of New York, the federal government would decide not to offer civil criminal trials to foreign enemy combatants waging war against the country and would, in the alternative, try them where they ought to be tried, which is in a military tribunal. The same place, by the way, an American soldier would be tried if an American soldier were to be accused of any wrongdoing. And as I've said in the past as we've discussed and debated this bill, if it's

good enough for an American soldier, it's more than good enough for a terrorist.

The second potential result in the event that the federal government would still, when faced by this law, persist in offering a civil trial to an enemy combatant, is that the people of the State of New York would not have to pay for it.

So it is my belief that if this were to become law, it is not a question -- through you, Mr. President, Senator Squadron -- of whether or not public protection will be offered, it's a question of who will pay the bill. And I believe, if this were to become the law, in the event that a civil trial were offered, it would be the federal government that would foot the bill and not the people of the State of New York. And of course really my primary motivation is to not even get to that point. And I would rather see that these enemy combatants are tried in a military tribunal.

So that's the point of the law, and I would encourage my colleagues to vote in favor of this. I vote aye.

ACTING PRESIDENT AKSHAR: Senator

Lanza, you will be recorded in the affirmative.

Senator Sanders.

SENATOR SANDERS: Thank you, Mr. President.

I just wanted to point out a technical point to you, my esteemed colleague.

ACTING PRESIDENT AKSHAR: Are you on the bill, Senator Sanders?

SENATOR SANDERS: Yes, I am, on the bill.

If we stop calling them "enemy combatants" and you move them to a military trial, you have elevated them to an equal combatant as to the government. Right now these people may not be government forces. In one sense you would make ISIS an equal to the U.S.

By them doing a civil trial, it is saying that they are not an equal to the U.S. and they would be judged as terrorists. Civil puts them in terrorist. A military trial is saying that they are a combatant, an equal combatant to the U.S. That would not be a wise move, sir.

Thank you very much, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Sanders.

Senator Squadron, you wish to be heard?

SENATOR SQUADRON: Just a brief addendum to agree with the sponsor of the bill. If we could get the federal government to pay more here, we should. In fact, in Lower Manhattan we need more resources from the federal government. So that is a point of significant agreement, and I know the ultimate goal of the sponsor here.

At the end of the day, we come down on different sides of this bill. But I do want to point out, to be very clear, the sponsor and I agree the federal government should be doing more to provide aid and support for the security needs and resiliency needs and a whole lot of other in Lower Manhattan and elsewhere in the city.

Thank you. I'm still a no.

ACTING PRESIDENT AKSHAR: Senator Squadron to be recorded in the negative.

Are there any other members wishing to be heard?

Seeing none, the debate is closed. The Secretary will ring the bell.

Senator Marcellino.

SENATOR MARCELLINO: Yes, Mr. President. If possible -- and I'm sure it is -- if we could lay this vote aside and we could take up the controversial reading of Senate 6733, by Senator Funke.

We're going to come back to the vote later, but we're going to debate, at this point in time, Senate 6733.

ACTING PRESIDENT AKSHAR: Calendar Number 913 will temporary be laid aside.

The Secretary will read.

THE SECRETARY: Calendar Number 1566, by Senator Funke, Senate Print 6733, an act to authorize.

ACTING PRESIDENT AKSHAR: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. Would the sponsor yield for some questions?

ACTING PRESIDENT AKSHAR: Will the sponsor yield?

SENATOR FUNKE: Yes, certainly.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR HOYLMAN: Thank you.

Mr. President, could I receive an explanation of the bill from the sponsor?

SENATOR FUNKE: Sure. This was a bill that was put into statute by Senator Little in 2015. It was a bill to create an award, but it was a bill that was -- at the time we needed to authorize that award to be given out.

And this bill is the Edward Hopper Award that is given to an artist born in New York State who has done the bulk of his work in New York State. It's an award given by the New York State Council on the Arts.

SENATOR HOYLMAN: Thank you.

Would the sponsor continue to yield?

ACTING PRESIDENT AKSHAR: Does the sponsor continue to yield?

SENATOR FUNKE: Sure.

SENATOR HOYLMAN: As I understand it, we passed this bill in 2015. What is different in this version of the legislation?

SENATOR FUNKE: This just permits the authorization of the money to be spent by the New York State Council on the Arts and actually distribute the $10,000 award if they see fit.

SENATOR HOYLMAN: Would the sponsor

continue to yield?

ACTING PRESIDENT AKSHAR: Will the sponsor continue to yield?

SENATOR FUNKE: Yes.

SENATOR HOYLMAN: The primary goal of the legislation is certainly laudable, to clarify that the New York State Council on the Arts can award these certificates of merit, the Edward Hopper Award. Edward Hopper was a painter who actually lived in my Senate district.

But there's language in the bill that is concerning. Can the sponsor explain why these awards should be limited only to candidates who were born in New York State?

SENATOR FUNKE: Through you, Mr. President, the bill says "shall be permissible." It does not require, first of all.

And second of all, it's specific to this particular award. There can be other awards that the Council on the Arts may see fit to disseminate to other individuals who may not necessarily have to be born in New York State. There are any number of awards and scholarships across our state and a lot of platforms that have specific requirements attached to them, and

parameters, and this is one that we felt was a good one, since he was born here in New York State -- since this is an award that bears his name, since he did all of his work here in New York State, since this is an award that's going to be given in his name, Edward Hopper -- that that should go to somebody born in New York State.

ACTING PRESIDENT AKSHAR: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT AKSHAR: Does the sponsor continue to yield?

SENATOR FUNKE: Yes.

SENATOR HOYLMAN: So does the sponsor agree that the bill does require that the recipient be born in New York State?

SENATOR FUNKE: That's what the bill says.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FUNKE: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR HOYLMAN: Is the sponsor aware of any other awards issued by New York State that are limited only to people who were born in the state?

SENATOR FUNKE: Issued by New York State?

SENATOR HOYLMAN: Yes.

SENATOR FUNKE: I do not. There are no other awards in statute that I know of that require somebody to be born in New York State. But there could be in the future, or there may not be in the future.

But there are, as my point was, there are any number of honorariums and scholarships and so on across a wide range of platforms that have specific requirements attached to them in order to access those dollars.

This is just one. And as I said, it shall be permissible, it does not require the State Council on the Arts to release that money in that fashion.

ACTING PRESIDENT AKSHAR: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor

continue to yield?

SENATOR FUNKE: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR HOYLMAN: So the sponsor agrees that the award is, as I understand it, limited only to New York State natives. So for example, an artist who was born in Pennsylvania, moved to New York City at age 21, he spent the next four decades painting, taking photographs, filmmaking, would he be eligible for this award?

SENATOR FUNKE: Not for this specific award, he would not. He might be eligible for some future award.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FUNKE: Yes.

SENATOR HOYLMAN: So Andy Warhol would not be eligible for this Edward Hopper Award.

Under this bill -- would the sponsor continue to yield?

