NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 16, 2018

11:04 a.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: Today's invocation will be offered by the Reverend Brandon McLauchlin, pastor of St. Charles African Methodist Episcopal Zion Church in Sparkill.

REVEREND McLAUCHLIN: Bow our heads for a word of prayer.

God of creation, You spoke and showed us the power of words. You touched dust and showed us the power of steadfast love. Help us to be mindful of the two. There are those in need of us to speak with power on their behalf; likewise, others who need love with words and deeds.

Endow these leaders with the gifts of Your grace. Let them see those they serve through Your eyes. Let them do things for the

blessings of Your people. For this we give You praise.

In Your name we pray, amen.

ACTING PRESIDENT GRIFFO: Thank you, Pastor.

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 15th, the Senate met pursuant to adjournment. The Journal of Monday, May 14th, 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 63, Senator Marchione moves to discharge, from the Committee on Local Government, Assembly Bill Number 10347 and substitute it for the identical Senate Bill 8164, Third Reading Calendar 950.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 65,

Senator Golden moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9728 and substitute it for the identical Senate Bill 7616, Third Reading Calendar 972.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

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: Yes. First I'd like to -- to all those in hearing of this microphone, I would like to invite all the legislators of the Senate to join us for this important meeting today.

There are several resolutions honoring people that should be honored, and there is some very substantial legislation that we have to pass. So if you are within the hearing of my voice and you're a member of the Senate, please join us.

Now, I have -- on page 32, I offer

the following amendments to Calendar Number 398, Senate Print 7166A, by Senator Ritchie, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill shall retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: Would you please recognize Senator Klein.

ACTING PRESIDENT AKSHAR: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

On behalf of Senator Carlucci, I move to recommit Senate Bill Print Number 2649, Calendar Number 1080 on the order of third reading, to the Committee on Commerce, Economic Development and Small Business, with instructions to strike out the enacting clause.

ACTING PRESIDENT AKSHAR: So ordered.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please take up previously adopted Resolution 4327, by Senator Bonacic, read it in

its entirety, and call on Senators Bonacic, Seward and Akshar to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4327, by Senator Bonacic, congratulating the Delaware Academy Varsity Girls Basketball Team and Head Coach Todd Bruce upon the occasion of capturing the New York State Public High School Athletic Association Class D Girls Basketball Championship.

"WHEREAS, Individual and team championships are highly sought after in high school sports; this Legislative Body commends rare athletic achievements and pays special recognition to those who pursue such excellence and become examples for the youth of this great Empire State; and

"WHEREAS, Athletic competition helps to enhance both the moral and physical development of young athletes, preparing them for the future by instilling in them the importance of teamwork, encouraging a standard of healthy living, and developing a sense of fair play and competition; and

"WHEREAS, This Legislative Body is justly proud to congratulate the Delaware Academy Varsity Girls Basketball Team and Head Coach Todd Bruce upon the occasion of capturing the New York State Public High School Athletic Association Class D Girls Basketball Championship; to the praise and applause of their excited fans, the Bulldogs defeated Franklinville High School in an exciting 54-51 victory to capture the championship; and

"WHEREAS, Proudly donning the school's colors of maroon and white, family, friends, and the community at large loyally and enthusiastically supported the Bulldogs throughout their journey as they ended their season with an impressive 24-2 overall record; and

"WHEREAS, In a sport such as basketball, which demands athletic prowess, speed and agility, Head Coach Todd Bruce and Assistant Coaches A.J. Mucciaro and Tom Gliddon worked hard to hone the skills of this championship team, teaching these outstanding athletes lessons which will prove invaluable both on and off the court; and

