NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:10 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: Very well done by our students up there.

(Laughter.)

ACTING PRESIDENT GRIFFO: In the absence of clergy, I would ask all present to please bow your heads in a moment of silent reflection and/or prayer.

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

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

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

read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 55, Senator Gallivan moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 10159 and substitute it for the identical Senate Bill 8048, Third Reading Calendar 856.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, on page 12 I offer the following amendments to Calendar 46, Senate Print 7318, by you, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The

amendments are received. The bill shall retain its place on third reading.

SENATOR DeFRANCISCO: On page 55, I offer the following amendments to Calendar 849, Senate Print 7373A, by Senator Ritchie, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: On page 64, I offer the following amendments to Calendar 983, Senate Print 8093, by Senator Hannon, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: I wish to call up Senator Little's bill, Print Number 1317, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number

189, by Senator Little, Senate Print 1317, an act to amend the Real Property Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 47.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I wish to call up Senator Lanza's bill, Print 6211, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1067, by Senator Lanza, Senate Print 6211, an act to amend the Penal Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 47.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Now, Mr. President, can we take up previously adopted Resolution 3454, by Senator Marchione, read the title only, and call on the Senator to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3454, by Senator Marchione, celebrating the life and accomplishments of Dr. James Melius, 9/11 hero and public health expert.

ACTING PRESIDENT GRIFFO: Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

I rise to speak on my resolution honoring the lifework and principled advocacy of

Dr. James Melius, a respected, highly effective and compassionate advocate on behalf of America's 9/11 rescue and recovery workers.

We all remember how we felt on that agonizing day of 9/11, the horrific images, the devastation, the thousands of American lives lost from attacks perpetrated by cowardly, murderous terrorists. Dr. Melius certainly thought about that, and he thought about the people performing recovery work at Ground Zero -- difficult, draining and dangerous work.

Dr. Melius advocated for the 3,000 members of the State Laborers Local Unions who served as 9/11 responders. In the aftermath of 9/11, Dr. Melius dispatched inspectors to protect the health and safety of members who responded to the disaster and were working on-site.

On September 12, 2007, in testimony before the House Committee on Education and Labor, Dr. Melius held the federal government accountable for problems that arose with 9/11 worker safety. Dr. Melius called for advanced training and preparation for catastrophic events, and federal funding for 9/11 health monitoring.

He was far ahead of his time and

absolutely devoted to protecting the health, safety and well-being of our heroic 9/11 first responders.

Dr. Melius served as a passionate advocate for passage of the James Zadroga 9/11 Health and Compensation Act of 2010, an important law to provide health monitoring and financial aid to the first responders, volunteers and survivors of the 9/11 attacks, named after James Zadroga, a New York Police Department officer whose tragic death was linked to exposures from the World Trade Center disaster.

Sadly, Dr. Melius died at his home in Copake Falls in my 43rd Senate District on January 1, 2018, at the age of 69. He is survived by his wife, the former Melanie Boice; his sons, Jeremy and Ehren Melius; and many friends and colleagues and admirers who honor the memory of this tireless champion of 9/11 worker safety.

We have guests on the floor who are standing, and I would like to recognize them; they are here in support of Dr. Melius' life and his work: Jeremy Delgado, field coordinator for LECET, and Barrie Smith, Local 79 business agent

and president of 100 Black Construction Workers. Both are from Laborers International.

I welcome you to the New York State Senate, and I thank my colleagues for their support of this important resolution.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Mayer.

SENATOR MAYER: Thank you, Mr. President.

I rise in support of Senator Marchione's resolution and to draw attention to the long history and advocacy of Dr. James Melius, who had a lifelong commitment to the challenges of working people and particularly was a leader long before his time and long before it became popular to address the challenges of the workplace that working men and women face.

One part of his life that is not spoken about enough is a part that I knew from 1987 to 1994, when he served under Governor Mario Cuomo, as the director of the Center for Environmental Health in the New York State Department of Health. During that time, he created, under his leadership, a network of

community health centers to serve working people throughout the state, from Buffalo to Long Island.

He said at that time -- and he changed the ethos of that time, because he said it was not up to the company doctor to decide whether a worker could go back to work, but rather you had to have an independent physician review the health condition of a worker. And that was a game changer in the world of working men and women, who had been sent back to work time and time again by company doctors who were paid for by their employer.

He also made clear that what you didn't know could kill you, and that exposure to toxic chemicals was an enormous threat to working people that had not been attended to.

He was a leader. He was a champion. And even before 9/11, where he showed such extraordinary leadership, time and time again he stood up for working people and stood against those who threatened their health and ignored their very legitimate concerns.

