

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 9, 2018

11 11:21 a.m.

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14 REGULAR SESSION

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18 SENATOR THOMAS D. CROCI, Acting President

19 FRANCIS W. PATIENCE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT CROCI: The Senate  
3 will come to order.

4 I would ask everyone present to  
5 please rise and recite with me the Pledge of  
6 Allegiance.

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

9 ACTING PRESIDENT CROCI: With us  
10 today is Chaplain Donald Carrothers, who will be  
11 delivering the invocation. He's the chaplain for  
12 the United States Corps of Cadets, West Point,  
13 New York.

14 Chaplain Carrothers.

15 CHAPLAIN CARROTHERS: Thank you.

16 Allow me to voice a prayer for us.

17 O God, long before we were a nation,  
18 many people in this area we now call New York  
19 looked to You for inspiration and guidance. As  
20 the founders of our nation began to dream of  
21 independence, they also looked to You for  
22 inspiration and guidance. They even wrote, in  
23 our Declaration of Independence: "We hold these  
24 truths to be self-evident, that all men are  
25 created equal, that they are endowed by their

1 creator with certain unalienable rights; that  
2 among these are life, liberty and the pursuit of  
3 happiness. That to secure these rights,  
4 governments are instituted among men, deriving  
5 their just powers from the consent of the  
6 governed."

7 O God, even though at many times we  
8 as a nation have failed to live up to these  
9 values, I pray that You will forgive us for those  
10 failures and continue to empower us to make  
11 change and to strive to live to these goals.

12 Today, God, I ask Your blessings on  
13 the New York State Assembly and the Senate. I  
14 ask that these members would be aware of Your  
15 presence through all their ordeals, through all  
16 the things that come before them and the  
17 decisions that they make. Bless this body today  
18 as they represent their voters' dreams and hopes  
19 for a better life.

20 At West Point in our prayers in our  
21 chapels we pray, in cadet chapel, the cadet  
22 prayer that says some of these words: Encourage  
23 us in our endeavor to live above the common level  
24 of life. Make us to choose the harder right  
25 instead of the easier wrong, and never to be

1 content with a half truth when the whole can be  
2 won.

3 O God, I ask You to continue to  
4 guide these men and women to rise above such  
5 common human desires as selfish ambition,  
6 personal profit, party betterment at all costs,  
7 self-promotion, and presenting half-truths as the  
8 whole truth.

9 O God, allow this group of men and  
10 women to find the inspiration and the guidance in  
11 You that generations of New Yorkers have done in  
12 the past and that generations continue to do  
13 today. Continue to bless our nation with Your  
14 grace and Your favor.

15 Amen.

16 ACTING PRESIDENT CROCI: Thank you,  
17 Chaps.

18 The reading of the Journal.

19 THE SECRETARY: In Senate, Tuesday,  
20 May 8th, the Senate met pursuant to adjournment.  
21 The Journal of Monday, May 7th, was read and  
22 approved. On motion, Senate adjourned.

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

25 Presentation of petitions.

1 Messages from the Assembly.  
2 Messages from the Governor.  
3 Reports of standing committees.  
4 Reports of select committees.  
5 Communications and reports from  
6 state officers.

7 Motions and resolutions.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO:

10 Mr. President, can we take up previously adopted  
11 Resolution 5050, by Senator Larkin, read it in  
12 its entirety, and call on Senator Larkin to  
13 speak.

14 ACTING PRESIDENT CROCI: The  
15 Secretary will read.

16 THE SECRETARY: Legislative  
17 Resolution Number 5050, by Senator Larkin,  
18 memorializing Governor Andrew M. Cuomo to  
19 proclaim May 9, 2018, as West Point Day in  
20 New York State.

21 "WHEREAS, This Legislative Body is  
22 justly proud to celebrate the establishment of  
23 the United States Military Academy at West Point  
24 and to call upon Governor Andrew M. Cuomo to  
25 proclaim May 9, 2018, as West Point Day in the

1 State of New York; and

2 "WHEREAS, By an act of Congress, on  
3 March 16, 1802, the United States Military  
4 Academy was established within the borders of  
5 New York State, on the banks of the Hudson River;  
6 and

7 "WHEREAS, The Academy and its  
8 graduates are an integral part of the proud  
9 history of this state and nation; and

10 "WHEREAS, The leadership and  
11 sacrifices of the members of the Long Gray Line  
12 have helped this country withstand countless  
13 threats to our cherished democratic way of life;  
14 and

15 "WHEREAS, The alumni have excelled  
16 not only on the battlefield but in many fields of  
17 endeavor; and

18 "WHEREAS, The Academy continues to  
19 provide our country with able and dedicated  
20 future leaders; and

21 "WHEREAS, Its scenic campus is a  
22 mecca each year for thousands of visitors from  
23 across our state, continent and other countries;  
24 and

25 "WHEREAS, The United States Military

1 Academy is in the forefront of our state's  
2 outstanding institutions of higher learning; and

3 "WHEREAS, Sixty-six years ago, the  
4 late James T. McNamara, then a member of the  
5 New York State Assembly, and a member of the  
6 academy's class of 1939, was the author of the  
7 State Legislature's first 'West Point Day'  
8 resolution; and

9 "WHEREAS, For decades, our nation  
10 has enjoyed the legacy of freedom, and the  
11 United States Military Academy at West Point has  
12 played a vitally significant role in the  
13 maintenance of peace and freedom; and

14 "WHEREAS, The members of this  
15 Legislative Body are proud to commemorate this  
16 event, marking May 9, 2018, as West Point Day in  
17 New York State, and to welcome the following  
18 senior personnel from the United States Military  
19 Academy in attendance: Brigadier General Cindy  
20 Jebb, Dean of the Academic Board; Lieutenant  
21 Colonel Donald Carrothers, West Point Chaplain;  
22 Lieutenant Colonel Chevelle Thomas, West Point  
23 Public Affairs; Captain Josh Kim, Officer in  
24 Charge of Cadets; Sergeant Major U.S. Army  
25 (retired) David Brzywczy, West Point Public

1     Affairs; Mr. Brian Ilyankoff, West Point  
2     Photographer; and the cadets in attendance:  
3     First Captain Simone Askew, Cadet Katrina  
4     Josberger, Cadet Daniel Pryor, Cadet Andrew  
5     Newton, Cadet Courtney Hill, Cadet Jung-Min Lee,  
6     Cadet Alexander Leist, Cadet Rhianna Lichtenthal,  
7     Cadet Caroline McCusker, and Cadet Stephanie  
8     McDermott; now, therefore, be it

9                 "RESOLVED, That this Legislative  
10    Body pause in its deliberations to celebrate the  
11    establishment of the United States Military  
12    Academy at West Point and to memorialize Governor  
13    Andrew M. Cuomo to proclaim May 9, 2018, as  
14    West Point Day in New York State; and be it  
15    further

16                "RESOLVED, That a copy of this  
17    resolution, suitably engrossed, be transmitted to  
18    the Honorable Andrew M. Cuomo, Governor of the  
19    State of New York."

20                ACTING PRESIDENT CROCI:     Senator  
21    Larkin.

22                SENATOR LARKIN:     Thank you,  
23    Mr. President.

24                Ladies and gentlemen of the chamber  
25    and the balconies, I ask you to rise and give a



1 welcome to the Capitol of the future leaders of  
2 America, West Point.

3 (Standing ovation.)

4 SENATOR LARKIN: Thank you very  
5 much.

6 You know, I live next door to  
7 West Point, so I watch you all the time.

8 General Jebb, what a pleasure it is  
9 to see you. We used to see one another quite a  
10 bit because her children and my grandchildren  
11 went to school together in Cornwall.

12 Ladies and gentlemen, this is a  
13 great day in our life. And everybody here,  
14 elected or not, should be in this chamber sitting  
15 down, giving respect to those who will be willing  
16 to place their life on the line for the  
17 protection of this great country.

18 The leadership of West Point, second  
19 to none. Sixteen thousand applications this year  
20 for 1,000 seats. That says that we are looking  
21 for the best of the best. And ladies and  
22 gentlemen, we beat Navy twice.

23 (Laughter; applause.)

24 SENATOR LARKIN: I've never read a  
25 speech before, and I'm not going to start now.

1 But just think about what West Point means to us.  
2 You know, it isn't about basketball, lacrosse,  
3 football, whatever. It's raising that right hand  
4 the day you get there as a plebe, and you say: I  
5 will serve my country.

6 Millions of people in America, but  
7 they have not had the heart. When somebody says  
8 to me, "Oh, he went to West Point," I say, No, it  
9 isn't he went to the West Point -- that  
10 individual went, whether it was male or female.  
11 And it was the heart and soul of someone who said  
12 "I love this country, and I will do everything to  
13 stand up for it."

14 Senator Breslin stands here. We met  
15 with his brother this morning; I gave him some  
16 instructions for you. The Class of '61, Vietnam  
17 combat. When it comes to your home, you start to  
18 understand what it's all about.