"WHEREAS, Head Coach Todd Bruce and all of the outstanding athletes on the Delaware Academy Varsity Girls Basketball Team have clearly utilized dedication, determination and teamwork in providing a lasting contribution to the spirit of excellence which is a tradition of their school; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the members of the Delaware Academy Varsity Girls Basketball Team: Logan Bruce, Aileen Nealis, Hannah Baxter, Olivia Wakin, Kaitlynn Finch, Anna Post, Raegan Bracchy, Cella Schnabel, Brenna Gioffe, Sylvia Liddle, Julia Burns, Meredith Mable, Caroline Grace, and Sophia Wakin; Head Coach Todd Bruce; and Assistant Coaches A.J. Mucciaro and Tom Gliddon upon the occasion of capturing the New York State Public High School Athletic Association Class D Girls Basketball Championship; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the members of the Delaware Academy Varsity Girls Basketball Team, Head Coach Todd Bruce, Assistant Coaches A.J. Mucciaro and Tom Gliddon,

Manager Bri Sohns, Statistician Mercedes Wakin, Athletic Director Jeff Ferrara, and Superintendent Jason D. Thomson."

ACTING PRESIDENT AKSHAR: Senator Bonacic on the resolution.

SENATOR BONACIC: Thank you, Mr. President.

I'd like to welcome our champions for Section D -- Division D, I should say, and Jason Thomson, our superintendent. And the names of all the young ladies are read, and it will be forever in our Senate minutes.

And before I talk about your basketball prowess, I'd like to congratulate five of you who play on this basketball team that won the section title in soccer. So we have talented athletes up in the gallery.

I myself am a former college basketball player, so I read with excitement the articles in the newspaper of how you won this game. And I loved the picture when you were in the celebration, mauling each other, jumping on each other with such excitement.

But what I liked was you were down in the game against an undefeated team who had

never lost all season, Franklinville, 25 and 0. So this is the championship game, there's little less than 6 seconds, and you're down by 3. So the coach says to his daughter: "You've got to take a three-point shot." She goes, "I'm not a three-point shooter. I like to drive." He says, "What are you here for?"

So this young lady -- and I don't mean to single her out only, but I thought it was kind of interesting, the byplay. And every member contributes to this victory. She goes above the top of the key, a step-back three-pointer, and hits, to put the game in overtime. And she says, "It's the first time I ever stepped back and hit a three-point overshot."

And that put the game in a tie. And regulation, you went on to win 54-51. What an exciting, tremendous victory.

Those moments are priceless. You will remember it for the rest of your life. And I congratulate each and every one of you.

Thank you.

(Extended standing ovation.)

ACTING PRESIDENT AKSHAR: Ladies,

we're going to clap again for you, because Senator Seward wants to be heard on the resolution as well.

Senator Seward.

SENATOR SEWARD: Thank you, Mr. President.

I want to join Senator Bonacic in not only welcoming our Delaware Academy Bulldogs to the chamber here today, but also to congratulate you on the great achievement that you have obtained.

I'm very, very pleased that a portion of the Delaware Academy School District is in my Senate district, so we sort of share Delaware Academy. And this is a very proud moment for all of us for sure.

This team is made up of what I call true trailblazers, because they are the very first state basketball champs from Delaware Academy. So you are really trailblazers, no question about it.

And this winter, as Senator Bonacic so ably described -- and I feel like we were right at the game, the way he described it. It was a thrilling, thrilling 54-to-51 win over

Franklinville to capture the state championship. And our apologies to our colleague Senator Young, who represents Franklinville.

(Laughter.)

SENATOR SEWARD: This is a team, though, that had a goal and they worked very, very hard to achieve it. There were plenty of extra hours of practice in the Delaware Academy gymnasium, and I think probably in a few driveways around the school district, shooting some hoops right at home for further practice.

The team put the work in, and the result was a much sought-after state title. A true crowning achievement for this outstanding group of young ladies.

Of course the girls were not alone in their journey. They had plenty of help -- constant guidance from their coaches and loving encouragement of parents and other family members, and of course the enthusiastic support of the entire community in the Delaware Academy School District. You made us all proud.