ACTING PRESIDENT AKSHAR: Does the sponsor yield?

SENATOR FUNKE: Yes.

SENATOR HOYLMAN: So just to take another example, a painter who was born in Wyoming, moved to Long Island, spent the better part of the rest of his life revolutionizing a groundbreaking style of abstract expressionism art, would he be eligible for the award?

SENATOR FUNKE: No.

ACTING PRESIDENT AKSHAR: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FUNKE: Yes.

ACTING PRESIDENT AKSHAR: He continues to yield.

SENATOR HOYLMAN: Jackson Pollock would not be eligible for this award.

And would the sponsor continue to yield?

ACTING PRESIDENT AKSHAR: Does the sponsor yield?

SENATOR FUNKE: Yes. I'd like to point out that the Edward Hopper Award, in Edward Hopper's name, again goes to somebody who was born in New York, like Edward Hopper, in Upper Nyack, who did all of his work here in New York

State. That's why it bears his name. That's why the parameters are put on this particular award the way they are.

We could have the Andy Warhol Award, and the New York State Council on the Arts might want to create that down the road.

ACTING PRESIDENT AKSHAR: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FUNKE: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR HOYLMAN: And just another question, let's say that this artist was born in England, moved to the Catskills, embarked on an artistic career that is inextricably linked to New York State's Hudson River Valley. Would this individual be eligible for the award?

SENATOR FUNKE: Not for the Edward Hopper Award.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT AKSHAR: Does the sponsor continue to yield?

SENATOR FUNKE: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR HOYLMAN: So Thomas Cole, the founder of the Hudson River Valley --

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

Senator Hoylman.

SENATOR HOYLMAN: Thomas Cole, the founder of the Hudson River Valley School, would not be eligible for this award.

On the bill, Mr. President.

ACTING PRESIDENT AKSHAR: Senator Hoylman on the bill.

SENATOR HOYLMAN: Thank you.

My point is that we have in New York State a number of world renowned artists -- Andy Warhol, Jackson Pollock, Thomas Cole -- none of whom happen to have been born in the State of New York but are deeply intertwined and recognized with the history and culture of New York.

To suggest that we should have an award that on its face excludes individuals

simply because of their birth seems self-limiting, shortsighted, and would not, in my opinion, contribute to what is the worthy goal of the Edward Hopper Award, which is to foster creativity and encourage fine arts.

You know, Mr. President, New York is the growth capital of culture. According to a recent report, the number of jobs in New York City alone from 2003 to 2013 in the creative workforce went from 7.1 percent in the nation to 8.1 percent. We depend on culture and arts, not just because we like to look at beautiful paintings, but because it's an attraction to the rest of the country and the world. We need to continue to attract talent in New York State. And by having great artists amongst us, that helps that cause.

The other reason I think we should oppose this is that we have quite a tradition in New York of welcoming immigrants. And it's not just non-native New Yorkers who have contributed in the artistic world, but in every facet of our economy and our lives. And I think, sir, that by limiting this award to native New Yorkers, we don't recognize that.

There should be no "No non-native New Yorkers need apply" rule here or in any award that's given by the State of New York. It baffles me that we would shut out so many potential artists who could apply for the Edward Hopper Award, and at the same time create a disincentive for artists to move to New York. So I'll be voting in the negative.

Thank you.

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

Are there any other members wishing to be heard?

Seeing none, the debate is closed.

The Secretary will ring the bell.

Senator Marcellino, you wish to be heard?

SENATOR MARCELLINO: Yes, Mr. President. What I'd like to do is to take the vote on this particular bill and lay it aside temporarily.

And when Senator Bonacic comes in, which he's on his way now, I'd like to take up Senate 5302D for controversial debate.

ACTING PRESIDENT AKSHAR: So I

understand you, Senator Marcellino, you wish to lay this one aside temporarily as well?

SENATOR MARCELLINO: When we finish the debate on Senator Bonacic's bill, we're going to vote on all three bills in succession. One at a time.

ACTING PRESIDENT AKSHAR: So we will lay aside Calendar Number 1566 temporarily.

We'll take up the next bill as soon as Senator Bonacic enters the room, which he has.

Senator Bonacic, welcome.

SENATOR BONACIC: Thank you, Mr. President. Good to see you.

ACTING PRESIDENT AKSHAR: You as well, sir.

The Secretary will read.

THE SECRETARY: Calendar Number 1402, by Senator Bonacic, Senate Print 5302D, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT AKSHAR: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

If the sponsor would please yield

for some questions.

ACTING PRESIDENT AKSHAR: Will the sponsor yield?

SENATOR BONACIC: Yes, Mr. President.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Can the sponsor explain to me how this bill actually is constitutional?

SENATOR BONACIC: Of course. That's easy.

First of all, it is a game of skill. And once we establish it as a game of skill, and it's not gaming, therefore it's not gaming, not gambling. And let me continue, if I may.

SENATOR KRUEGER: Through you, Mr. President, if the --

SENATOR BONACIC: May I continue the answer?

SENATOR KRUEGER: Oh. Oh, I'm so sorry. Yes.

SENATOR BONACIC: Article 1, Section 9, of the New York State Constitution prohibits gambling except for the following. We

know charitable gaming, we know the State Lottery, we know horse racing and casinos. However, the Constitution does not require a constitutional amendment, as it provides legislative findings that Texas Hold'em and Omaha Hold'em are games of skill, not chance, and therefore not gambling under the New York State Constitution.

ACTING PRESIDENT AKSHAR: Senator Krueger.

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

SENATOR BONACIC: Yes, of course.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Thank you.

Does the sponsor have an opinion on the constitutionality of this from the State Attorney General?

SENATOR BONACIC: No, we don't need it. The answer is no, because in our opinion it wasn't needed.

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

please.

ACTING PRESIDENT AKSHAR: Senator Bonacic?

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: A section of the bill -- let's see, subdivision -- it's section 2, page 7 in my printout, Section 2, Subdivision 1, Section 22.5 of the Penal Law would be amended to read as follows. It lists a contest of chance, meaning any contest, game, gaming scheme or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor.

So in the words "in a material degree" are removed and the word "predominantly" is added.

Does the sponsor have any concern that changing Penal Law and the definition of gaming will result in prosecutors not being able to go after many other kinds of gaming or gambling in this state that aren't recognized as legal?

We've had this in the law since 1905. So might the sponsor share my concern that removing it from the law would actually open us up to many other kinds of gaming activity suddenly being interpreted as not illegal?

SENATOR BONACIC: No.

ACTING PRESIDENT AKSHAR: Senator Krueger.

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

SENATOR BONACIC: I will, of course.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Thank you.

On the bill, I don't agree with the sponsor's analysis. I do think it opens us up to new language where prosecutors may not be able to go after backroom illegal gambling, other forms of poker games, et cetera.

Now if the sponsor would continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The

sponsor yields.

SENATOR KRUEGER: Thank you.

How many other states currently have approved online poker?