19 In 23 years, I served with  
20 West Point cadets, graduates. I was their buddy,  
21 their supervisor, and their leader. And in  
22 23 and a half years, I can tell you that I was  
23 proud to serve with the Long Gray Line.

24 You, ladies, gentlemen, have chosen  
25 to help us, to let the rest of the world say, We

1 are a country united and we are protected by the  
2 members of the armed forces.

3 In two weeks, graduation will be  
4 here, and some of these people will go off --  
5 anybody going to the First Cav? 25th Infantry  
6 Division? Second Armored Division?

7 (Laughter.)

8 SENATOR LARKIN: I guess I lost; I  
9 was in those three.

10 Ladies and gentlemen, I don't want  
11 to delay you here, because others would like to  
12 tell their cadet what they believe in them. I  
13 can go back a few years to John's late father,  
14 and he always said something about West Point  
15 because he respected them, and duty, honor and  
16 country.

17 General Jebb, thank you very much  
18 for your leadership. The function of the dean of  
19 the Academy has a tremendous responsibility. And  
20 the team that she has here with her today says  
21 very clearly: We are leaders, and developing  
22 leaders of the future.

23 Mr. President, thank you very much.

24 (Extended standing ovation.)

25 ACTING PRESIDENT CROCI: Thank you,

1 Colonel Larkin.

2 Members of the Senate, ladies and  
3 gentlemen, I have the high honor to introduce the  
4 14th dean of the Academic Board at the United  
5 States Military Academy at West Point, Brigadier  
6 General Cindy Jebb.

7 BRIGADIER GENERAL JEBB: Majority  
8 Leader Flanagan; Senator Larkin, sir -- my  
9 neighbor, World War II veteran -- thank you for  
10 your tremendous public service and for being a  
11 role model and an inspiration through your  
12 lifetime of service. You honor us here today;  
13 members of this distinguished Senate, good  
14 morning and thank you for having us here today.  
15 It truly is an honor to address you this morning.

16 And on behalf of our superintendent,  
17 the entire staff, faculty and Corps of Cadets of  
18 the United States Military Academy, we thank you  
19 for this tremendous recognition.

20 I'm pleased to be here representing  
21 the Academy, along with Cadet Simone Askew, the  
22 First Captain for the Corps of Cadets, and nine  
23 cadets from across New York, representing more  
24 than 4,000 members of the Corps of Cadets, 273 of  
25 whom call the Empire State their home.

1                   Since the days of the American  
2                   Revolution, the United States Army has had a  
3                   strong presence in New York, to include  
4                   West Point, in its early days as a strategic  
5                   garrison in the fight against the British in the  
6                   defense of the American colonies. New York State  
7                   enjoys a rich history of military service, with  
8                   many New Yorkers serving throughout our nation's  
9                   history with valor and distinction, and some  
10                  making the ultimate sacrifice.

11                  Our mission at West Point is to  
12                  develop the leaders of character who prepare to  
13                  fight and win our nation's wars. We couldn't do  
14                  this without the tremendous support of the  
15                  New York State Legislature and our neighboring  
16                  communities. And on behalf of the West Point  
17                  community, we greatly appreciate that support.

18                  We are committed to being good  
19                  neighbors with towns and communities across the  
20                  state, and we're always looking for ways to  
21                  connect and build relationships and partner  
22                  together on opportunities that will not only  
23                  enhance the cadet development at West Point, but  
24                  also benefit the community as well.

25                  These young men and women with me

1     today represent what's been referred to as the  
2     9/11 generation, and they represent the very best  
3     of America. They are a generation of men and  
4     women who have only known our nation at war, and  
5     they have volunteered to serve knowing full well  
6     that they could be sent into harm's way. They  
7     desire to serve something larger than  
8     themselves -- our nation.

9             That desire to serve echoes the  
10    actions of those who served before them. They  
11    understand service, and they understand  
12    sacrifice. Our graduates are entering a complex  
13    and uncertain world -- issues of climate change,  
14    mass migrations, rampant urbanization, extremist  
15    ideology, to name a few, as well as advances in  
16    genomics, robotics and other technologies, all of  
17    which affect the human condition -- present our  
18    graduates with complexities, ambiguities and  
19    threats that we have yet to imagine.

20            We as a nation are entering an  
21    unprecedented time of change and uncertainty.  
22    And in times of immense change, it's more  
23    important than ever that our values that define  
24    us help guide us.

25            Martin Luther King, Jr., tells us:

1 "The function of education is to teach one to  
2 think intensively and to think critically. But  
3 we must remember that intelligence is not enough.  
4 Intelligence plus character -- that is the goal  
5 of true education. The complete education gives  
6 one not only power of concentration, but worthy  
7 objectives upon which to concentrate."

8                   Character and intelligence. Thus  
9 it's imperative that our mission at West Point is  
10 to graduate commissioned leaders of character who  
11 are committed to the values of duty, honor,  
12 country. And it is imperative that our  
13 graduates, leaders of character, those who think  
14 critically, internalize their professional  
15 identity and employ their education to help build  
16 the Army and the nation.

17                   It's so important that our nation's  
18 future leaders are not only problem solvers, but  
19 they also need to be able to anticipate new kinds  
20 of problems, and perhaps even know what problems  
21 they ought not attempt to solve. They also must  
22 be ready to embrace diverse teams, whether that  
23 be across militaries, interagency organizations,  
24 NGOs, IGOs and other elements of civil society.

25                   As you might imagine, I'm proud to

1     serve with the incredible community of  
2     professionals at West Point, both soldier and  
3     civilian, and many from our local area, who have  
4     committed themselves to the honor, duty and  
5     privilege of developing leaders of character for  
6     our nation.

7                     I had the honor a few months ago to  
8     travel to Hyde Park in New York to help  
9     commemorate the 136th birthday of President  
10    Franklin Roosevelt. I know that as citizens we  
11    gravitate especially strongly towards places that  
12    hold historical significance, and Hyde Park is  
13    certainly such a place.

14                    President Roosevelt led this nation  
15    under tough circumstances, and throughout his  
16    presidency and his life the theme of community  
17    permeated everything that President Roosevelt  
18    did. Community is evident in his early life, his  
19    career, his speeches and his famous fireside  
20    chats that brought people from across the nation  
21    together.

22                    Central to the heart of every  
23    community are the cherished bonds formed with one  
24    another, and he reminded us that "If civilization  
25    is to survive, we must cultivate the science of



1 human relationships, the ability of all peoples  
2 of all kinds to live together in the same world  
3 at peace."

4 Today, as our world seems  
5 increasingly complex and uncertain, we are  
6 reminded of the hope and strength of community,  
7 whether it is here in Albany or on the banks of  
8 the Hudson.

9 Military members are often thanked  
10 for their service, but I want to take this  
11 opportunity to thank you for your service. A  
12 strong civilian-military relationship and the  
13 mutual trust between the military and the society  
14 it serves are cornerstones for our democracy.  
15 Thank you for your continued support.

16 I salute you, and I salute each of  
17 our 4400 cadets and the members of the Long Gray  
18 Line. Thank you for this tremendous honor today.

19 Go Army!

20 (Sustained standing ovation.)

21 ACTING PRESIDENT CROCI: Senator  
22 Flanagan.

23 SENATOR FLANAGAN: Thank you,  
24 Mr. President.

25 Brigadier General Jebb, it's awesome

1 to have you here today. I very much enjoyed  
2 listening to your comments. And I want to --  
3 Brigadier General, I was definitely referring to  
4 you.

5 I had a brief chance to chat with  
6 the Brigadier General. She has 36 years of  
7 dedicated service to our great country. And  
8 anyone who's got a little bit of time, I would  
9 recommend looking at her background. She has  
10 quite an extensive background in academia and in  
11 service.

12 And I think fundamentally, for all  
13 of us -- I'll take the liberty of speaking for  
14 all of us -- we are in awe. I find myself, you  
15 know, standing up taller, hopefully behaving a  
16 little bit better when all of you are here,  
17 including our cadets. So thank you for your  
18 personal service. And we'll have a chance to  
19 talk more about your cadets.

20 But Lieutenant Colonel Carrothers,  
21 who gave our invocation -- there he is, he's  
22 sitting down now -- I said to him as he went up  
23 there, I knew he was the chaplain, I just said,  
24 "Please, please pray for us. I'll give you  
25 45 minutes, we need some extra prayers."

1 (Laughter.)

2 SENATOR FLANAGAN: But his words  
3 were very poignant in terms of what he was  
4 directing to us, recognizing that we do a lot of  
5 things well but we make mistakes. And the  
6 smartest thing we can do is learn from our own  
7 mistakes and do things better. If we follow your  
8 lead collectively, we'll be in a good spot.