Along with their success on the basketball court, however, these girls also excel in the classroom. They were recently named a

New York State Public High School Athletic Association Scholar-Athlete Team. Truly they epitomize the term student-athletes.

And as I think about the future and the great achievement of this team, I am very optimistic about the future because you epitomize -- we're going to have a great future as we go forward.

So the 2018 Delaware Academy Bulldogs, they are champions both on and off the court. So we're delighted to join in sponsorship of this resolution and stand to congratulate you on a great season.

Congratulations.

ACTING PRESIDENT AKSHAR: Thank you, Senator Seward.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

For the record, John, I can't hit a step-back either.

(Laughter.)

SENATOR BAILEY: I tried it yesterday, and it didn't work out so well.

But I am a fan of basketball. And

the reason why I am such a fan of basketball is not just for the artistry of the sport, but for the team aspect that it brings to us and the life lessons that you learn on the court.

And while I was never the greatest athlete, basketball taught me a lot about myself. And as the father of two daughters, I really have grown to love and appreciate the game of women's basketball. One of my favorite players is actually Sue Bird, and Diana Taurasi. They're two amazing players. Becky Hammon should be the coach of an NBA team very soon.

And I encourage young women to continue to play basketball and to continue to participate in athletics, because it will make you more well-rounded. And not that I'm pushing my 3-year-old into that direction, but I'm gently nudging her. Maybe from time to time I put a basketball in the crib when she was sleeping; I may or may have not done that.

(Laughter.)

SENATOR BAILEY: My 16-month-old, you know, she likes to dunk on the Fisher-Price hoop in the house.

But you young ladies are an example

of what they can be, and it's inspiring to see champions both on and off the court, as Senator Seward and Senator Bonacic were saying, that your academic achievements are equally and probably more important that your accomplishments on the court.

So I want to congratulate you all on the championship, and many more. And hopefully some of you will go on to play college basketball and go on to the WNBA or overseas, if that's within your dreams. But never stop dreaming, and keep reaching.

God bless you, and congratulations.

ACTING PRESIDENT AKSHAR: Thank you, Senator Bailey.

To the team, we congratulate you on all of your accomplishments. We welcome you to the New York State Senate. This chamber is yours, of course. We extend all of the privileges and courtesies of this great house.

I'd ask all of the members to rise once again and congratulate these fine young ladies.

(Extended standing ovation.)

ACTING PRESIDENT AKSHAR: Senator

DeFrancisco.

SENATOR DeFRANCISCO: Yes, that resolution is open for cosponsorship. If you'd like to cosponsor, please notify the desk.

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

SENATOR DeFRANCISCO: Can we please take up previously adopted Resolution 5246, by Senator Flanagan, read it in its entirety, and call on Senator Stewart-Cousins and then Senator Flanagan to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5246, by Senator Flanagan, honoring the hard work, dedication and commitment of the members of the New York State Legislative Messenger Service.

"WHEREAS, It is the sense of this Legislative Body to honor individuals who have faithfully served the people and the government of the State of New York with dedication and conscientious service; and

"WHEREAS, The New York State

Legislative Messenger Service was founded in 1973 as an avenue to provide job training and opportunities to individuals with a disability; emphasis is placed on understanding and amplifying an individual's strengths while providing support, training and structure to lessen any barriers created by their disability; and

"WHEREAS, This outstanding service plays a very important role in expediting the work of the New York State Legislature; and

"WHEREAS, Technology has reshaped how the Legislative Messenger Service performs their job with introduction of online ordering and the integration of tablets in 2015, which are being used by over 95 percent of the staff daily; and

"WHEREAS, This Legislative Body is justly proud to honor the hard work, dedication and commitment of the members of the New York State Legislative Messenger Service; and

"WHEREAS, For more than four decades, the New York State Legislative Messenger Service, located in the Legislative Office Building, has provided a communications

network throughout the Empire State Plaza and neighboring state buildings for Senate and Assembly legislators and their staffs; and