It was my privilege when I got to meet Jeremy Delgado and Barrie Smith today, and

Mr. Smith told me that Dr. James Melius actually saved his life when he was exposed to carbon monoxide poisoning. That is the kind of individual story that we should remember when we reflect on the life of Dr. James Melius. He saved individual lives and collectively he saved the lives of thousands if not millions of New York workers who had a champion and someone who realized that their lives had value.

Thank you for giving me the opportunity. And I know on behalf of all my colleagues, I extend my condolences to his family and all those who loved him.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Mayer.

As indicated, the resolution was adopted this year on January 23rd of 2018.

The resolution is open for cosponsorship. Please notify the desk if you choose to be a cosponsor.

We want to welcome Mr. Delgado and Mr. Smith here today. We express our appreciation and thanks for your work and for you being here in the chamber today, and extend the

courtesies of the house to you.

Let's acknowledge these gentlemen, please.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: That resolution is open for cosponsorship. And if you'd like to cosponsor, please notify the desk.

ACTING PRESIDENT GRIFFO: So noted.

Could you please take up previously adopted Resolution 5059, by Senator Klein, title only, and call on Senator Klein to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5059, by Senator Klein, honoring Melissa Salguero upon the occasion of her designation as recipient of the 2018 GRAMMY Music Educator Award by The Recording Academy and GRAMMY Foundation.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

I rise today to honor not only an outstanding teacher, but also an outstanding class in P.S. 48, the Joseph Drake Elementary School, in the Hunts Point section of the Bronx.

Today we honor an outstanding teacher named Melissa Salguero. But I want to tell you something, P.S. 48 in the Hunts Point section of the Bronx, never ceases to amaze me. Several years ago a class at P.S. 48 actually identified a slave burial ground in the Hunts Point section of the Bronx.

Many of you may not know, but at one time people like the Hunts, the Drakes were slave owners. And here was a group of students, led by one of their teachers that defied archeologists over the years and, through their own research, identified the area as a slave burial ground, which is now verified by several museums.

And here we are once again to honor a great teacher, a great class who -- Ms. Salguero received the 2018 GRAMMY Music Educator Award by The Recording Academy and GRAMMY Foundation.

Here's a young woman who personifies what's great about our public school teachers.

She came from Florida and, within eight years of teaching at this great school, developed an entire music program. When Ms. Salguero came to the school, they had no school song, they didn't even have any instruments. She immediately, on her own, raised over $200,000 and developed a first-rate music program.

And she actually works her students in a way where she finds a tie between not only music, but music and science. And she's somebody who also was honored in 2013 by the Lincoln Center Arts Teacher of the Year Award, she actually was on the Ellen Degeneres Show, she was named one of the semifinalists for the 2017 Music Educator Award. And she uses these skills to make sure her young people at her school are really getting the education that I think should be required of every young person within our school system.

She actually has a very simple credo. She teaches her students to work hard, dream big, and never give up.

So today I want to welcome the students of P.S. 48, led by their outstanding teacher, and I hope you'll give them the

courtesy of our house today and recognize their outstanding achievements and the achievement of truly an outstanding teacher we all can be proud of.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: It was already mentioned by the president here today that you did a great job with the Pledge of Allegiance. In fact, that was the most enthusiastic pledge that we've had all year long.

(Laughter.)

SENATOR DeFRANCISCO: Keep up that spirit of the United States, and keep up the good work you're doing. And thank you. Thanks to your teacher, who's obviously setting a wonderful example for all of you. Okay? Okay. Thank you.

(Laughter.)

(Standing ovation.)

ACTING PRESIDENT GRIFFO: You'll get a chance to do it all over again.

Senator Bailey.

SENATOR BAILEY: Please don't clap for me. Or if you want to, please do. But I just wanted to thank Senator Klein for

introducing this resolution.

One of the most pivotal moments in my life was sixth grade, Mr. Kirschenbaum in M.S. 181. I played alto sax. And understanding how music really got together left brain thinking and right brain thinking made me a better student, it made me more accomplished, it made me more focused, and it allowed me to do things in my life -- not necessarily musical, because I really didn't get that gene too much, but it allowed me to think in a creative and critical thinking at the same time.

So Ms. Salguero, I salute you. I salute your children in P.S. 48. And keep making the Bronx great. I'm born and bred in the Bronx. Continue to make us proud here in the Bronx.

Thank you very much.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator Alcantara.

SENATOR ALCANTARA: I want to thank Senator Klein for bringing Ms. Salguero and the students from Hunts Point here to Albany so they can get experience of the halls of power, where a lot of students from the low-income communities

don't have access to come to these places and see what takes place. So thank you very much, Senator Klein.