9 Now, Chaplain Carrothers has  
10 22 years of service. Lieutenant Colonel Thomas,  
11 who's seated to his left, told me she has  
12 22 years of service. That just happens to be one  
13 of my lucky numbers. So to both of you, welcome,  
14 and thank you for being here.

15 Now, seated in the back in a quiet  
16 capacity, is Captain Kim. Captain Kim, I found  
17 out, is the officer in charge of the cadets. And  
18 he's seated behind all of you, because he's  
19 watching you.

20 (Laughter.)

21 SENATOR FLANAGAN: Okay? He has  
22 four years of service. Captain, thank you to  
23 you. You have an awesome responsibility, and I'm  
24 sure you fulfill your duties with great success.

25 And I want to just mention some of

1     our colleagues here who served. And I want to  
2     start, because I can, and I want to, to speak  
3     about our colleague Bill Larkin, Senator Larkin  
4     and Colonel Larkin.

5                 Now to our cadets in particular, as  
6     you pay respect to your superiors, we do the  
7     same, willingly and voluntarily. Now, Colonel  
8     Larkin has this effect on all of us. When he  
9     speaks, everyone is quiet and everyone listens.  
10    And he has served with distinction in so many  
11    different capacities, it would be hard to list.

12                He cares deeply about people -- men  
13    and women of all walks of life, whether it was  
14    during his 23 years of service in the military or  
15    in governmental service for half a century.

16                But I have news for you. Senator  
17    Larkin will be celebrating his last official  
18    West Point Day with all of you. You should be  
19    honored to have that opportunity.

20                And I want to explain how this  
21    happened. Colonel Larkin has served this  
22    country, but he also knows the chain of command.  
23    He totally understands the chain of command. And  
24    his commander-in-chief has decided that it was  
25    time to come home. So when Mrs. Larkin says

1 "You're done" --

2 (Laughter.)

3 SENATOR FLANAGAN: -- he listens.

4 So Senator Larkin is really -- he's  
5 just such a strong figure for all of us.

6 Our colleagues Senator Croci,  
7 Senator Ortt, Senator DeFrancisco, we have  
8 Senator Sanders -- we have a proud line of  
9 tradition of service here as well.

10 The only other thing I wanted to  
11 mention is that because of all of you, we have  
12 the liberty of standing up here and debating.  
13 Sometimes fighting, but not fighting in the sense  
14 that you do. And we have that luxury and that  
15 privilege because you protect our interests every  
16 single day.

17 I'm deeply grateful for that  
18 personally. I got a chance to meet a cadet from  
19 my area, Daniel Pryor. Daniel, would you stand  
20 up for a moment? And don't worry, everything's  
21 going to be fine, just because you have to stand  
22 up. There's no discipline related to this.

23 But, you know, to Daniel and your  
24 fellow cadets, we love the fact that you are  
25 here. We all wear it like a badge of honor, and

1 we will go back home and talk about this. You  
2 will be on social media, you will be on Facebook,  
3 but for all the right reasons.

4               So Daniel, to you, best of luck. To  
5 all the cadets that I had an opportunity to meet,  
6 we thank you now for the service that you're  
7 giving to our country. We are desperately  
8 grateful for the notion and idea that you not  
9 only are our present leaders, but you will be our  
10 leaders into the future.

11              So welcome to all of you. Our  
12 obligation to you is to make sure that you have  
13 the opportunities and all the advantages in life  
14 that you richly deserve. Thank you very much for  
15 being here.

16                       (Applause.)

17              ACTING PRESIDENT CROCI:    Senator  
18 Flanagan.

19              SENATOR FLANAGAN:    I apologize. I  
20 failed to mention a very important person.

21                       Senator Helming has a family member,  
22 Charlie Sauter, who was a West Point graduate in  
23 2011, and he is serving in the capacity as a  
24 Green Beret. Senator Helming, I'm sorry I  
25 overlooked that. That is -- see, she's beaming,

1 just by virtue of the fact that his name was  
2 properly mentioned.

3 So any one of us could get up and do  
4 that -- but Senator Helming and her family.

5 Again, Mr. President, thank you very  
6 much.

7 (Applause.)

8 ACTING PRESIDENT CROCI: Senator  
9 DeFrancisco.

10 SENATOR DeFRANCISCO: Yes. Today  
11 is bittersweet. I've listened to Senator Larkin  
12 for I think twenty -- this is the 26th year,  
13 welcome the cadets from West Point. And I can  
14 tell you unequivocally there never was and there  
15 never will be someone that is more supportive of  
16 the armed services and West Point than Colonel  
17 Bill Larkin.

18 I kidded him after he spoke, I said  
19 "you were able to do that without crying."  
20 Because I know how emotional he gets in this  
21 chamber speaking about members in the armed  
22 forces and especially West Point. So you -- as  
23 John Flanagan said, Senator Flanagan said, you  
24 are truly being honored by being here for his  
25 last presentation. But the tradition no doubt

1 will go on.

2 To General Jebb, I know you're  
3 definitely academically qualified. I was a Duke  
4 Law graduate, and very intelligent people came  
5 from Duke, including your undergraduate degree  
6 and your master's degree. So I know you had that  
7 sound footing to make you successful in the  
8 academic area that you are serving presently in.

9 I have a cadet here, Andrew Newton.  
10 Would you stand up briefly?

11 I was looking on the resumes, and it  
12 says Andrew -- he's from Skaneateles, part of my  
13 district. On the resume it says that your major  
14 is geospatial information sciences. I have no  
15 idea what the hell that is.

16 (Laughter.)

17 SENATOR DeFRANCISCO: But you're  
18 definitely ready for success. And the reason is  
19 when I asked you that same question at the  
20 breakfast, you said your major was geography. So  
21 you talk my language.

22 (Laughter.)

23 SENATOR DeFRANCISCO: And I'm sure  
24 people will understand you better than maybe some  
25 of the others who try to describe you.



1                   But congratulations on your success  
2                   and the success of all of you. We're very proud  
3                   of you. And we know -- and this is the hardest  
4                   part of this for me -- we know that each one of  
5                   you are possibly going to be subjected to, very  
6                   soon, some very difficult duty at a young age.

7                   And God bless you all of you. And  
8                   I'm sure you will do everything you have to do to  
9                   succeed in life and, as the leader said, be our  
10                  leaders in the future. Hopefully you'll do a  
11                  better job than we did.

12                  Thank you.

13                  (Applause.)

14                  ACTING PRESIDENT CROCI:    Senator  
15                  Bonacic.

16                  SENATOR BONACIC:    Thank you,  
17                  Mr. President.

18                  Mr. President, I hope it was not too  
19                  painful when we started, Senator Croci up there,  
20                  when they said Army beat Navy, because he is a  
21                  Navy man, I want you to know that.

22                  We always equated West Point Day  
23                  with Senator Larkin Day in this chamber. They  
24                  were always connected. And in the 20 years that  
25                  I've been here -- and I'm from Orange County. I

1 have the other half. Senator Larkin has  
2 West Point physically in the district -- I was  
3 always impressed with the cadets, with their  
4 academic background, their ability to speak  
5 different languages. You truly are the best of  
6 the best.

7 But putting yourself in harm's way,  
8 in protecting America and our values, that's why  
9 we love each and every one of you.

10 And what I notice differently today  
11 in the 20 years is the face of women of  
12 West Point.

13 (Applause.)

14 SENATOR BONACIC: I saw Dean  
15 Jebb -- and this is no disrespect to the men, but  
16 I counted six women here today with the white  
17 cadet uniform.

18 So I thank each and every one of you  
19 for the task that is ahead of you. And I pray to  
20 the Lord that you're always kept out of harm's  
21 way.

22 Thank you.

23 (Applause.)

24 ACTING PRESIDENT CROCI: Senator  
25 Amedore.

1                   SENATOR AMEDORE:    Thank you,  
2   Mr. President.

3                   I want to thank Colonel Larkin.  You  
4   know, you have taught us so much of being  
5   respectful and working hard as a Senator.  But  
6   you have also taught us, and led by example, what  
7   it is to be a proud American because of your  
8   service, Senator.  So I thank you for giving us  
9   West Point Day here in the Capitol for as many  
10  years as you have.

11                  I'm honored to be joined in the  
12  chamber with the future leaders, Brigadier  
13  General Jebb and the cadets.  You are the  
14  brightest of the bright.  There's no one in this  
15  country at your age at this particular time that  
16  can do what you can do.  There's no greater love  
17  that a man can give than the willingness to lay  
18  down his own life for someone else, and you have  
19  that willingness.  You show that.

20                  To the parents who raised you up in  
21  the way that you should go, to understand those  
22  words -- it's not a motto, but it's deep in your  
23  heart -- of duty, honor, country, what that  
24  means.  You're displaying that today through your  
25  actions.

1                   And I would like to introduce a  
2     cadet that is from Coxsackie in Greene County,  
3     that's Cadet Josberger. Katrina, could you stand  
4     up? Not only do we have Katrina here, but we  
5     also have her great parents up in the gallery,  
6     and we thank you.