"WHEREAS, The dedicated members of the New York State Legislative Messenger Service can always be relied on to provide swift and dependable service; and

"WHEREAS, Under the able leadership of Kevin Kather, Director, and Beth Bonesteel, Assistant Director, the members of the New York State Legislative Messenger Service, whom we see hurrying about their rounds, include: Brian Abreu, Greta Amodeo, Michael Cohen, William Crowe, Michelle Daly, Adam Denenberg, Robert DeSieno, Sharon Forkeutis, Marcus Gagnon, William Gerard, Katherine Griffin, Kennasha Hardy, Kimberly Lapp, Barbara McDonald, Kathy O'Brien, Patrick O'Hara, Kadija Oliver, Francis Rotundo, Kathleen Schleich, Mollie Shook, Kellsey Wickham, Barbara Wojtowicz, and Valerie Zeh; and

"WHEREAS, An apprenticeship was created in 2012 to provide opportunities for individuals with disabilities who are eager to gain professional employment experience; this year's apprentices include: Molly Fortin, Allen

Howard, and Jude Killar; and

"WHEREAS, This Legislative Body is pleased to recognize and pay just tribute to the members of the New York State Legislative Messenger Service, individuals who embody the true American spirit, demonstrating personal determination and significantly contributing to the workings of the New York State Legislature; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor the hard work, dedication and commitment of the members of the New York State Legislative Messenger Service; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the members of the New York State Legislative Messenger Service, and the aforementioned apprentices."

ACTING PRESIDENT AKSHAR: Senator Stewart-Cousins.

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

I rise and certainly thank Senator Flanagan for putting forth this resolution, which

I believe speaks to everything our messengers bring to us on a day-to-day basis.

We are all very, very busy people, and we always talk about how our staff really makes it easier for us. But without the information coming between offices, without the information getting there on a timely basis, without us knowing that we could rely on you and your services and your talent, our jobs would be so much harder.

And although there are a lot of employees here, there are very few that have overcome the kinds of obstacles that sometimes you have to overcome to be part of this family.

And so I want to thank all of you, on behalf of my colleagues here in the Senate Democrats, to say thank you. You are talented, you are gifted, you are necessary.

And I'm hoping that people all over will take a look at you and the example that you set and make sure that we expand opportunities, because there is so much that you have to contribute and have contributed to making New York State work.

So congratulations. Thank you so

much. And we won't have a chance together to wish each other a good summer, but again, enjoy the summer, and thank you for your service to the state.

(Applause.)

ACTING PRESIDENT AKSHAR: Thank you, Senator Stewart-Cousins.

Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

I rise to speak on behalf of this resolution. And I want to direct my attention for a moment to the young students who are up in the gallery.

You heard from Senator Bonacic, Senator Seward. And I played basketball with Senator Bonacic. I was a much better passer than I was a shooter. And he was actually a very good basketball player. I know it's hard to believe, but he was a good basketball player.

But the point I want to make is it is wonderful to see you in the gallery for a variety of reasons, not the least of which is you are ambassadors -- to your community, to your school district. And we're proud to see people

like you, even if we may not know you. So props and kudos to you.

But I want to explain why we're honoring the folks that are here today.

There's a commercial on TV that involves the Norfolk and CSX railroads. And there's a couple of people talking about what they're doing, and at the end one guy says: "So, basically, what are you doing?" And the other just says, with a smile on his face, "Just keeping the trains running." Making sure things work, making sure things go smoothly.

Now, that's going to seem contradictory to what I'm going to say. Right now the wheels of government have halted. They've stopped. There's nothing going on, because the messengers are not at their appointed rounds.

(Laughter.)

SENATOR FLANAGAN: So nothing -- you know, there is no work, no productive work that is getting done because the people who do the work are here being honored.

So I certainly want to add my voice to that of Senator Stewart-Cousins. We are

delighted to have you with us and amongst us.