SENATOR BONACIC: Three. Delaware, New Jersey, and Nevada.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: How did the sponsor calculate that it should be 11 companies and a $10 million license fee for each? What was basis of that?

SENATOR BONACIC: What motivated that was that the racinos and casinos all have given us a letter of support for online gaming, and that it would have to be at mortar-and-brick operations.

So that's how we arrived at the 11 licenses. Each license, each operator that wanted to have a platform for online gaming would have to locate it at a racino and pay the

$10 million for a 10-year period.

In addition, it's anticipated that from online gaming -- and this is just information we've gotten from Caesars and MGM when they did it in Vegas, anywhere from $33 million to $45 million the first year. And that would be earmarked for education.

In addition, every racino would take, as part of the platform, part of that action. So they would be making money themselves, and then there's a tax of 15 percent.

Now, what inspired us to do this, we know that there are illegal online gaming operations going on in the State of New York. And by passing this legislation, we could then regulate it, we can monitor it, we could put consumer protections in, and we can raise money for education. That was the motivation to do this, and job creation. Because every one of these platforms of online poker located at a racino will result in more jobs in the State of New York.

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

SENATOR BONACIC: Yes, I will.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So I believe the sponsor just answered that the only companies that would be allowed to apply for the 11 licenses are the 11 casino/racino licensees in the State of New York already. Did I understand?

SENATOR BONACIC: I think the short answer is yes. But as a practical matter, what happens -- like happened in New Jersey -- is that let's say a Vegas company wants to get involved, so they form a partnership with an existing in this case racino, and then they be -- they would have part of that enterprise.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So -- because I'm afraid I've been confused. So who is applying for the license, the casino or some partnership they join with someone else who doesn't currently

have a casino in New York?

SENATOR BONACIC: Well, first of all, we know under this bill the racinos are the prime applicant to apply for the license. Okay? We don't know yet if other interests outside the State of New York will come and want to partner with the racino. But we are giving priority to a New York gaming operation that now provides close to $900 million a year for education.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So we would license said casino, they might go into their own separate business deal with someone else who doesn't already have a license to do any kind of gambling in New York State. Would the State of New York have the right to say we think that's a bad actor, we don't want you to go into business with X company even though we've given you a license to run online poker?

SENATOR BONACIC: The Gaming

Commission would review all those applications, and they would be the determining factor.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So in certain other states there's been language within their legislation about what they refer to as no-bad-actor clauses in their statutes, so that companies who have been found to be bad actors in gambling could not do business in their state.

I can't find that clause in this bill. Can the sponsor direct me to it?

SENATOR BONACIC: I don't think you're giving enough credit to the Gaming Commission. They will review the eligibility of any outside applicant. They will look at deep pockets. They will look at prior experience in whatever else they've been involved in, especially, you know, if there was a casino from a Vegas interest.

And most of the interest, if it's

going to come, is going to come from the heavyweights from Vegas wanting to get involved in the New York market.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So if I understood the sponsor's previous answer to my question, the state wouldn't have the authority to say, No, Casino X, even though we have licensed you to be one of the 11 online poker companies in New York State, we wouldn't have the authority to say "and you cannot go into business with, for example, Amaya, a company which is facing serious charges from the Quebec securities regulators at this time.

Where in this bill does it ensure that our State of New York could stop the 11 licensed casino poker holders from going into business with bad actors?

SENATOR BONACIC: They would review all the applications for a partnership agreement

with any out-of-state or out-of-country concern, for that matter, that wants to have an agreement with an existing racino.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: And they would have the power to pull the license if they didn't like the proposed partners?

SENATOR BONACIC: They would have the power to say no, we're not going to allow you to proceed with this partnership.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So technically they're 10-year licenses with a cost of $10 million, but we could pull that license at any time for what basis?

SENATOR BONACIC: I'm sorry, could you please repeat that question, Senator Krueger?

SENATOR KRUEGER: As I read the bill, there will be 11 companies who can get 10-year licenses that they're paying $10 million to receive the license. Can we, the State of New York, pull that license at any time for any reason? And what are those reasons?

SENATOR BONACIC: You mean if things ever went bad, can that be revocable during the 10-year period? Is that your question?

SENATOR KRUEGER: Yes.

SENATOR BONACIC: Okay. I'm reading now, on page 5, item 6: Any person found suitable by the commission may be issued a license as an operator or significant vendor. In determining suitability, the commission shall consider factors it deems relevant in its discretion. A person of good character -- you know, when I say person, it could be company -- honesty, integrity. Prior activities. Criminal records pose a threat to the public interest or the effective regulation and control.

So in my opinion, they could at any

time, if they feel, if they see these factors of suitability going bad -- like you say, a bad actor -- I say they have the power to step in and make suggestions to correct the problem.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor --

SENATOR BONACIC: I'm going to take a step further. I believe they'll have the power to revoke it also. Because when you accept a license, you say: I'm going to apply by the rules of the Gaming Commission, and the regulations. And if they violate those rules, they're going to put their license in jeopardy.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Thank you.

So as I'm hearing the sponsor, he's making the argument that the commission would have the right to pull a license because the section of the law he just read is the section of the law the applicant is supposed to meet the

standards of.

But as he just described in an earlier answer to a question, that applicant may go into future business deals with companies who are not partners with them at the time that they file for the license. So I might be -- name a casino, a racino. I might be Tioga Downs, I apply for a license. I don't have partners at that time, but I later on can bring in partners to the online poker business, and those partners might not meet the standards of the state for being good actors or, in the case of the language, not bad actors.

So the sponsor continues to make the presentation that after the licensing of the company, the commission would still have the authority to pull the license if they went into business with other actors that you thought were a problem.

SENATOR BONACIC: It's continuing suitability. In other words, they always have to comply with the standards and the regulations and the consumer protections. And all of the items that we list -- you know, the character, deep pockets, no criminal record, et cetera,

et cetera -- that's an ongoing review for any new player during the 10-year term.

Just as a practical matter, I don't see many outside interests coming in and partnering, necessarily, with the racinos. I think they're going to like that business themselves and they're not going to need partners.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Thank you.

So the sponsor, in describing the scenario in several other states, talked about the money going to education. Is the money from the licensing or the state's share of the take from the profits required to go to education in this bill?

SENATOR BONACIC: The license fee total of $110 million goes to the General Fund. The proceeds, the 15 percent off the online gaming, would go to education.

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

ACTING PRESIDENT AKSHAR: Does the sponsor yield?

SENATOR BONACIC: Let me take that back. Let me retract that answer.

The money for the online gaming would go in the General Fund, both the 15 percent and the license fee. However, we, the state, could tap that money for the purpose of education if we're so inclined.

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

SENATOR BONACIC: Yes. Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: Thank you.

So the sponsor has answered my question, the money does not go into education. It's true, anytime there's money in the General Fund, we might use some of it for education. But there's no requirement that this be supplemental money for education from this kind of gaming.