7                   (Applause.)

8                   SENATOR AMEDORE: I met Katrina two  
9     years ago on this floor when I was introduced to  
10    her the first time, when she arrived at  
11    West Point to come here, be proud. Today she  
12    understands what it is not just to be a young  
13    lady, but now a trained person who understands  
14    the call of duty. So thank you, Katrina.

15                  And I also want to introduce someone  
16    that's on the floor -- or two people, and that is  
17    Mr. and Mrs. William Denn. Bill is the president  
18    of the West Point Parents Club of Upstate  
19    New York. If they could rise.

20                  (Applause.)

21                  SENATOR AMEDORE: Mr. and Mrs. Denn  
22    raised three beautiful sons, all who are part of  
23    the West Point family. So we congratulate you on  
24    your leadership and dedication to your country.

25                  So to the cadets from West Point, we

1 all pray and I hope and know that God will watch  
2 over, that God will bless you, and that you will  
3 be safe in doing your duty.

4 Thank you, Mr. President.

5 (Applause.)

6 ACTING PRESIDENT CROCI: Senator  
7 Addabbo.

8 SENATOR ADDABBO: Thank you,  
9 Mr. President.

10 Good morning, everyone. I want to  
11 first start out by thanking Senator Colonel Bill  
12 Larkin. Senator, not only thank you for your  
13 service to our state and our country, but thank  
14 you for being an inspiration, certainly to me and  
15 hopefully to everyone in this chamber. I am so  
16 proud to have known you, to have called you a  
17 friend. And I want to thank you again. So thank  
18 you, Senator Colonel Bill Larkin. Thank you very  
19 much.

20 (Applause.)

21 SENATOR ADDABBO: You know, I  
22 believe that some of our best days in this  
23 chamber is when we get to acknowledge our  
24 veterans and our military personnel. You know,  
25 Fort Drum Day, Vietnam Veterans Day. Next week

1 we get to do the Veterans Hall of Fame and honor  
2 our district veterans.

3 And so today, no different, we get  
4 to once again honor our cadets, the future of  
5 West Point but also the history and the alumni of  
6 West Point. And Brigadier General, thank you so  
7 much for being here as well.

8 You know, for over 200 years -- 216,  
9 to be exact -- West Point has been turning out  
10 some of the finest military personnel. And while  
11 many things have changed over the last 216 years,  
12 some things don't change, like the values and the  
13 character of those West Point cadets and alumni.

14 Duty, honor, country. Those values  
15 will never change. These cadets will follow  
16 those. And I have faith that they will follow  
17 those values just as those graduates have before  
18 them, graduates we know -- Senator Colonel Bill  
19 Larkin, Eisenhower, MacArthur, Patton,  
20 Schwarzkopf. Treasured and revered graduates.

21 And today we have a classmate of  
22 General Schwarzkopf, Class of 1956, and  
23 affectionately known to me as my uncle, Brigadier  
24 General Luciano Salamone, Class of 1956.  
25 General, thank you.

1 (Standing ovation.)

2 SENATOR ADDABBO: Thank you for  
3 standing, because I may not have heard the end of  
4 it if you didn't. Thank you for standing for my  
5 uncle.

6 As the ranking member of the  
7 Veterans Committee, so ably chaired by our great  
8 veteran here, Senator Croci -- thank you so much,  
9 Senator Croci -- I want to say thank you to our  
10 cadets and to the alumni. I wish the cadets all  
11 the best as we pray for their safety. But thank  
12 you for the path that you have chosen, for our  
13 country, and for making us so proud.

14 So to our cadets, welcome and thank  
15 you.

16 Thank you very much, Mr. President.

17 (Applause.)

18 ACTING PRESIDENT CROCI: Senator  
19 Breslin.

20 SENATOR BRESLIN: Thank you,  
21 Mr. President.

22 What a great day, West Point Day.  
23 And to turn to my dear friend Colonel Bill  
24 Larkin, I've traveled to many destinations across  
25 this country with Bill and his wife and

1 Jim Seward on insurance ventures, and we always  
2 look to Bill for advice. We always followed your  
3 instructions, and you generally have instructed  
4 us without us asking.

5 (Laughter.)

6 SENATOR BRESLIN: So as you prepare  
7 for the next part of your life, I want you to  
8 know publicly how much I love you and respect you  
9 and what you have meant for each of us. And I  
10 always recall my mom saying you make your  
11 reputation by the people you hang around with.  
12 If I'm next to you, I know I'm all right.

13 So I look forward to the next couple  
14 of months with you, Bill, and then beyond that.  
15 But Godspeed.

16 And now to West Point Day. As  
17 Senator Addabbo said, it's the nicest day of the  
18 year. It's the day that we look at our future  
19 leaders and say we're okay. It's a wonderful  
20 place to be, a wonderful place to graduate from,  
21 and a wonderful inspiration to us.

22 And lastly, I take this one day of  
23 the year -- generally, I never commend my older  
24 brother. I see Senator Lanza laughing already,  
25 preparing. My brother Michael and I sometimes



1 have a love-hate relationship. But he's the  
2 retired county executive of Albany for 20 years,  
3 and Class of '61 at West Point. And after  
4 West Point, went to jump school, rangers school,  
5 jungle warfare school, air transportation school,  
6 jump master school. He was a company commander  
7 in Vietnam and, among other things, a Bronze Star  
8 winner. And made major when he was 27, came back  
9 and taught counterinsurgency in Spanish at the  
10 College of the Americas. Which I tell him that  
11 prepared him to enter the world of politics, all  
12 of that training. And he indicates that it still  
13 wasn't enough.

14 (Laughter.)

15 SENATOR BRESLIN: So to my brother  
16 Michael, I salute you for everything you've done  
17 and our friendship over the years.

18 And to you, West Point, you make us  
19 feel proud. And you make us feel comfortable in  
20 the fact that our country is in good hands.

21 Thank you, Mr. President.

22 (Applause.)

23 ACTING PRESIDENT CROCI: General  
24 Jebb, to the Corps of Cadets, and to the entire  
25 West Point family, we of course -- I'm sorry.

1                   Senator Helming.

2                   SENATOR HELMING:    Thank you,  
3                   Mr. President.

4                   I too rise to share my thoughts on  
5                   how much I truly appreciate everything that  
6                   West Point does. To our West Point leadership  
7                   who's here today, to our cadets, to our family  
8                   members, from the bottom of my heart I thank you  
9                   for the courageous decisions you've made and for  
10                  your willingness to sacrifice on behalf of this  
11                  great country of ours.

12                  I'd like to ask Ms. Courtney Hill to  
13                  please stand. Courtney, thank you. Courtney  
14                  lives in Williamson, which is located in Wayne  
15                  County. Courtney, I'm so proud to have you and  
16                  your entire family living in my district.

17                  I have to say that Courtney is  
18                  following in a long tradition of family members  
19                  committed to the United States of America.  
20                  Courtney's father is Master Sergeant Scott A.  
21                  Hill. Her brother, Captain Corey G. Hill, is a  
22                  West Point 2014 graduate.

23                  And again, Courtney, to you and your  
24                  family, I thank you from the bottom of my heart,  
25                  and I wish you all the best as you continue

1 forward. Thank you very much.

2 (Applause.)

3 SENATOR HELMING: Mr. President,  
4 I'd also like to thank Colonel Larkin.

5 Colonel, you have been serving  
6 America since 1944 -- 23 years of active military  
7 service, 40 years of public service. I am so  
8 thankful that I joined the Senate in 2017 and had  
9 this time to work with you and to learn from you.  
10 You have been an incredible mentor.

11 And as Senator Flanagan mentioned, I  
12 am so proud that my son-in-law serves in the Army  
13 as well. He's a 2011 West Point graduate. So  
14 the Colonel and I have shared many stories.

15 And with my son-in-law Charlie, I  
16 have talked about you, Colonel, your advocacy for  
17 our veterans, what you do for our military. I've  
18 shared some of the stories about how when you  
19 really want to make a point, you get that cane of  
20 yours and bang it on the desk.

21 But this morning some of you were at  
22 the colonel's breakfast when I had the  
23 opportunity to present the colonel with a  
24 challenge coin from my son-in-law Charlie. I  
25 mean, Colonel, I just don't know how to thank you

1 for everything you've done, like I said, to  
2 promote our military, to make us remember the  
3 special sacrifices that they've done. Thank you  
4 so much.

5 Thank you.

6 (Applause.)

7 ACTING PRESIDENT CROCI: Senator  
8 Marchione.

9 SENATOR MARCHIONE: Thank you,  
10 Mr. President.

11 I rise also to say thank you to the  
12 cadets. Thank you all for putting your lives  
13 where they are, for sacrificing, for studying,  
14 for being of the caliber that you are to be one  
15 of the 1,000 chosen out of the 16,000. It is  
16 such an honor for me to be here in the chamber  
17 with all of you.