To Kevin and Beth, thank you for your guidance and your supervisory capacity and your leadership. Let's give them a round of applause.

(Applause.)

SENATOR FLANAGAN: Now, there are two individuals -- and it's always a little difficult if you single people out, as Senator Bonacic said. But there are two individuals who deserve another ounce of recognition.

Ken LaValle is one of our dear colleagues. Ken LaValle walks around, he's like, Hey, I'm the dean of the Senate, I've got 42 years, I'm the most senior person here. Unh, unh, unh. Barbara McDonald -- where's Barbara? Barbara, okay.

(Applause.)

SENATOR FLANAGAN: I'm pretty sure -- I checked for the record -- 43 years. Am I correct? No? Barbara, how many years do you have?

(Inaudible.)

SENATOR FLANAGAN: Okay. Well, we have two of our members, one with 43. And Frank,

Mr. Rotundo --

(Applause.)

SENATOR FLANAGAN: -- he is the dean of the messenger service.

And as an extension, I see my buddy Adam over there. Adam, good to see you.

And we have a resident in-house artist. I get to see Billy Crowe every morning, he stops by my office. On my birthday, he gives me a hand-done portrait. And he's always got a smile on his face. And you know what, it is really, for me personally -- and I think I'm characteristic of the -- there we go. Senator Marchione has a framed picture from Billy.

(Applause.)

SENATOR FLANAGAN: You all make us look good. You make us look better. And you make us feel good.

So to all of you, thank you for who you are, for what you do. Keep up the good work. And it's fantastic to see all of you here.

Mr. President, thank you.

ACTING PRESIDENT AKSHAR: Thank you, Senator Flanagan.

(Applause.)

ACTING PRESIDENT AKSHAR: Senator Robach on the resolution.

SENATOR ROBACH: Yes, Mr. President, let me too rise quickly -- just this is such a great resolution -- and thank Senator Cousins for her words, Senator Flanagan for the resolution.

I just want to add, besides the important work that you guys do, I really want to thank you for really the style you do it, your friendship, and really being part of the Senate family.

And it's true, Adam gives me the Mets update every day so I know what's going on. Marcus keeps me smiling. Marcus, as a matter of fact, may have saved Senator Lanza's life. One day I wanted to maybe be a little bit mad at him, but Marcus said "Just let it go. Just let it go."

(Laughter.)

SENATOR ROBACH: So you're always -- your smiles, your updates tell us what's going on above and beyond delivering everything you do.

Thank you for being the great people

you are, being so awesome. You're inspiring, and we love you.

(Applause.)

ACTING PRESIDENT AKSHAR: Thank you, Senator Robach.

Senator Breslin on the resolution.

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

In my case, you are my coworkers, my friends, and you're my constituents in many cases. And in many cases, I know all your relatives and I get together with your relatives.

And I see Kathleen, the first person there, and waving, Kathleen. And if you say hi to her, how's your day going, she'll turn and smile and say "So far so good." Right?

(Laughter.)

SENATOR BRESLIN: And Mollie. And next to her -- wave, Mollie -- is that Barbara? Okay. And I can go down and down and down. Billy Crowe, Billy Crowe and his whole family I've known for over 50 years. And Billy, you do a phenomenal job.

And Greta, where are you, Greta? There's Greta back there.

And Michael Cohen, who I know very well. Michael -- you all know Michael.

And Michelle Daly, who's a great singer. Say hi, Michelle.

And Adam. Adam always stops me and gives me the different bus routes that we need improved in the area.

(Laughter.)

SENATOR BRESLIN: And back on the left, Kate Griffin, my dear friend Kate, who I've known her family for many, many, many, many years.

And I could go on and on. You're all very, very special. And you're my coworkers. Most importantly, you brighten my day every day. If it's not one, it's the other.

Mollie, you can say hello to me from a football field away, can't you?

(Laughter.)