SENATOR BONACIC: That's correct.
SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.
SENATOR BONACIC: Yes, I will.
ACTING PRESIDENT AKSHAR: The sponsor yields.
SENATOR BONACIC: Yes.
SENATOR KRUEGER: Is there anything in this bill that prevents Internet online poker websites from using computer programs to represent human players by computer -- i.e., poker bots -- which can be programmed for optimal play and to increase the amount the human players are actually betting? Is there anything in the law that prevents that from taking place?
SENATOR BONACIC: The bill prohibits the use of those bots.
SENATOR KRUEGER: Can you find me the -- excuse me. Through you, Mr. President, can you find me the section that prohibits poker bots or computer-generated --
SENATOR BONACIC: Give me a second.
SENATOR KRUEGER: Sure.
SENATOR BONACIC: Page 6, line 18,

D as in dense: Appropriate safeguards to ensure to a reasonable degree of certainty that the interactive gaming is fair and honest and that appropriate measures are in place to deter, detect and, to the extent reasonably possible, to prevent cheating, including collusion and use of cheating devices, including use of software programs, sometimes referred to as bots, that make bets or wagers according to algorithms.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR BONACIC: Yes.

SENATOR KRUEGER: How will we, the State of New York, have access to the computer systems of the companies doing business with the licensees to make sure that that's not happening?

SENATOR BONACIC: The Gaming Commission has to approve the platform that is put forth to make sure that those kinds of devices are not included in the platform in any way.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: I appreciate the sponsor's answers.

While it's always -- it's difficult to monitor computerized businesses because they don't have a nexus necessarily in the State of New York, they are somewhere on servers in the ether, in the cloud, you're going online. How will the State of New York be able to continuously access and regulate that these aren't added to the system? Will it have to be open-source software? Will it have to be open source to the Gaming Commission regulators?

SENATOR BONACIC: First of all, that's a good question.

SENATOR KRUEGER: Thank you.

SENATOR BONACIC: And I like the depth of your question.

The Gaming Commission has to have access to all the software. When we went to

New Jersey and we met with the gaming regulators, all the software had to be presented to them and be approved by them before the platform could be set up.

And you realize, with this online poker, they now have the technology to identify every person that's playing has to be in the State of New York, has to be over 18 years of age, and they know where they are located. So that is all built in in the technology.

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

SENATOR BONACIC: Yes, I will.

ACTING PRESIDENT AKSHAR: The sponsor yields.

SENATOR KRUEGER: So we just had the discussion about bots being built in to advantage the company over the players. There's also a scenario, apparently -- because this has been being done in other states and other countries, and illegally right here in New York State -- a model where the online gambler believes that their opponents are all out there individually working off the same system they

are, but in fact there is collusion going on where multiple online players are actually physically together and colluding to win against the person sitting in their home playing.

What in our law would prevent this kind of human collusion versus the bot collusion?

SENATOR BONACIC: I think what we found out in Jersey is that they examine betting patterns. And they also have the address of where these bets come from. And they become pretty expert to detect, you know, the things you're speaking about, to try to prevent that collusion from happening.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: When the sponsor says "address," does the sponsor mean IPS {sic} address for the computer?

SENATOR BONACIC: Yes, I do. I do.

SENATOR KRUEGER: But in fact in the example I just gave, it could be four people

with their laptops sitting in one room colluding, versus the other player somewhere believing they had a fair shot at winning when in fact there was collusion going on.

How could we track that? Because the IPS for the --

SENATOR BONACIC: If you had four people in the same room playing with the same computer, it would still --

SENATOR KRUEGER: Four computers in the same room. Four laptops sitting together. Through you, Mr. President.

SENATOR BONACIC: As I understand it, it would still be the IPS address.

SENATOR KRUEGER: Through you, Mr. President, I think that would only be true if they were all on the same wireless network, not if they were -- my understanding is you can use these games on a cellphone, a smartphone, an iPad, a laptop computer. So --

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

SENATOR KRUEGER: I'm asking a question, through you, Mr. President.

Since that's my understanding of how it happens, I don't understand the sponsor's answer that they would be able to track by address.

ACTING PRESIDENT AKSHAR: Senator Bonacic, can you clarify your answer?

SENATOR BONACIC: Yeah.

Senator Krueger, they're still going to analyze the betting patterns.

You know, the thrust of many of your questions seems to be that -- how do we get rid of the cheats or those that want to beat the system on online gaming. And what I'm suggesting to you is that the gaming regulations are tight. They monitor, they regulate. They do talk to people in New Jersey to see -- so they can get up to speed and do it efficiently if and when this were to proceed.

But I believe it's a very insignificant portion of online gaming that you're concerned about, and it doesn't go to the thrust of whether or not online gaming is something that deserves merit or not.

And I don't mean to demean your path of questioning. But, you know, I would probably

have to have technology people come in here that have worked with this stuff, more intelligent than I, to try to answer your questions, maybe with perhaps more clarity.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: Thank you.

I think the sponsor is getting at some of the concerns I have with online gaming, which is it's a whole new world of transference of your money to someone out there. It's not bricks and mortar. With a bricks-and-mortar gambling arrangement, there are people walking around, you can theoretically see what's going on. While here, it's all on a computer or a phone through the Internet.

And so there has been some research raising questions about that with Internet access to computer gambling, the opportunity for fraudulent activity is enormous. And the ability for someone who may be defrauded for getting

resolution to the problem is extremely difficult.

So if the sponsor would continue to yield.

SENATOR BONACIC: I would.

And there are 11 other states that this is pending in.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: Under this law, if I chose to participate in online poker and at some later date it was discovered that in fact that company, whoever it was, or their subsidiary or their contracted, I don't know, online whomever, had in fact been defrauding players, would the state make good to the players who were defrauded? Could the state make the companies make good to the defrauded players for their loss of bets?

SENATOR BONACIC: Senator Krueger, there was incidents back in 2011 where this actually happened, where in Internet poker they tapped the money, the bets, and took it away. And the U.S. Attorney General moved in and created a settlement of about $750 million and returned the money.

As we go forward with this online gaming, the money has to be segregated and escrowed in an escrow account. It cannot be commingled with any other operating expenses of the vendor. Like an attorney escrow account, this would be like a vendor's escrow account, which would be monitored to ensure that that happens.

That's one of the consumer protections of this legislation that may not exist with the illegal online stuff going on.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: A common pattern to draw people into playing online poker and other online gaming activities is to offer free-to-play versions of the game, which of course then get people comfortable playing before they start the real betting, can get young people not legally eligible to play involved in the gaming.

Is there anything in this bill that would prevent these licensees from offering free-to-play versions?

SENATOR BONACIC: Okay. First of all, you have to be 21 in order to play online gaming. You have to verify with the applicant that -- they do a background check, they have to prove that they are 21. And so anyone under 21, you know, will not have access to play this game. Unless they have an adult in the room and they're, you know, telling the adult to bet for me. But as a practical matter, anyone under 21 cannot play.