18 And from my district, there isn't a  
19 cadet, but there is an alumni member, and I would  
20 ask him to stand. His name is Peter Goebel. And  
21 Peter not only is a West Point graduate and  
22 served his country, but he also serves the County  
23 of Rensselaer as their veterans coordinator.

24 He works tirelessly on behalf of our  
25 military and our veterans, and I'm so honored

1     that he is in the chambers today.  So Peter,  
2     thank you for all that you have done.

3                     And from a Senator who is quite  
4     local, I also want you to know how important you  
5     are that I looked around and coming to visit  
6     today was Emil Baker, who is a wonderful veteran  
7     from the Town of Hoosick, who is here to honor  
8     you as well.  Emil only hires veterans in his  
9     employment, and is involved in every type of  
10    veterans programs that there are.

11                    And he was here today, he is here  
12    today, as well as Amy Amoroso, who is also  
13    involved in veterans employment.  Your presence  
14    here in this chamber means more than any one of  
15    you would ever realize.  And I am just so honored  
16    to be able to stand here and welcome you to  
17    Albany and at the same time thank my friend  
18    Senator Colonel Larkin for all that he has done  
19    for the Senate, all that he has done for the  
20    people of his district.

21                    I can't tell you how many times the  
22    Senator has shared his wisdom with every single  
23    one of us and tells us how critically important  
24    not only is the legislation in this chamber, but  
25    what we do when we're out in our districts.  And

1     how many times he has brought us different things  
2     that he does for veterans and shares that wisdom  
3     with us so that we all feel as he does. And I am  
4     so very grateful to him and so honored that I've  
5     had the opportunity to serve with him.

6                     So thank you, Senator.

7                     And thank you, each and every one of  
8     you.

9                     Thank you, Mr. President.

10                    (Applause.)

11                    ACTING PRESIDENT CROCI:     Senator  
12     Klein.

13                    SENATOR KLEIN:     Thank you,  
14     Mr. President.

15                    I stand also today to congratulate  
16     our brave men and women. And I think everyone  
17     knows the old adage that the freedoms that we  
18     enjoy each and every day, the sacrifice made by  
19     you is our ability to enjoy those freedoms. So I  
20     thank you for your service.

21                    And certainly any West Point Day is  
22     not complete without saluting and thanking  
23     Senator Larkin. Senator Larkin provides so much  
24     to us each and every day. He reminds us of the  
25     importance of sacrifice, of country, of always

1 remembering, never forgetting our veterans.

2 But I also want to recognize another  
3 veteran among us today, Senator Brooks. I want  
4 to thank you for your dedication to our country.  
5 Senator Brooks served in the New York National  
6 Guard as a medic for six years. Thank you for  
7 your dedicated service.

8 ACTING PRESIDENT CROCI: Senator  
9 Young.

10 SENATOR YOUNG: Thank you,  
11 Mr. President.

12 I rise in awe and to honor our  
13 cadets from West Point, your leadership, everyone  
14 associated with that, and also to sincerely thank  
15 our very own Senator Colonel Bill Larkin.

16 And I want to talk about Senator  
17 Larkin for just a moment. He is, as you know, a  
18 combat veteran. During World War II, he served  
19 in New Guinea and the Philippines, combat veteran  
20 in Korea.

21 But he also was there at some of the  
22 most historic moments in our country's history.  
23 He guarded President John F. Kennedy as an Army  
24 project officer on his historic trip to Germany  
25 in 1963. He also guarded the Reverend Dr. Martin

1 Luther King, Jr., on his courageous march from  
2 Selma to Montgomery.

3 Senator Larkin was there. He has  
4 spent more than 40 years serving his district,  
5 serving the state in the State Legislature. And  
6 he has not only been a guardian of veterans in  
7 that role, an ardent supporter of veterans,  
8 passing historic landmark legislation, but also  
9 he has been a guardian of some of our most  
10 vulnerable citizens.

11 He no doubt has saved lives on the  
12 battlefield, but he has also saved the lives of  
13 newborns, because he was the author of  
14 legislation that required pulse oximetry tests on  
15 newborns, saving countless lives.

16 So Senator Larkin is an inspiration,  
17 as has been pointed out, to many of us. And he  
18 has lived a life of service. And I know he's  
19 very proud of the fact that he did spend time  
20 with Martin Luther King, Jr. And I think that he  
21 has taken some of his lifetime service  
22 inspiration from him. Martin Luther King, Jr.,  
23 once said, Everybody can be great because anybody  
24 can serve.

25 And I say to you cadets, that's what



1     you're doing right now. You are courageous, you  
2     are a group of the best of the best that we have  
3     in New York State. And we thank you for your  
4     service to our country, to our state, to our  
5     people, to our way of life, to protect our  
6     freedoms that we hold so dear as Americans. You  
7     have that responsibility now and ahead of you.

8                     And we salute you, we give you great  
9     tribute because we feel that you deserve every  
10    single honor that's coming your way. We do wish  
11    you Godspeed in all of your responsibilities and  
12    your duties, and we could not be more proud of  
13    you and Senator Larkin.

14                    Thank you.

15                    (Appause.)

16                    ACTING PRESIDENT CROCI: Are there  
17    any other members who are wishing to speak?

18                    General Jebb, to the Corps of  
19    Cadets, we want to thank you of course for your  
20    great service to the United States Army, but also  
21    to our great republic. And we would ask that you  
22    would please rise to be recognized by the  
23    State Senate.

24                    (Standing ovation.)

25                    ACTING PRESIDENT CROCI: Thank you.

1           Senator DeFrancisco.

2           SENATOR DeFRANCISCO:    Yes, on this  
3 resolution I will be presumptuous and assume that  
4 you could be on this resolution unless you speak  
5 to the desk and say you do not want to be on.

6           ACTING PRESIDENT CROCI:   Very good.  
7 Senator Larkin has opened this resolution for  
8 cosponsorship. If you do not wish to be a  
9 cosponsor, please notify the desk.

10          Senator DeFrancisco.

11          SENATOR DeFRANCISCO:    Next can we  
12 take up previously adopted Resolution 4838, by  
13 Senator Tedisco, read it in its entirety, and  
14 call on Senator Tedisco.

15          ACTING PRESIDENT CROCI:   The  
16 Secretary will read.

17          THE SECRETARY:    Legislative  
18 Resolution Number 4838, by Senator Tedisco,  
19 memorializing Governor Andrew M. Cuomo to  
20 proclaim May 2018 as Neurofibromatosis Month in  
21 the State of New York.

22          "WHEREAS, It is the custom of this  
23 Legislative Body to recognize official months  
24 that are set aside to increase awareness of  
25 serious illnesses that affect the lives of

1 citizens of New York State; and

2 "WHEREAS, This Legislative Body is  
3 justly proud to memorialize Governor Andrew M.  
4 Cuomo to proclaim May 2018 as Neurofibromatosis  
5 Month in the State of New York, in conjunction  
6 with the observance of National Neurofibromatosis  
7 Month; and

8 "WHEREAS, Neurofibromatosis (NF), a  
9 debilitating disorder, affects more than 100,000  
10 Americans; and

11 "WHEREAS, Neurofibromatosis  
12 Northeast has worked for over 25 years on its  
13 mission to find a cure for NF; and

14 "WHEREAS, With a mission to finding  
15 a treatment and cure for NF, Neurofibromatosis  
16 Northeast promotes research, creates awareness  
17 and supports those who are affected by NF; and

18 "WHEREAS, Increased awareness of NF  
19 will help initiate critical research; NF patients  
20 and their families are determined to make  
21 neurofibromatosis a household word; and

22 "WHEREAS, It is imperative that  
23 there be greater awareness of this serious health  
24 condition, and more must be done to increase  
25 activity at the local, state and national levels;

1 now, therefore, be it

2 "RESOLVED, That this Legislative  
3 Body pause in its deliberations to memorialize  
4 Governor Andrew M. Cuomo to proclaim May 2018 as  
5 Neurofibromatosis Month in the State of New York;  
6 and be it further

7 "RESOLVED, That a copy of this  
8 resolution, suitably engrossed, be transmitted to  
9 the Honorable Andrew M. Cuomo, Governor of the  
10 State of New York."

11 ACTING PRESIDENT CROCI: Senator  
12 Tedisco.

13 SENATOR TEDISCO: Thank you,  
14 Mr. President.

15 Mr. President and my colleagues, to  
16 show you something that relates to the way our  
17 mind works -- I don't know about you, but my  
18 memory fails me often. And not too long ago I  
19 was doing what I like to do on a Sunday, and  
20 that's read that little magazine that comes in  
21 your newspaper, the Parade Magazine. And in that  
22 Parade Magazine, it always gives special new  
23 things that are happening.