SENATOR BRESLIN: And there's a story for each one of you, and all those stories are positive. And all those stories make this a better place to live and work. Because you brighten our day. There's no -- when it comes to you guys, there's no Democrats and Republicans,

they're your fellow friends and workers.

So I love you all. Keep it up. You've done a phenomenal job, and you continue to do it. Thanks.

(Applause.)

ACTING PRESIDENT AKSHAR: Thank you, Senator Breslin.

Senator Marchione on the resolution.

SENATOR MARCHIONE: Thank you, Mr. President.

I just rise to add my thanks to all that you do here.

You know, I tell the story that when I first became Senator, it was one of you who invited me over for dinner the first time. And you are just such special people, and you do an amazing job for us. And I love working with you.

But I have to tell you how much I love you being part of the Senate family. As Senator Breslin said, and others, just to meet you in the hall and to say hello. And Billy, I did bring my birthday card that you drew for me.

And I'm grateful for the smiles that we get in the morning. The stress that we all face here -- and you as well -- but to have a

smiling face in the halls in the morning, just to stop and say hello, how was your day, means more than you will ever know.

I'm grateful to have had the opportunity to work with everyone here, but especially with all of you.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT AKSHAR: Thank you, Senator Marchione.

Senator Tedisco on the resolution.

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

Well, to quote someone from Saturday Night Live, you look marvelous. You really do.

(Laughter.)

SENATOR TEDISCO: I want to thank all of our messengers.

And you know, I've spent a lot of time in this building -- not necessarily in this room, but on the other side for most of my time. And tremendous service you've given us in the Assembly, and myself. And I was wondering, when I came over here, well, would I get that same level of service. And I have to tell you, it is

above and beyond the level of service that I've ever seen on the other side. You do a tremendous job for all of us.

And I kind of liken you to the postal service. And a postal worker, you know what the slogan is? I paraphrase: Rain, sleet, snow --

(Laughter.)

SENATOR TEDISCO: -- nothing can stop you from getting to your intended quarters to serve us.

And you know why you're better than the postal service? You never charge me for a stamp when you deliver all that.

(Laughter.)

SENATOR TEDISCO: It's all for free.

ADAM DENENBERG: Twenty-five cents.

(Laughter.)

SENATOR TEDISCO: Twenty-five cents? Boy, that was way back.

But you are dedicated, you're hardworking, you have a tremendous work ethic. And I consider you some of the best public servants in the State of New York, and some of

the best state workers in the State of New York. Because as has been mentioned, we couldn't do our job as public servants if you didn't do your job as public servants.

And I want to say to all of you, we appreciate you, we thank you.

Now, Barbara, I have a little bit of a concern. You know, there are some rules. You were here 43 years? And you know, there are some rules to becoming a messenger. And I want to know how you got this job at the age of 12.

(Laughter.)

SENATOR TEDISCO: Because, you know, we're going to allow for that, we're going to provide a waiver.

(Laughter.)

SENATOR TEDISCO: But you do look marvelous.

(Laughter.)

SENATOR TEDISCO: And let me close by saying this. If any one of you -- and I mean it, any one of you -- ever need a recommendation from myself for any other position, for any other thing, any other job you go towards or anything you do in life, just come over, just ask me. I

think any member of this room will write out a recommendation for you.

Now, there's just one caveat to that. I cannot write a recommendation to any one of you who is from my district who wants me to write a recommendation to run for the 49th Senatorial District.

(Laughter.)

SENATOR TEDISCO: Because I'd have to be your campaign manager, because I couldn't win against any one of you.

God bless you, and congratulate you. And thank you so much.

(Applause.)

ACTING PRESIDENT AKSHAR: Thank you, Senator Tedisco.

Senator Breslin made a very salient point. It's not about Republican or Democrat. We've all stood up, all of us, on behalf of this very grateful body and all the people who work for us. We appreciate you. And we thank you for your hard work.

It's been said many times today, but it certainly bears repeating: We all want you to know that you are part of the Senate family.