And free play is probably something they do now with racinos, and they will in casinos, and they probably will do in online poker, to get people interested in playing online poker, as you would to come to a racino or a casino.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: I am over 21, I open up the account. How does anyone know whether I have given access to someone under 21 to use my account to play?

SENATOR BONACIC: Well, the question is when I want to set up an account, I have to prove I'm over 21. Okay? When they want to set up an escrow account to bet, so they place money with the vendor in an escrow account. And that's what they play off. All right?

Your question is how do you prevent an applicant who's over 21 from letting someone under 21 play? Would that be the same question as if you're allowed to use marijuana in Colorado, why wouldn't I let my children use it?

I mean, there's some things that's commonsense and practical. Maybe that may go on in an extremely isolated case. But I don't see a father or a mother trying to get their kids involved in online gaming. Maybe fantasy sports, but not online gaming.

(Laughter.)

SENATOR KRUEGER: We can save that debate till whenever you like.

Through you, Mr. President, if the

sponsor would continue to yield.

SENATOR BONACIC: Yes, of course.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: So the sponsor assumed a parent was doing this for their child. Not so likely. The scenarios of teenagers getting 21-year-olds to buy them liquor, cigarettes, perhaps in certain states marijuana, is usually not the story of getting a parent to do it.

But if I am a teenager who wants or has already developed an addiction for this game, I find some adult -- probably not the most responsible adult, probably not a parent -- to open an account, and I'm putting the money in. How will we ever know that and be able to stop that?

If I'm under 21 and I walk into a casino, somebody's going to, I assume, ID me and say it's not a legitimate ID and not allow me to play. But I don't think there's a parallel safety valve in online gaming.

SENATOR BONACIC: First of all, if you get someone under 21 that wants to play this

game, normally the adult is putting up the money. Normally. So I would think an adult who's putting up the money may not want to allow someone under 21 to play.

But assuming it's the one under 21 that's putting up the money, okay, when they apply, that person that's 21, they check their bank accounts, their credit line. And again, they look at betting patterns. So if money is being bet by an adult but it's really someone under 21, and they see no change in patterns from a bank account, from a credit line -- again, they're going to look at betting patterns and be able to investigate and target that adult, sooner or later.

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

SENATOR BONACIC: Yes, I will.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: So they research you before you open an account. What does the law say about when they're supposed to cut you off?

In casinos we have triggers for problem gambling and actually the ability to cut someone off. What would be the sections of our law here tonight that would limit people from overspending their line of credit, for drawing down on credit cards to pay off the continuing debt they are building up from the online poker, even though it's not gambling?

SENATOR BONACIC: Page 6, line 24, E, as in easy: Appropriate safeguards to minimize compulsive gaming and to provide notice to participants of resources to help problem gamblers.

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

SENATOR BONACIC: I will.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: So we're not setting up those standards, we're just saying they should exist somewhere.

SENATOR BONACIC: Again, the Gaming Commission does this.

SENATOR KRUEGER: Through you,

Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: So in the other states where the sponsor I think took field trips, what standards did they use?

SENATOR BONACIC: You mean what do they have now over there in Jersey?

SENATOR KRUEGER: Sure.

SENATOR BONACIC: Because that's the place that we went.

SENATOR KRUEGER: That's the base place you visited.

SENATOR BONACIC: Well, I think you come in -- this is my recollection now -- you sign a personal information card where you talk of your age, you talk of your credit line, you talk of your bank accounts, you give your address, and you give money which will go in an escrow account. And then you can only play in New Jersey. And when you place a bet, they know where you are and they watch your patterns.

SENATOR KRUEGER: Through you,

Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: Thank you.

SENATOR BONACIC: Oh, by the way, one other thing I may add.

Sometimes someone will say, "You know what, I can't handle my gambling, I don't want you to let me play anymore." And then no matter where they go, they're cut off from placing a bet. On online gaming, that is.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: Thank you.

So as he just explained, you have an escrow account and you draw down from that. Under this law, would I be allowed to refill the escrow account just through a credit card line of credit as opposed to documenting I actually had

money in the bank to pay for my continuing gambling losses, assuming I was going to keep losing?

SENATOR BONACIC: I don't know the answer to that question. But I do know that the money must be deposited, and we know it's cleared before they can continue online betting. Because it's not like you can do an overdraft on what's in the escrow account. Once that money runs out, you run out playing online poker.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT AKSHAR: The sponsor continues to yield.

SENATOR KRUEGER: Thank you.

My understanding is that Senator Lindsay Graham carries a federal bill nicknamed RAWA, R-A-W-A, Restoration of Americans Wire Act, and that if this bill passes, New York State and the other states would not actually have the authority to have online gambling.

Would New York have to pay back all the license fees in that situation?

SENATOR BONACIC: Why -- what are you assuming that triggers a repayment of the license fees? That it's a violation of the Wire Act, is that your question?

SENATOR KRUEGER: That it would be federal preemption, we could no longer have online gaming. So would we have to pay back the license fees?

SENATOR BONACIC: Are you talking as we go forward? Or something that's interpreted that existed in 1961, the Wire Act, and that the state has violated it? I'm not clear what's your question.

SENATOR KRUEGER: Not going -- through you, Mr. President.

ACTING PRESIDENT AKSHAR: Senators, through the chair. Thank you.

SENATOR KRUEGER: I was not going back in time, I was going forward.

If the federal government does pass their RAWA act, a new federal law, would it not supersede our ability to have online gambling and hence the licenses would no longer be good, and hence would we have to pay back the people who gave us the licensing fees?

ACTING PRESIDENT AKSHAR: Senator Bonacic.

SENATOR BONACIC: First of all, if the federal government, as it went forward, prohibited this, we would have to terminate all online gaming. And any money in the escrow accounts of the bettors would have to be returned.

Your question is as to the license fees?

SENATOR KRUEGER: Would we have to give the license fees back?

SENATOR BONACIC: Now, I don't know the exact answer to that question. But I would suggest that it would be apportioned. If they had, you know, five years of online gaming and then it was preempted by the federal government saying you couldn't do it anymore, I would think what's fair, you have to return, you know, five-tenths of the money back.

I'm just being practical now, and I don't know -- you know, we never faced that situation, nor any other state has faced it. But you asked a hypothetical question, I gave you a hypothetical answer.

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

ACTING PRESIDENT AKSHAR: Senator Krueger on the bill.

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

I just keep standing up on the floor of the Senate and saying I don't think I'm opposed to all these gambling bills, I just can't find one I like. And tonight is no different.

Tonight, despite the difference of opinion about whether online poker is gambling -- you're betting money, you're taking a chance with your betting of money, it's a game called poker that many of us have known, perhaps known how to play, perhaps have played throughout generations. It's gambling.

Now, we've legalized many other forms of gambling. The concern I have unique to the online gambling that we're having discussions about tonight and perhaps in the near future around fantasy sports -- also, for the record, gambling -- is that they're disproportionately more addictive types of gambling.