24 It said the new longest word in the  
25 Oxford English Dictionary. I read it once, I

1     went to bed that night, I woke up in the morning  
2     and I knew about pneumonoultramicroscopicsilico-  
3     volcanoconiosis.

4                     I've got another big word that I  
5     want to read, which has been read by the  
6     president: Neurofibromatosis. It's a big word  
7     for importance for some of the people up in the  
8     gallery here, and over 7,000 families in New York  
9     State. And I'd like to tell you a little bit  
10    about neurofibromatosis.

11                    Today I'm honored to welcome to the  
12    Senate chamber guests from the Neurofibromatosis  
13    Northeast group, who are here today to advocate  
14    and bring more awareness to this genetic  
15    disorder. This group was organized and formed by  
16    a group of people who were in some way affected  
17    by this genetic disorder. Some of our guests up  
18    in the gallery today are living every day with  
19    neurofibromatosis. This month, as has been  
20    said -- May -- is Neurofibromatosis Month in  
21    New York State and the nation.

22                    It's not as big a word as the word I  
23    read that's the longest word in the Oxford  
24    English Dictionary, but I think it's much more  
25    important for them and for us and for those

1 families across the state.

2           It encompasses a set of distinct  
3 genetic disorders that cause tumors along various  
4 types of nerves. It causes tumors to grow  
5 anywhere on or in the body. These tumors can  
6 cause significant damage to nerves, leading to  
7 hearing loss, visual impairment, balance issues,  
8 and other functional problems, depending upon the  
9 location of the tumors.

10           To date, treatment has been limited  
11 to surgery to remove the tumors, often creating  
12 collateral damage to the nerves and spinal cord.  
13 Research has focused on nonsurgical therapies to  
14 reduce tumors and prevent formation of new  
15 tumors.

16           This research significantly -- and  
17 this is important -- overlaps with cancer  
18 research and many drugs that have been effective  
19 in treating cancer; they're also being  
20 investigated for their potential in helping  
21 neurofibromatosis patients. Conversely,  
22 neurofibromatosis research has significant  
23 potential for identifying new therapeutic  
24 approaches to cancer.

25           I'd like to have them stand up there

1 in the gallery. Dr. Vito Grasso is with us.  
2 Rebecca Grasso, who is dealing with the  
3 challenges of neurofibromatosis too. Susan  
4 Benjamin, whose grandson Caesar is also  
5 challenged by neurofibromatosis too.

6 And I would ask you to welcome them,  
7 give them all the cordialities of the house, and  
8 I wish them all the very best in the future and  
9 thank them for being here today.

10 ACTING PRESIDENT CROCI: Ladies and  
11 gentlemen, we thank you for your presence here  
12 today and your courageous fight. We extend to  
13 you the courtesies and privileges of this house,  
14 and we ask you to please stand and be recognized.

15 (Standing ovation.)

16 ACTING PRESIDENT CROCI: Senator  
17 DeFrancisco.

18 SENATOR DeFRANCISCO:  
19 Mr. President, that resolution is also open for  
20 cosponsorship. If you want to cosponsor, please  
21 notify the desk.

22 ACTING PRESIDENT CROCI: The  
23 resolution is open for cosponsorship. If you  
24 would like to be a cosponsor, please notify the  
25 desk.

1                   SENATOR DeFRANCISCO:    There's a  
2 hand-up from Senator Stewart-Cousins of various  
3 committee assignments.

4                   ACTING PRESIDENT CROCI:   The  
5 submission will be filed with the Journal.

6                   SENATOR DeFRANCISCO:    At this point  
7 there will be an immediate meeting of the Rules  
8 Committee in Room 124. For those of you who are  
9 within the hearing of the chambers, Room 124,  
10 immediate meeting of the Rules Committee.

11                  ACTING PRESIDENT CROCI:   There will  
12 be an immediate meeting of the Rules Committee in  
13 Room 124 of the Capitol. Not Room 332, Room 124.

14                   The Senate stands at ease.

15                   (Whereupon, the Senate stood at ease  
16 at 12:20 p.m.)

17                   (Whereupon, the Senate reconvened at  
18 12:34 p.m.)

19                  ACTING PRESIDENT CROCI:   The Senate  
20 will come to order.

21                   Senator DeFrancisco.

22                  SENATOR DeFRANCISCO:    Yes. Is  
23 there a Rules Committee report at the desk?

24                  ACTING PRESIDENT CROCI:   Yes, there  
25 is, Senator.



1                   SENATOR DeFRANCISCO:    Could we  
2     please take that up and have it read.

3                   ACTING PRESIDENT CROCI:    Yes.   The  
4     Secretary will read.

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

8                   Senate Print 922B, by Senator Croci,  
9     an act to amend the Economic Development Law;

10                  Senate 2325, by Senator Griffo, an  
11     act to amend the Legislative Law;

12                  Senate 3354, by Senator Krueger, an  
13     act to amend the Business Corporation Law;

14                  Senate 3984A, by Senator  
15     DeFrancisco, an act to amend the State Finance  
16     Law;

17                  Senate 5985A, by Senator Boyle, an  
18     act to amend the Economic Development Law;

19                  Senate 7697A, by Senator  
20     DeFrancisco, an act to amend the Public  
21     Authorities Law;

22                  Senate 7781, by Senator Griffo, an  
23     act to amend the Public Officers Law;

24                  Senate 8235A, by Senator Flanagan,  
25     an act to amend subpart H of Part C of Chapter 20

1 of the Laws of 2015;

2 Senate 8404, by Senator Ranzenhofer,  
3 an act to amend the Election Law;

4 And Senate 8409, by Senator  
5 Ranzenhofer, an act to amend the Election Law.

6 All bills reported direct to third  
7 reading.

8 ACTING PRESIDENT CROCI: Senator  
9 DeFrancisco.

10 SENATOR DeFRANCISCO: Move to  
11 accept the report of the Rules Committee.

12 ACTING PRESIDENT CROCI: All in  
13 favor of accepting the Rules Committee report  
14 please signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT CROCI: Opposed,  
17 nay.

18 (No response.)

19 ACTING PRESIDENT CROCI: The report  
20 is accepted.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO:  
23 Mr. President, could we go to the active list for  
24 today and just call up one bill, the first bill,  
25 Senator Jacobs' bill.

1           ACTING PRESIDENT CROCI:    The  
2   Secretary will read.

3           THE SECRETARY:    Calendar Number  
4   101, by Senator Jacobs, Senate Print --

5           SENATOR KLEIN:    Lay it aside,  
6   please.

7           ACTING PRESIDENT CROCI:    The bill  
8   is laid aside.

9           SENATOR DeFRANCISCO:    Could we take  
10   up that bill, please.

11          ACTING PRESIDENT CROCI:    The  
12   Secretary will ring the bell.

13          The Secretary will read.

14          THE SECRETARY:    Calendar Number  
15   101, by Senator Jacobs, Senate Print 5912C, an  
16   act to amend the State Administrative Procedure  
17   Act.

18          ACTING PRESIDENT CROCI:    Senator  
19   Klein.

20          SENATOR KLEIN:    Mr. President, I  
21   believe there's an amendment at the desk. I ask  
22   that the reading of the amendment be waived and  
23   that we may be heard on the amendment.

24          ACTING PRESIDENT CROCI:    Senator,  
25   I've reviewed your amendment and rule that

1     pursuant to Senate Rules Article VII, Section 4B,  
2     that it is not germane and therefore it is out of  
3     order.

4                     SENATOR KLEIN:     Well,  
5     Mr. President, I appeal the decision of the  
6     chair, and I ask that Senator Mayer be heard on  
7     the appeal.

8                     ACTING PRESIDENT CROCI:     Senator  
9     Mayer.

10                    SENATOR MAYER:     Thank you,  
11     Mr. President.

12                    Our teachers are the very foundation  
13     of our education system. All of us have them in  
14     our districts, we know they work tirelessly and  
15     endlessly to create an environment for our  
16     children that fosters learning, creativity and  
17     prepares them for the future.

18                    In this modern era, we rely on our  
19     teachers like never before. They not only teach  
20     our children, but they provide all the services  
21     that many of our children need. Many times --  
22     and I know this firsthand -- our teachers have  
23     become the family members to our children.

24                    Sadly, our current evaluation system  
25     and the mandatory use of state tests for teacher

1 evaluation has put pressure on teachers that no  
2 other profession faces. We don't ask our doctors  
3 to demonstrate how many patients they have cured,  
4 yet we ask our teachers to prove how many  
5 children received a perfect score on state exams  
6 before we evaluate their performance.

7           Our current system is flawed because  
8 it requires districts to judge teachers based on  
9 the outcome of these state tests. It has created  
10 an overreliance on standardized testing that has  
11 stifled the learning climate. Students are  
12 forced to only learn the concepts that will be  
13 tested instead of the more expansive curriculum.  
14 As a result, students are no longer excited to  
15 learn, and we risk that teachers are less excited  
16 to teach.