And we were just speaking about you guys yesterday, because we too have a slave burial ground in my district, District 31 in Washington Heights.

So thank you for being here, Ms. Salguero. Thank you for all you do, for most of these kids that are black and brown kids come from low-income communities. And I hope that someday you guys too can look at all of us here and realize that you too can run for office and that you too can be sitting here.

Again, thank you, Senator Klein from the bottom of my heart for giving these kids the opportunity to be here to see what Albany looks like. And hopefully you guys are going to be the future governors and senators of the State of New York.

Thank you, Ms. Salguero, and thank you for bringing a group of black and Latino kids to Albany to see what it's like.

Muchas gracias, felicidades!

(Applause.)

ACTING PRESIDENT GRIFFO: As indicated, the resolution was previously adopted on May 8th of this year.

Again, we want to recognize and congratulate Melissa Salguero for being here today and being such an outstanding role model, and also want to thank all of the students from P.S. 48 for being here. And just like a Grammy, stand up and we'll give you an encore, okay?

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please recognize Senator Marcellino for an introduction.

ACTING PRESIDENT GRIFFO: Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

We are visited today by a good friend of mine who served in the other house -- you know, the one down the hall a little bit. He now serves as supervisor of the town of Oyster Bay, and he's doing a heck of a job. Supervisor Joseph Saladino. He's been here, he's come here,

and he'll be -- he's worked with me constantly on issues relative to the town that shares my district. And he's a good guy and a good friend.

If we could, Mr. President, recognize him and give him the courtesies of the house.

ACTING PRESIDENT GRIFFO: Supervisor Saladino, welcome to the house. Welcome back. We can sing, if you'd like. I know he's got a great musical talent also.

And he's here without a tin cup, right?

(Laughter.)

ACTING PRESIDENT GRIFFO: Thank you for being here, and God bless.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: It's always nice to have somebody who served in the big house.

(Laughter.)

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 4855, by Senator Carlucci, title only, and call on Senator

Carlucci to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4855, by Senator Carlucci, memorializing Governor Andrew M. Cuomo to proclaim August 2018 as Indian-American Heritage Month in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

I rise to pay tribute to the Indian-Americans across New York State. And we're fortunate that in the United States we are home to over 3 million Indian-Americans throughout the country. And in fact, in New York State we have the largest concentration of Indian-Americans right in the New York metropolitan area.

And in Rockland County, my home community, we have -- and we're fortunate to be graced with the presence of so many members of -- the India Cultural Society of Rockland County. And through their volunteers, they dedicate

timeless devotion to spreading and sharing the deep, rich culture of India with all of the residents of our community. So it's one of the great reasons to live and to raise a family in our community.

And we're doing this proclamation to proclaim August as Indian-American Heritage Month to pay tribute to India Independence Day, which is on August 15th of 1947. And we commemorate that with a parade down Main Street in New City, usually around the hottest day of the year, as my friends will attest to.

But we're also fortunate that we have with us today the first female Indian-American county legislator elected in the United States, Aney Paul, who is with us here today. Thank you for being here.

(Applause.)

SENATOR CARLUCCI: And what's really exciting is India is soon to be the largest country in the world by population. The United Nations predicts that -- what time is it? No -- by 2022, India will be the world's largest country and right now is the world's largest democracy.

And we're fortunate that we've gotten the best and the brightest from India here in the United States. In fact, over 70 percent of Indian-Americans have at least a bachelor's degree and have contributed so much to every facet of our society, whether it's cuisine or dance or medicine, law, you name it.

So we are fortunate because of the Indian-American experience and the contribution that they have made to New York State and our nation. So it's with great honor and privilege that we proclaim August as Indian-American Heritage Month in the State of New York.

Thank you for allowing me to present this presentation, and thank you for our guests that are here today. Thank you so much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Carlucci.

The resolution has been previously adopted on May 1st of this year.

We would like to extend a warm welcome to all our guests in the chamber today. Please rise and be recognized as we begin to commemorate, in August, Indian-American Heritage Month. Thank you very much for being here.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Both Senator Klein's and Senator Carlucci's resolutions are open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, on page 34 I offer the following amendments to Calendar 539, Senate Print 3651A, by Senator Felder, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: Can we now take up the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will begin the noncontroversial reading of the active list for Monday, May 14th.

THE SECRETARY: Calendar Number 88, by Senator Comrie, Senate Print 3872, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 142, by Senator Bonacic, Senate Print 1064A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 242, by Senator Young, Senate Print 5462A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 301, by Senator Golden, Senate Print 5593A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 500, by Senator --

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

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

THE SECRETARY: Calendar Number 679, by Senator Amedore, Senate Print 5375, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 743, by Senator Akshar, Senate Print 3770A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I'm going to have to vote no on this bill.