When you go to a casino, you

actually have to go there. If you're there for more than a couple of days, there's a good chance somebody's going to go: Where the hell did Liz go, what's going on, maybe we should check on her.

With online gambling, it can be your smartphone in your pocket, it can be your laptop computer. Your credit card information is already downloaded. You have an escrow account that you can easily refill. And so it makes the ability to place the bet so much easier, and it makes it a 24-hour, seven-day-a-week, wherever-you-are-at-that-moment-in-time-in-the-State-of-New-York opportunity. And so for me, and in some of the research I have started to do, it shows that it is in fact a much more addictive kind of gambling.

Now, that is probably why major companies involved with gambling are very excited about the opportunity to increase online gambling, because they know they will make an enormous amount of money on it.

We, the state, might make some money on it, although unfortunately in this bill it's not money that's going to be dedicated to

education or increase funding for education, because if it goes into the General Fund it's likely to just be a replacement for General Fund monies we would spend on education.

So I am very worried. It's more addictive. The research is starting to show that it's actually much more addictive than other kinds of gambling we have already legalized. It makes the likelihood of impulse betting and chasing losses much greater compared to locations where you have to physically get money from a bank machine and then go place it on a table or, I guess in our casinos, buy the debit card to put in the slot machine. It makes access to gambling just one click away to your online bank account and then your online poker account.

It is true that there are some states legalizing this. There are many states not, and many countries not. And disproportionately they are concerned about the regulation and the difficulties of actually tracking what goes on once you open the door to online poker.

It is also true that this industry and the fantasy sports industry, if and when we

get to that debate, are specifically targeting young male adults, teaching them how they love this, they need to play this, they need to play it over and over again -- more variations, more pressing of the button to give that money over so that they can make the bet or the not-bet, if we don't recognize its gambling. But it's gambling.

It's real money out there. I actually fear, Mr. President, we're starting to turn our country into the next generation of what I call zombies. They stay up all night already playing these interactive, often violent games on their computers. It's just the next step to betting money on the outcomes of the activities they've already grown so addicted to.

We don't talk to each other anymore. We apparently don't even need to go anyplace, we can just sit with our devices and become junkies on our computer devices, living zombies gambling away an enormous amount of our disposable income.

I wish I was wrong, but I am quite sure that this is going to prove to do great harm to our society. And it's bigger than New York, and it's bigger than this online poker bill.

The irony is we talk all the time

about wanting to improve development activities in the State of New York, we want to build more jobs, we want to ensure people have living wages, we want to increase the activity in our communities, whether they're small towns or big cities.

The thing about online gaming, it doesn't create jobs. It just takes all your disposable income and moves it to that little device and the house. Which means you don't have your disposable income to go out to your neighborhood restaurant or your neighborhood store or to take your kids on a trip or any of the other things that we think are good things for our society and good things for our economy.

So I think we make a grave mistake in New York, far graver than the mistakes we've made so far in gambling, if we open our doors to online gaming. Whether you call it gambling or not, it's gambling. And this kind of gambling is exceptionally dangerous.

I would urge all my colleagues to think hard and then vote no on this bill.

Thank you, Mr. President.

SENATOR DeFRANCISCO: Last section.

SENATOR BONACIC: On the bill.

ACTING PRESIDENT AKSHAR: Senator Bonacic.

SENATOR BONACIC: First of all, Senator Krueger does not like gaming, does not like maybe playing poker, whether it's Texas Hold'em or Omaha poker. But what has happened in the last few years, they have the Poker World Series, and you watch it on television. And it's intimidating for the way some of the people look around that table -- some have sunglasses on, some have a hood on -- but you like to watch the game.

And they did research that over, say, a million hands of poker, 75 percent of those people that had the best hands folded, as a testament to a game of skill.

It's true, the young people like their smartphones, they like their iPads, they like the Internet and they like the computer. And they enjoy playing poker. They do. Some people do.

But I tend to disagree with you, I think the slot machines at a racino or a casino are much more addictive than playing poker.

But let's get back to online poker. What this environment does, for people that want to try it and are intimidated to go into a casino or a racino -- and by the way, they're lucky if 10 percent of the people that play online poker go to the casino for the live action. They dabble with it in their house. You can play a game of poker for pennies. It's a recreational activity that a lot of people like.

So I say if that's true and people make choices on how they want to spend their money, we should give them the opportunity to play online poker and control the abuses that go on. We can regulate it, monitor it, consumer protections, and basically weed out all the bad actors that are playing -- or offering online poker now in the State of New York.

That's what this legislation does. And as practical matter, it's tied to our racinos, who do tremendous work themselves for education. It does increase jobs, and it allows our racinos to make some more money. And that's all home-based businesses.

So, you know, whether you like poker or not, I think people are going to play it one

way or the other, and we might as well control it.

For that reason, Mr. President, I vote yes.

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

Are there any other members wishing to be heard?

Seeing none, the debate is closed. The Secretary will ring the bell.

Can I have some order in the house, please {gaveling}.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, we're -- let me just give you a message.

Mr. President, would you call the roll on this?

Before we do, though, I don't know if it's been mentioned yet, but today is Senator Bonacic's birthday.

(Cheers; applause.)

SENATOR DeFRANCISCO: And his birthday present was the Senator Krueger debate.

(Laughter.)

SENATOR DeFRANCISCO: So he'll

remember this forever.

ACTING PRESIDENT AKSHAR: Happy birthday, Senator Bonacic.

SENATOR DeFRANCISCO: Could you call the roll, please.

ACTING PRESIDENT AKSHAR: Read the last section.

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

SENATOR GIANARIS: Mr. President, point of order. Can you please read the calendar number? I know we're doing three successive votes, so just so everyone knows what we're doing.

ACTING PRESIDENT AKSHAR: 1403.

THE SECRETARY: Two.

ACTING PRESIDENT AKSHAR: Excuse me, 1402.

Call the roll.

(The Secretary called the roll.)

SENATOR DeFRANCISCO: Go ahead.

ACTING PRESIDENT AKSHAR: Okay, just so everybody is clear, we're on Calendar Number 1402.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 1402, those recorded in the negative are Senators Hoylman, Krueger, Lanza, LaValle and Marcellino.

Absent from voting: Senators Espaillat, Martins and Sanders.

Ayes, 53. Nays, 5.

ACTING PRESIDENT AKSHAR: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: If we can now go to Calendar 913, for the purposes of taking a vote.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 913, by Senator Lanza, Senate Print 4505, an act to prohibit the expenditure.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: In relation to Calendar 913, those recorded in the negative are Senators Breslin, Dilan, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Krueger, Latimer, Montgomery, Panepinto, Peralta, Perkins, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins. Also Senator Kaminsky.

Absent from voting: Senators Espaillat and Martins.

Ayes, 39. Nays, 20.

ACTING PRESIDENT AKSHAR: The bill is passed.