17           In addition, the current evaluation  
18 system does not reflect or recognize the issues  
19 that students face outside the classroom. Our  
20 students are facing challenges like never before.  
21 Mental health issues, family problems, social and  
22 emotional well-being are all issues that the  
23 children of all of our districts face.

24           On any given day, our children face  
25 issues that we could not imagine, yet we are

1 rating our teachers on the day's results of our  
2 students' exams. Our teachers and our  
3 students are more than just a test score.

4           The bill which is the basis of this  
5 amendment addresses these problems. It  
6 recognizes that testing is not how we measure  
7 good teachers. It attempts to fix our flawed  
8 system by allowing school districts and their  
9 teachers to create an evaluation system within  
10 their own district that's fair and effective. It  
11 removes the current mandate in state law that  
12 state exams must be the sole measure of our  
13 individual teachers.

14           This bill restores our faith and  
15 respect for our teachers. It is long overdue.  
16 And this bill sends a clear message to our  
17 current and prospective teachers, our families,  
18 our parents and, most importantly, our children  
19 that we care about the education system, our  
20 children and our teachers.

21           Thank you, Mr. President.

22           ACTING PRESIDENT CROCI: The  
23 question is on the ruling of the chair. All  
24 those in favor of overruling the ruling of the  
25 chair please signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT CROCI: Those  
3 opposed, nay.

4 (No response.)

5 ACTING PRESIDENT CROCI: The ruling  
6 of the chair --

7 SENATOR KLEIN: Can we signify by a  
8 show of hands, please.

9 ACTING PRESIDENT CROCI: A show of  
10 hands is ordered.

11 Announce the results.

12 THE SECRETARY: Ayes, 30.

13 ACTING PRESIDENT CROCI: The ruling  
14 of the chair stands.

15 The bill is before the house.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: Yes, if we  
18 could go back to the active list of today. And I  
19 would request unanimous consent to put the Jacobs  
20 bill back on the noncontroversial calendar for  
21 reading.

22 And if we could start with the  
23 Jacobs bill and go through the active list for  
24 noncontroversial, please.

25 ACTING PRESIDENT CROCI: So

1 ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number  
4 101, by Senator Jacobs, Senate Print 5912C, an  
5 act to amend the State Administrative Procedure  
6 Act.

7 ACTING PRESIDENT CROCI: Read the  
8 last section.

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

11 ACTING PRESIDENT CROCI: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT CROCI: Senator  
15 Jacobs.

16 SENATOR JACOBS: Thank you,  
17 Mr. President --

18 ACTING PRESIDENT CROCI: Will the  
19 Senator suspend.

20 Ladies and gentlemen, a little order  
21 in the house, please. Thank you.

22 Senator Jacobs, please continue.

23 SENATOR JACOBS: Thank you,  
24 Mr. President.

25 This bill has to do with the process



1 and procedure of emergency rulemaking. Emergency  
2 rulemaking privilege has been on the books for  
3 many, many years, giving the Executive and the  
4 Executive's --

5 ACTING PRESIDENT CROCI: Excuse me,  
6 Senator. (Gaveling.) Go ahead, Senator.

7 SENATOR JACOBS: -- providing the  
8 Executive and the departments under the Executive  
9 the power to bypass the standard process of input  
10 from the community and stakeholders, and  
11 transparency, to be able to bypass the typical  
12 comment period and initiate and implement a rule,  
13 a regulation, immediately due to the fact of an  
14 emergency.

15 Unfortunately, this rule has been  
16 abused over the last number of years and been  
17 used as a way to bypass and carve out people's  
18 right to have input in the process of rules and  
19 regulations that impact their lives. And what  
20 we've seen is a proliferation of the emergency  
21 rulemaking procedure, using it to bypass public  
22 input.

23 In fact, between 2006 and 2015,  
24 there were 2,750 rules and regulations  
25 implemented in New York State; 1,938 of them were

1 done through the emergency rulemaking process,  
2 nearly 70 percent. I do not believe that  
3 70 percent of those rules and regulations had to  
4 be implemented right away because there was an  
5 emergency.

6 Furthermore, an emergency regulation  
7 is supposed to be for a brief period of time, and  
8 then the normal period of input and public  
9 comment is supposed to be implemented. Yet many,  
10 many of the instances when an emergency rule is  
11 used, they perpetuate the emergency rule time and  
12 time again to avoid the opportunity for anybody  
13 to comment and have input on the impact of these  
14 rules.

15 So what this legislation simply does  
16 is lend clarity to when a rule can be done  
17 through an emergency rulemaking procedure. And  
18 also after that initial period of time the  
19 emergency rule is utilized, that they do have to  
20 have a standard process of public comment so this  
21 is done in a fair, transparent way where  
22 stakeholders and those impacted have a right to  
23 comment on rules and regulations that will impact  
24 their lives or their businesses.

25 Thank you very much, Mr. President.

1 I vote aye.

2 ACTING PRESIDENT CROCI: If we  
3 could have a show of hands again for anybody who  
4 is voting in the negative, it would help the desk  
5 clerk tremendously. Thank you.

6 Announce the result.

7 THE SECRETARY: In relation to  
8 Calendar 101, those recorded in the negative are  
9 Senators Addabbo, Alcantara, Brooks, Comrie,  
10 Dilan, Hoylman, Kavanagh, Kennedy, Mayer,  
11 Montgomery, Peralta, Rivera, Sepúlveda, Stavisky  
12 and Stewart-Cousins.

13 Ayes, 47. Nays, 15.

14 ACTING PRESIDENT CROCI: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 384, by Senator Lanza, Senate Print 3308A, an act  
18 to amend the Public Authorities Law.

19 ACTING PRESIDENT CROCI: Read the  
20 last section.

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

23 ACTING PRESIDENT CROCI: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT CROCI: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 589, by Senator Croci, Senate Print 6613B, an act  
6 to amend the New York State Urban Development  
7 Corporation Act.

8 ACTING PRESIDENT CROCI: Read the  
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT CROCI: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 605, by Senator Funke, Senate Print 1670, an act  
20 to amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT CROCI: Read the  
22 last section.

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

25 ACTING PRESIDENT CROCI: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61. Nays, 1.

4 Senator Krueger recorded in the negative.

5 ACTING PRESIDENT CROCI: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 648, by Senator Griffo, Senate Print 2419, an act  
9 to amend the Banking Law.

10 ACTING PRESIDENT CROCI: Read the  
11 last section.

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

14 ACTING PRESIDENT CROCI: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61. Nays, 1.

18 Senator Kavanagh recorded in the negative.

19 ACTING PRESIDENT CROCI: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 701, by Senator Robach, Senate Print 285, an act  
23 to amend the Penal Law.

24 ACTING PRESIDENT CROCI: Read the  
25 last section.

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

3 ACTING PRESIDENT CROCI: Call the  
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: In relation to  
7 Calendar 701: Ayes, 61. Nays, 1. Senator  
8 Montgomery recorded in the negative.

9 ACTING PRESIDENT CROCI: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 710, by Senator Bailey, Senate Print 3335, an act  
13 to amend the Penal Law.

14 ACTING PRESIDENT CROCI: Read the  
15 last section.

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

18 ACTING PRESIDENT CROCI: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT CROCI: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 749, by Senator Robach, Senate Print 309, an act

1 to amend the Highway Law.

2 ACTING PRESIDENT CROCI: Read the  
3 last section.

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

6 ACTING PRESIDENT CROCI: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT CROCI: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 752, by Senator Marcellino, Senate Print 1187, an  
14 act to amend the Vehicle and Traffic Law.

15 ACTING PRESIDENT CROCI: Read the  
16 last section.

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

19 ACTING PRESIDENT CROCI: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61. Nays, 1.  
23 Senator Montgomery recorded in the negative.

24 ACTING PRESIDENT CROCI: The bill  
25 is passed.

1                   THE SECRETARY:   Calendar Number  
2   756, by Senator Hannon, Senate Print 2249, an act  
3   to amend the Vehicle and Traffic Law.

4                   ACTING PRESIDENT CROCI:   Read the  
5   last section.

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

8                   ACTING PRESIDENT CROCI:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:   Ayes, 62.

12                   ACTING PRESIDENT CROCI:   The bill  
13   is passed.

14                   THE SECRETARY:   Calendar Number  
15   758, by Senator Griffo, Senate Print 2537, an act  
16   to amend the Highway Law.

17                   ACTING PRESIDENT CROCI:   Read the  
18   last section.

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

21                   ACTING PRESIDENT CROCI:   Call the  
22   roll.

23                   (The Secretary called the roll.)

24                   THE SECRETARY:   Ayes, 62.

25                   ACTING PRESIDENT CROCI:   The bill



1 is passed.

2 THE SECRETARY: Calendar Number  
3 760, by Senator Larkin, Senate Print 3249, an act  
4 to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT CROCI: Read the  
6 last section.