I understand -- and I love police officers and firefighters. But on the other hand, to assume, to make a presumption on every case where an officer or a firefighter is presumed to have contracted strep or MRSA as being done in the line of duty, I think is a little bit overbroad. These types of diseases are contracted or infections are contracted by everybody in hospitals.

And I just think if there's a case where this was contracted by a firefighter or a police officer, I think it would be relatively easy to prove. But to create a presumption I think is overreaching.

So for that reason, despite my love for these public servants, I vote no.

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

Announce the results.

THE SECRETARY: Ayes, 57. Nays, 2. Senators DeFrancisco and Little recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 753, by Senator Marcellino, Senate Print 1188, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 755, by Senator Marcellino, Senate Print 1258, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 765, by Senator Lanza, Senate Print 6212A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

771, by Senator Marchione, Senate Print 208, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 787, by Senator Lanza, Senate Print 2632, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 815, by Senator Ortt, Senate Print 258, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Krueger and Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 826, by Senator Griffo, Senate Print 2729, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 856, substituted earlier by Member of the Assembly Weprin, Assembly Print 10159, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 961, by Senator Ritchie, Senate Print 3021, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 967, by Senator Bonacic, Senate Print 1031, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 970, by Senator Hannon, Senate Print 2246, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 988, by Senator O'Mara, Senate Print 7950, an act to amend Chapter 84 of the Laws of 2010.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Serrano recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 993, by Senator O'Mara, Senate Print 8100, an act to amend Chapter 122 of the Laws of 2000.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 996, by Senator Seward, Senate Print 421, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 998, by Senator Robach, Senate Print 1007, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

ACTING PRESIDENT GRIFFO: There's an immediate meeting of the Rules Committee in Room 332.

The Senate is at ease.

(Whereupon, the Senate stood at ease at 3:39 p.m.)

(Whereupon, the Senate reconvened at 3:47 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will return to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: One moment, please. I jumped the gun.

(Pause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: There is a report of the Rules Committee at the desk.

SENATOR DeFRANCISCO: Please read.

ACTING PRESIDENT GRIFFO: The Secretary will read.

Can I have some order in the chamber, please.

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

Senate Print 1100A, by Senator Rivera, an act to amend the Vehicle and Traffic Law;

Senate 2588, by Senator Serino, an act to amend the Environmental Conservation Law;

Senate 2621, by Senator Serino, an act to amend the Public Health Law;

Senate 3816, by Senator LaValle, an act authorizing;

Senate 3880, by Senator Ranzenhofer, an act to amend the Environmental Conservation Law;

Senate 6926, by Senator Hannon, an act to amend the Public Health Law;

Senate 7168, by Senator Serino, an act to amend the Public Health Law;

Senate 7169, by Senator Serino, an act to amend the Public Health Law;

Senate 7208, by Senator Serino, an act to amend the Public Health Law;

Senate 7242, by Senator Serino, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate 7904A, by Senator Helming, an act to amend the Alcoholic Beverage Control Law;

Senate 8534, by Senator Serino, an act to amend the Education Law;

And Senate 8539, by Senator Serino, an act directing.

All bills reported direct to third reading.

SENATOR DeFRANCISCO: I move to

accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The committee report is accepted and is before the house.

Senator DeFrancisco.

SENATOR DeFRANCISCO: We're now going to take up two bills on Senate Supplemental Calendar Number 42A. The first bill is Calendar 1141, by Senator Rivera.

ACTING PRESIDENT GRIFFO: Okay, Senate Supplemental Calendar 42A is on your desks.

And the Secretary will read Calendar Number 1141, by Senator Rivera.

THE SECRETARY: Calendar Number 1141, by Senator Rivera, Senate Print 1100A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Now can we take up Calendar Number 1155, by Senator Helming.

ACTING PRESIDENT GRIFFO: Calendar Number 1155, by Senator Helming. The Secretary will read.

THE SECRETARY: In relation to Calendar Number 1155, Senator Helming moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 10012A and substitute it for the identical Senate Bill 7904A, Third Reading Calendar 1155.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

1155, by Member of the Assembly Morelle, Assembly Print 10012A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of the bills that you've assigned and identified.

SENATOR DeFRANCISCO: Could we now ask you, is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is no further business before the desk.

SENATOR DeFRANCISCO: That being the case, I move to adjourn until Tuesday, May 15th, at 3:00 p.m.

ACTING PRESIDENT GRIFFO: On

motion, the Senate will stand adjourned until Tuesday, May 15th, at 3:00 p.m.

The Senate is adjourned.

(Whereupon, at 3:52 p.m., the Senate adjourned.)