SENATOR DeFRANCISCO: Can we now take up Calendar 1566, for the purposes of a vote.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 1566, by Senator Funke, Senate Print 6733, an act to authorize.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Stavisky to explain her vote.

SENATOR STAVISKY: Yeah, I can do it in one sentence.

This bill would exclude a large percentage of my Senate district, people who have artistic ability. It's nativism, it's just the -- sends the worst message possible.

I vote no.

ACTING PRESIDENT AKSHAR: Senator Stavisky to be recorded in the negative.

Announce the result.

THE SECRETARY: In relation to Calendar 1566, those recorded in the negative are Senators Addabbo, Breslin, Dilan, Hamilton, Hoylman, Kaminsky, Krueger, Latimer, Montgomery, Perkins, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins. Also Senator

Comrie. Also Senator Peralta.

Absent from voting: Senators Espaillat and Martins.

Ayes, 41. Nays, 18.

ACTING PRESIDENT AKSHAR: The bill is passed.

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

SENATOR DeFRANCISCO: Yes, may we now return to motions and resolutions.

ACTING PRESIDENT AKSHAR: Motions and resolutions.

SENATOR DeFRANCISCO: On page 18, I offer the following amendments to Calendar 721, Senate Print 6471A, by Senator Martins, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received. The bill shall remain on the Third Reading Calendar.

SENATOR DeFRANCISCO: Okay. I'd like to call on Senator Gianaris for the purposes of an announcement.

ACTING PRESIDENT AKSHAR: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I would actually ask you to call on Senator Serrano to announce conference for us.

ACTING PRESIDENT AKSHAR: Senator Serrano.

SENATOR SERRANO: Okay. So, Mr. President, I'm calling an immediate meeting of the Democratic Conference in Room 315.

ACTING PRESIDENT AKSHAR: There will be an immediate meeting of the Democratic Conference in Room 315.

SENATOR DeFRANCISCO: And for those on Working Rules, we're going to meet in Beth Garvey's office immediately.

ACTING PRESIDENT AKSHAR: Working Rules to Beth Garvey's office immediately.

SENATOR DeFRANCISCO: And we are going to stand at ease till 4:15.

MULTIPLE VOICES: 4:15?

SENATOR DeFRANCISCO: I was just checking.

(Laughter.)

SENATOR DeFRANCISCO: It's 8:15. 8:15.

And we will then be calling a Rules Committee meeting, and hopefully have one more calendar tonight, to do the noncontroversial. And hopefully that will be it, but we'll play it by ear.

ACTING PRESIDENT AKSHAR: The Senate will stand at ease until 8:15.

(Whereupon, the Senate stood at ease at 7:32 p.m.)

(Whereupon, the Senate reconvened at 8:49 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Is there a report of the Rules Committee at the desk?

ACTING PRESIDENT GRIFFO: There is a report of the Rules Committee at the desk.

The Secretary will read.

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

Senate Print 91, by Senator Gallivan, an act to amend the Vehicle and Traffic Law;

Senate 490B, by Senator LaValle, an act to amend the Education Law;

Senate 894A, by Senator Avella, Concurrent Resolution of the Senate and Assembly;

Senate 1471, by Senator Golden, an act to amend the Insurance Law;

Senate 1913A, by Senator Little, an act to amend the Real Property Tax Law;

Senate 2264, by Senator Griffo, an act establishing;

Senate 3288A, by Senator Golden, an act to amend the Public Health Law;

Senate 3344B, by Senator Lanza, an act to require;

Senate 4089C, by Senator Young, an act to amend the Education Law;

Senate 4540A, by Senator Seward, an act to amend the Insurance Law;

Senate 4645A, by Senator O'Mara, an act in relation to authorizing;

Senate 4741B, by Senator Golden, an act to amend the Education Law;

Senate 4809A, by Senator Murphy, an act to amend the Tax Law;

Senate 4985B, by Senator Martins, an

act to amend the Retirement and Social Security Law;

Senate 4987B, by Senator Martins, an act to amend the Retirement and Social Security Law;

Senate 5012A, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 5711A, by Senator Martins, an act in relation to granting;

Senate 6081A, by Senator Hannon, an act to amend the Public Health Law;

Senate 6698, by Senator Gallivan, an act in relation to granting;

Senate 6827A, by Senator Avella, an act to amend the Election Law;

Senate 6960A, by Senator O'Mara, an act to amend the Agriculture and Markets Law;

Senate 6987, by Senator Amedore, an act to amend the Tax Law;

Senate 7040, by Senator Amedore, an act to amend Chapter 218 of the Laws of 2009;

Senate 7057A, by Senator DeFrancisco, an act to amend the Penal Law;

Senate 7307A, by Senator Young, an

act to amend the Public Health Law;

Senate 7343, by Senator Montgomery, an act to authorize;

Senate 7511, by Senator Gallivan, an act in relation to establishing;

Senate 7608A, by Senator Lanza, an act to amend the State Finance Law;

Senate 7636, by Senator Croci, an act to amend the Retirement and Social Security Law;

Senate 7722, by Senator Lanza, an act to amend the State Finance Law;

Senate 7876, by Senator Lanza, an act to amend the Tax Law;

Senate 7892, by Senator DeFrancisco, an act to amend the State Finance Law;

Senate 7893, by Senator DeFrancisco, an act to amend the State Finance Law;

Senate 7924, by Senator Hassell-Thompson, an act authorizing;

Senate 8095, by Senator Avella, an act to amend the Real Property Tax Law;

And Senate 8102, by Senator Klein, an act to amend the General Business Law.

All bills reported direct to third

reading.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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 say aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Committee on Rules report has been accepted and is before the house.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now return to messages from the Assembly.

ACTING PRESIDENT GRIFFO: We will return to messages from the Assembly.

The Secretary will read.

Order in the house, please.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 7146A and substitute it for the identical Senate Bill 5012A, Third Reading

Calendar 1730.

Senator O'Mara moves to discharge, from the Committee on Agriculture, Assembly Bill Number 9310A and substitute it for the identical Senate Bill 6960A, Third Reading Calendar 1735.

Senator Amedore moves to discharge, from the Committee on Rules, Assembly Bill Number 9646 and substitute it for the identical Senate Bill 7040, Third Reading Calendar 1737.

And Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 10296 and substitute it for the identical Senate Bill 7722, Third Reading Calendar 1744.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we return to motions and resolutions.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can you please call on Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator

Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Avella, I wish to call up his bill 7983A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1520, by Senator Avella, Senate Print 7983A, an act to amend the Social Services Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR VALESKY: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

SENATOR DeFRANCISCO: There is now being handed out a supplemental active list,

which we will stand at ease until everyone has a chance to take a look at it. But it's basically the bills we just reported out from the Rules Committee.

The plan is to go through the noncontroversial reading, and hopefully there will be nothing controversial so we can leave after that.

(Pause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: We now have Senate Supplemental Calendar 53B before us. Would you please do the noncontroversial reading.