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

9 ACTING PRESIDENT CROCI: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT CROCI: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 763, by Senator Seward, Senate Print 4454A, an  
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT CROCI: Read the  
19 last section.

20 THE SECRETARY: Section 2. This  
21 act shall take effect January 1, 2019.

22 ACTING PRESIDENT CROCI: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1                   ACTING PRESIDENT CROCI:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   955, by Senator Serino, Senate Print 6173, an act  
5   to amend the Vehicle and Traffic Law.

6                   ACTING PRESIDENT CROCI:    Read the  
7   last section.

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

10                  ACTING PRESIDENT CROCI:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 62.

14                  ACTING PRESIDENT CROCI:    The bill  
15   is passed.

16                  Senator DeFrancisco, that completes  
17   the reading of the noncontroversial calendar.

18                  SENATOR DeFRANCISCO:  
19   Mr. President, there is a supplemental calendar  
20   on the desks, Calendar 41A.   Would you take up  
21   the noncontroversial reading of that calendar.

22                  ACTING PRESIDENT CROCI:    The  
23   Secretary will read.

24                  THE SECRETARY:    Calendar Number  
25   1122, by Senator Croci, Senate Print 922B, an act

1 to amend the Economic Development Law.

2 ACTING PRESIDENT CROCI: Read the  
3 last section.

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

6 ACTING PRESIDENT CROCI: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes --

10 (Inaudible member exchange.)

11 ACTING PRESIDENT CROCI: The Senate  
12 supplemental calendar that is before the house is  
13 available on your iPads.

14 Read the last section.

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

17 ACTING PRESIDENT CROCI: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61. Nays, 1.  
21 Senator Hoylman recorded in the negative.

22 ACTING PRESIDENT CROCI: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 1123, by Senator Griffo, Senate Print 2325, an

1 act to amend the Legislative Law.

2 ACTING PRESIDENT CROCI: Read the  
3 last section.

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

6 ACTING PRESIDENT CROCI: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT CROCI: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 1124, by Senator Krueger, Senate Print 3354, an  
14 act to amend the Business Corporation Law.

15 ACTING PRESIDENT CROCI: Read the  
16 last section.

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

19 ACTING PRESIDENT CROCI: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT CROCI: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1125, by Senator DeFrancisco, Senate Print 3984A,  
2 an act to amend the State Finance Law.

3 ACTING PRESIDENT CROCI: Read the  
4 last section.

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

7 ACTING PRESIDENT CROCI: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CROCI: Senator  
11 DeFrancisco.

12 SENATOR DeFRANCISCO: Yes. This  
13 bill I've been trying to get passed for some  
14 time, and I'm happy it's on the calendar today.

15 It's a bipartisan bill. In fact,  
16 it's a bill the original of which was prepared by  
17 the Comptroller of the State of New York.

18 And it basically provides more  
19 oversight of various contracts, the type of  
20 contracts that are listed in the title there.  
21 And I think it's essential that we have more  
22 transparency in government, and especially in  
23 procurement, in view of some of the incidents  
24 that are the subject matter of actual criminal  
25 trials at the present time.

1           There's a second bill, and I'll  
2   speak on that quickly at the same time, and that  
3   provides that the Public Authorities PACB Board,  
4   Public Authorities Control Board, has to receive  
5   certain basic information -- and it's outlined in  
6   the bill -- before they make a vote to approve  
7   any type of project.

8           It's been done in a blind fashion in  
9   the past, and it was like pulling teeth trying to  
10  get more information. So this would require  
11  certain information be provided for that board  
12  which will provide more oversight.

13          So I would urge everyone to pass  
14  this bill and the subsequent bill dealing with  
15  the PACB.

16          Thank you.

17          ACTING PRESIDENT CROCI:    Senator  
18  DeFrancisco to be recorded in the affirmative.

19          Announce the results.

20          THE SECRETARY:    Ayes, 60.   Nays, 2.  
21  Senators Klein and Savino recorded in the  
22  negative.

23          ACTING PRESIDENT CROCI:    The bill  
24  is passed.

25          THE SECRETARY:    Calendar Number

1 1126, by Senator Boyle, Senate Print 5985A, an  
2 act to amend the Economic Development Law.

3 ACTING PRESIDENT CROCI: Read the  
4 last section.

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

7 ACTING PRESIDENT CROCI: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT CROCI: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 1127, by Senator DeFrancisco, Senate Print 7697A,  
15 an act to amend the Public Authorities Law.

16 ACTING PRESIDENT CROCI: Read the  
17 last section.

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

20 ACTING PRESIDENT CROCI: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT CROCI: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2   1128, by Senator Griffo, Senate Print 7781, an  
3   act to amend the Public Officers Law.

4                   ACTING PRESIDENT CROCI:   Read the  
5   last section.

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

8                   ACTING PRESIDENT CROCI:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   ACTING PRESIDENT CROCI:   Announce  
12   the result.

13                   THE SECRETARY:    In relation to  
14   Calendar 1128, those recorded in the negative are  
15   Senators Bailey, Breslin, Brooks, Comrie, Dilan,  
16   Gianaris, Hoylman, Kennedy, Krueger, Mayer,  
17   Montgomery, Rivera and Sepúlveda.

18                   Ayes, 49.  Nays, 13.

19                   ACTING PRESIDENT CROCI:   The bill  
20   is passed.

21                   THE SECRETARY:    Calendar Number  
22   1129, by Senator Flanagan --

23                   SENATOR KLEIN:    Lay it aside.

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



1                   ACTING PRESIDENT CROCI:    The bill  
2   will be laid aside for the day.

3                   THE SECRETARY:    Calendar Number  
4   1130, by Senator Ranzenhofer, Senate Print 8404,  
5   an act to amend the Election Law.

6                   ACTING PRESIDENT CROCI:    Read the  
7   last section.

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

10                  ACTING PRESIDENT CROCI:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 60.   Nays, 2.  
14   Senators Sanders and Savino recorded in the  
15   negative.

16                  ACTING PRESIDENT CROCI:    The bill  
17   is passed.

18                  THE SECRETARY:    Calendar Number  
19   1131, by Senator Ranzenhofer, Senate Print 8409,  
20   an act to amend the Election Law.

21                  ACTING PRESIDENT CROCI:    Read the  
22   last section.

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

25                  ACTING PRESIDENT CROCI:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60. Nays, 2.

4 Senators Sanders and Savino recorded in the  
5 negative.

6 ACTING PRESIDENT CROCI: The bill  
7 is passed.

8 Senator DeFrancisco, that completes  
9 the reading of the supplemental calendar.

10 SENATOR DeFRANCISCO: Thank you.

11 And it's my understanding that  
12 there's a hand-down from the Assembly.

13 ACTING PRESIDENT CROCI: Senator,  
14 Calendar 962 would bring that legislation to the  
15 desk.

16 SENATOR DeFRANCISCO: Calendar 962.  
17 So however you bring it to the desk, would you do  
18 it?

19 (Laughter.)

20 ACTING PRESIDENT CROCI: The  
21 Secretary will read.

22 THE SECRETARY: On page 63, Senator  
23 Breslin moves to discharge, from the Committee on  
24 Education, Assembly Bill Number 9040A and  
25 substitute it for the identical Senate Bill

1 7432A, Third Reading Calendar 962.

2 ACTING PRESIDENT CROCI: The  
3 substitution is ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 962, by Member of the Assembly Fahy, Assembly  
7 Print 9040A, an act to amend the Education Law.

8 ACTING PRESIDENT CROCI: Read the  
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT CROCI: The bill  
17 is passed.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Could we  
20 please return to motions and resolutions.

21 ACTING PRESIDENT CROCI: Motions  
22 and resolutions.

23 SENATOR DeFRANCISCO: On page 46, I  
24 offer the following amendments to Calendar 728,  
25 Senate Print 4241A, by Senator Seward, and ask

1     that said bill retain its place on the Third  
2     Reading Calendar.

3                 ACTING PRESIDENT CROCI:     So  
4     ordered.

5                 SENATOR DeFRANCISCO:     On page 46, I  
6     offer the following amendments to Calendar 731,  
7     Senate Print 7746, by Senator Seward, and ask  
8     that said bill retain its place on the Third  
9     Reading Calendar.

10                ACTING PRESIDENT CROCI:     It is so  
11     ordered.

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

14                ACTING PRESIDENT CROCI:     Senator,  
15     there is no further business before the desk.

16                SENATOR DeFRANCISCO:     That being  
17     the case, I move to adjourn until Monday,  
18     May 14th, at 3:00 p.m., intervening days being  
19     legislative days.

20                ACTING PRESIDENT CROCI:     On motion,  
21     the Senate stands adjourned until Monday,  
22     May 14th, at 3:00 p.m., intervening days being  
23     legislative days.

24                         (Whereupon, at 1:00 p.m., the Senate  
25     adjourned.)