NEW YORK STATE SENATE

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REGULAR SESSION

SENATOR THOMAS D. CROCI, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT CROCI: The Senate will come to order.

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

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

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

Chaplain Carrothers.

CHAPLAIN CARROTHERS: Thank you.

Allow me to voice a prayer for us.

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

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

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

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

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

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

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

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

Amen.

ACTING PRESIDENT CROCI: Thank you, Chaps.

The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, can we take up previously adopted Resolution 5050, by Senator Larkin, read it in its entirety, and call on Senator Larkin to speak.

ACTING PRESIDENT CROCI: The Secretary will read.

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

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

State of New York; and

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

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

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

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

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

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

"WHEREAS, The United States Military

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

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

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

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

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

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

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

ACTING PRESIDENT CROCI: Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

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

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

(Standing ovation.)

SENATOR LARKIN: Thank you very much.

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

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

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

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

(Laughter; applause.)

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

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

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

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

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

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

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

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

(Laughter.)

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

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

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

Mr. President, thank you very much.

(Extended standing ovation.)

ACTING PRESIDENT CROCI: Thank you,

Colonel Larkin.

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

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

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

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

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

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

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

These young men and women with me

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

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

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

Martin Luther King, Jr., tells us:

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

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

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

As you might imagine, I'm proud to

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

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

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

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

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

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

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

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

Go Army!

(Sustained standing ovation.)

ACTING PRESIDENT CROCI: Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

Brigadier General Jebb, it's awesome

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

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

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

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

(Laughter.)

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

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

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

(Laughter.)

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

And I want to just mention some of

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

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

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

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

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

"You're done" --

(Laughter.)

SENATOR FLANAGAN: -- he listens.

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

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

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

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

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

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

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

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

(Applause.)

ACTING PRESIDENT CROCI: Senator Flanagan.

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

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

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

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

Again, Mr. President, thank you very much.

(Applause.)

ACTING PRESIDENT CROCI: Senator DeFrancisco.

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

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

will go on.

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

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

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

(Laughter.)

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

(Laughter.)

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

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

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

Thank you.

(Applause.)

ACTING PRESIDENT CROCI: Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

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

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

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

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

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

(Applause.)

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

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

Thank you.

(Applause.)

ACTING PRESIDENT CROCI: Senator Amedore.

SENATOR AMEDORE: Thank you, Mr. President.

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

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

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

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

(Applause.)

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

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

(Applause.)

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

So to the cadets from West Point, we

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

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT CROCI: Senator Addabbo.

SENATOR ADDABBO: Thank you, Mr. President.

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

(Applause.)

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

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

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

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

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

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

(Standing ovation.)

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

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

So to our cadets, welcome and thank you.

Thank you very much, Mr. President.

(Applause.)

ACTING PRESIDENT CROCI: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

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

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

(Laughter.)

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

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

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

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

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

(Laughter.)

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

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

Thank you, Mr. President.

(Applause.)

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

Senator Helming.

SENATOR HELMING: Thank you, Mr. President.

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

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

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

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

forward. Thank you very much.

(Applause.)

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

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

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

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

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

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

Thank you.

(Applause.)

ACTING PRESIDENT CROCI: Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

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

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

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

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

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

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

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

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

So thank you, Senator.

And thank you, each and every one of you.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT CROCI: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

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

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

remembering, never forgetting our veterans.

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

ACTING PRESIDENT CROCI: Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

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

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

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

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

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

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

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

And I say to you cadets, that's what

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

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

Thank you.

(Applause.)

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

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

(Standing ovation.)

ACTING PRESIDENT CROCI: Thank you.

Senator DeFrancisco.

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

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

Senator DeFrancisco.

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

ACTING PRESIDENT CROCI: The Secretary will read.

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

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

citizens of New York State; and

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

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

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

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

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

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

now, therefore, be it

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

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

ACTING PRESIDENT CROCI: Senator Tedisco.

SENATOR TEDISCO: Thank you, Mr. President.

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

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

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

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

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

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

families across the state.

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

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

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

I'd like to have them stand up there

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

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

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

(Standing ovation.)

ACTING PRESIDENT CROCI: Senator DeFrancisco.

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

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

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

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

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

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

The Senate stands at ease.

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

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

ACTING PRESIDENT CROCI: The Senate will come to order.

Senator DeFrancisco.

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

ACTING PRESIDENT CROCI: Yes, there is, Senator.

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

ACTING PRESIDENT CROCI: Yes. The Secretary will read.

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

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

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

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

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

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

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

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

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

of the Laws of 2015;

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

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

All bills reported direct to third reading.

ACTING PRESIDENT CROCI: Senator DeFrancisco.

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

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

(Response of "Aye.")

ACTING PRESIDENT CROCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The report is accepted.

Senator DeFrancisco.

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

ACTING PRESIDENT CROCI: The Secretary will read.

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

SENATOR KLEIN: Lay it aside, please.

ACTING PRESIDENT CROCI: The bill is laid aside.

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

ACTING PRESIDENT CROCI: The Secretary will ring the bell.

The Secretary will read.

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

ACTING PRESIDENT CROCI: Senator Klein.

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

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

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

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

ACTING PRESIDENT CROCI: Senator Mayer.

SENATOR MAYER: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

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

(Response of "Aye.")

ACTING PRESIDENT CROCI: Those opposed, nay.

(No response.)

ACTING PRESIDENT CROCI: The ruling of the chair --

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

ACTING PRESIDENT CROCI: A show of hands is ordered.

Announce the results.

THE SECRETARY: Ayes, 30.

ACTING PRESIDENT CROCI: The ruling of the chair stands.

The bill is before the house.

Senator DeFrancisco.

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

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

ACTING PRESIDENT CROCI: So

ordered.

The Secretary will read.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CROCI: Senator Jacobs.

SENATOR JACOBS: Thank you, Mr. President --

ACTING PRESIDENT CROCI: Will the Senator suspend.

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

Senator Jacobs, please continue.

SENATOR JACOBS: Thank you, Mr. President.

This bill has to do with the process

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

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

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

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

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

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

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

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

Thank you very much, Mr. President.

I vote aye.

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

Announce the result.

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

Ayes, 47. Nays, 15.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Kavanagh recorded in the negative.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

to amend the Highway Law.

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill

is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

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

ACTING PRESIDENT CROCI: The Secretary will read.

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

to amend the Economic Development Law.

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes --

(Inaudible member exchange.)

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

Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT CROCI: The bill is passed.

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

act to amend the Legislative Law.

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CROCI: Senator DeFrancisco.

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

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

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

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

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

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

Thank you.

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

Announce the results.

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

ACTING PRESIDENT CROCI: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CROCI: Announce the result.

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

Ayes, 49. Nays, 13.

ACTING PRESIDENT CROCI: The bill is passed.

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

SENATOR KLEIN: Lay it aside.

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

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

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT CROCI: The bill is passed.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the

roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT CROCI: The bill is passed.

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

SENATOR DeFRANCISCO: Thank you.

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

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

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

(Laughter.)

ACTING PRESIDENT CROCI: The Secretary will read.

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

7432A, Third Reading Calendar 962.

ACTING PRESIDENT CROCI: The substitution is ordered.

The Secretary will read.

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

ACTING PRESIDENT CROCI: Read the last section.

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

ACTING PRESIDENT CROCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT CROCI: The bill is passed.

Senator DeFrancisco.

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

ACTING PRESIDENT CROCI: Motions and resolutions.

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

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

ACTING PRESIDENT CROCI: So ordered.

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

ACTING PRESIDENT CROCI: It is so ordered.

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

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

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

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

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