ACTING PRESIDENT GRIFFO: Okay, the Secretary will begin the reading of Senate Supplemental Calendar 53B, noncontroversial.

THE SECRETARY: Calendar Number 1715, by Senator Gallivan, Senate Print 91, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1716, by Senator LaValle, Senate Print 490B, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1717, by Senator Avella, Senate Print 894A, Concurrent Resolution of the Senate and Assembly.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator

Hamilton to explain his vote.

SENATOR HAMILTON: Mr. President, I rise to explain my vote and the reason why I think this is a good idea.

The Governor has a four-year term, the President has a four-year term. My City Council in New York City has a four-year term. And to run for reelection every two years, you spend a lot of time on fundraising. We have some races now where people are spending $5 million on the race.

I think it's in the best interests of the public policy to not spend as much money on the races. We leave our families more so than the City Council in New York City, who get paid $145,000 a year -- $148,000 a year.

I think we need reforms in the New York State Senate, but we shouldn't merge the two together. They should be exclusive of each other.

We have members in the chamber, before my time, who committed crimes who are no longer here. Why should I be penalized for that?

So all of a sudden now I think if you are a good Senator and you do a great job --

excuse me, Liz -- excuse me, excuse me --

ACTING PRESIDENT GRIFFO: Excuse me, Senator Hamilton.

Can I have some order in the house, please.

SENATOR HAMILTON: -- thank you.

ACTING PRESIDENT GRIFFO: (Gaveling.)

SENATOR HAMILTON: So as a Senator who handles 1200 or more constituent services a year, as a Senator who serves his constituents, they will reelect me if I vote for this. I'm not voting on this bill because it's for me the sole benefit, but it's to save the public money from having elections every two years. We will save so much money by not having elections every two years.

And so I think if it's good for the Governor, if it's good for the President of the United States, if it's good for the City Council, then it's good for me. It gives me more time not raising money, but more time doing public work for constituents in my community.

So I'm going to have to vote yes on this bill. It's a no-brainer for me. My

constituents believe in what I'm doing, they believe in me, so I'm voting for this bill. I think it's a bill that we should be in the same cycle as the Governor and have four years.

So I have to say I'm voting for this bill, I think it's a great bill. It will save us a lot of money. Before, people expressed concern about having elections together. Now all of a sudden we can have more elections together, but we don't want to vote on this.

So I -- I don't know, I guess it's good sometimes, it's not good the other times for yourself.

ACTING PRESIDENT GRIFFO: Senator Hamilton, how do you vote?

SENATOR HAMILTON: I vote yes.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1717, those recorded in the negative are Senators Akshar, Bonacic, Boyle, Croci, DeFrancisco, Gallivan, Gianaris, Griffo, Hoylman, Kaminsky, Latimer, Little, Murphy, Nozzolio, Ortt, Ranzenhofer, Ritchie, Robach,

Serino, Seward, Squadron, Stavisky, Stewart-Cousins, Venditto and Young.

Ayes, 36. Nays, 25.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Calendar Number 1718, by Senator Golden, Senate Print 1471, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the 270th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1719, by Senator Little, Senate Print 1913A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1720, by Senator Griffo, Senate Print 2264, an act establishing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1721, by Senator Golden, Senate Print 3288A, 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 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1722, by Senator Lanza, Senate Print 3344B, an act to require.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1723, by Senator Young, Senate Print 4089C, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Stavisky to explain her vote.

SENATOR STAVISKY: Yes, I'm going to vote for this bill, but I would encourage the sponsor to include other colleges and universities that are part of the SUNY system that are close to our neighboring states, because I think they could benefit also.

Thank you. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1724, by Senator Seward, Senate Print 4540A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1724, those recorded in the negative are Senators Hoylman, Krueger, Perkins and Squadron.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1725, by Senator O'Mara, Senate Print 4645A, an act in relation to authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1726, by Senator Golden, Senate Print 4741B, 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1727, by Senator Murphy, Senate Print 4809A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Numbers 1728, by Senator Martins, and 1729, by Senator Martins, do not have home-rule messages at the desk. Accordingly, they will be laid aside for the day.

That brings us to Calendar 1730.

THE SECRETARY: Calendar Number 1730, substituted earlier by Member of the Assembly Abbate, Assembly Print Number 7146A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1731 also requires a home-rule message, which is not present at the desk. Accordingly, the bill will be laid aside

for the day.

Calendar 1732.

THE SECRETARY: Calendar Number 1732, by Senator Hannon, Senate Print 6081A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1733 also does not have a home-rule message present at the desk. Accordingly, it will be laid aside for the day.

Calendar Number 1734.

THE SECRETARY: Calendar Number 1734, by Senator Avella, Senate Print 6827A, an act to amend the Election Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the first of December.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1735, substituted earlier by Member of the Assembly Lupardo, Assembly Print 9310A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1736, by Senator Amedore, Senate Print 6987, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1737, substituted earlier by Member of the Assembly Lopez, Assembly Print 9646, an act to amend Chapter 218 of the Laws of 2009.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number 1738, by Senator DeFrancisco, Senate Print 7057A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1739, by Senator Young, Senate Print 7307A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1740, by Senator Montgomery, Senate Print 7343, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1741, by Senator Gallivan, Senate Print 7511, an act in relation to 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, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1742, by Senator Lanza, Senate Print 7608A, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1743 requires a home-rule message, which is not present at the desk, so the bill will be laid aside for the day.

That brings us to Calendar 1744.

THE SECRETARY: Calendar Number 1744, substituted earlier by Member of the Assembly Peoples-Stokes, Assembly Print 10296, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1745, by Senator Lanza, Senate Print 7876, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1746, by Senator DeFrancisco, Senate Print 7892, an act to amend the State Finance Law.

SENATOR GIANARIS: Lay it aside.

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

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

THE SECRETARY: Calendar Number 1747, by Senator DeFrancisco, Senate Print 7893, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section --

SENATOR GIANARIS: Lay it aside.

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

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

THE SECRETARY: Calendar Number 1748, by Senator Hassell-Thompson, Senate Print 7924, an act authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Numbers 1750 and 1751 are high and are therefore ineligible for consideration.

Senator DeFrancisco, that completes the noncontroversial reading of the today's Supplemental Senate Calendar 53B.

SENATOR DeFRANCISCO: And we'll take up the controversial reading on this calendar tomorrow.

Could we return to motions and resolutions.

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

SENATOR DeFRANCISCO: On page number 60, I offer the following amendments to Calendar 1571, Senate Print 6949B, by Senator Gallivan, 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.

Can I have some order in the house, please.

Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: There is no further business present at the desk.

SENATOR DeFRANCISCO: There being none, I move to adjourn until Wednesday, June 15th, at 11:00 a.m., 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Wednesday, June 15th at 11:00 a.m.

The Senate will stand adjourned.

(Whereupon, at 9:13 p.m., the Senate adjourned.)