To my colleagues on the floor, please rise and give these ladies and gentlemen a very big round of applause.

(Extended standing ovation.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, thank you, Mr. President. This resolution is open for cosponsorship.

And in view of the reaction and the desire of everyone to speak here -- but unfortunately, there's not enough time -- I'll suggest that everybody be put on as a cosponsor unless you do not want to be a cosponsor on this resolution.

ACTING PRESIDENT AKSHAR: So everybody will be on this resolution. In the event that you feel it necessary to take yourself off, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we please take up previously adopted Resolution 4517, by Senator Serino, read the title only and call on Senator Serino to speak.

ACTING PRESIDENT AKSHAR: The

Secretary will read.

SENATOR DeFRANCISCO: Excuse me. May we have some order in the chambers here?

ACTING PRESIDENT AKSHAR: (Gaveling.) Just a little bit of order, I'm sorry.

SENATOR ROBACH: Take it outside.

(Laughter.)

SENATOR DeFRANCISCO: Can we please ask Senator Robach to leave the chambers for a moment.

(Laughter.)

ACTING PRESIDENT AKSHAR: Senator Robach, either have a seat or go out in the hallway, please.

(Laughter.)

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4517, by Senator Serino, memorializing Governor Andrew M. Cuomo to proclaim May 2018 as Lyme Disease Awareness Month in the State of New York.

ACTING PRESIDENT AKSHAR: Senator Serino on the resolution.

SENATOR SERINO: Thank you, Mr. President.

Each year I've stood during this month as we recognize May as Lyme Disease Awareness Month, but this year I rise with an even more heightened sense of urgency.

Did you know that the CDC recently released a report showing that the number of people getting diseases from ticks and mosquitoes has tripled since the early 2000s? Diseases like Lyme and other tick-borne illnesses. What's worse, the CDC found that our country is not fully prepared to control the relentless spread.

The numbers don't lie. New York sits at the epicenter of the Lyme and tick-borne disease epidemic. The Senate has led the charge against this epidemic for years, and this year we fought to include an unprecedented $1 million to bolster education, prevention and research initiatives.

Today we will take up a package of critical bills that aim to tackle these diseases by increasing awareness, improving diagnostics, better protecting our children, improving important information available to homeowners

looking to protect their properties, and working towards providing insurance coverage for those who are suffering.

I am so appreciative to my colleagues here in our house who helped to champion these important initiatives, especially the chair of our Health Committee, Senator Kemp Hannon, who has been a leader on this issue right from the beginning.

Today we will be holding a Lyme Task Force meeting, the calling of which prompted the Governor's office to announce yesterday a series of important initiatives they will be taking up to help the cause.

It has been a long time coming, but it is clear that this issue is finally getting the attention it deserves here in New York. As many of you know, I hail from Hyde Park in the Hudson Valley, and our area in particular has been hit particularly hard. Back home I have heard story after devastating story of people whose lives have been forever changed by Lyme disease.

You know, look up, we have children here in the gallery. Every time I have kids come

from the district, I ask them, I say, "How many of you know about ticks and Lyme disease?" And Commissioner Zucker and I have had this conversation -- about a third of the kids raise their hands. That's why we're doing this education.

And what really hits home, I know as a parent -- I had a little girl, she was in 4th grade. And she said, "Senator Serino, I have arthritic Lyme." Arthritic Lyme. She had trouble moving her hands.

This is a reality. That's why it's so imperative that we are championing this and passing these bills today, because the frustration and anxiety that comes with this struggle is very real.

Today we take a significant step forward to help those who are suffering and to more effectively prevent more New Yorkers from being impacted. I hope you will join me in spreading the word about Lyme, and I thank my colleagues for making Lyme disease a priority.

And if anyone wants to take part in the Take a Bite Out of Lyme challenge, come see me after session, and we'll set you up with some

limes.

Thank you very much.

ACTING PRESIDENT AKSHAR: Thank you, Senator Serino.

(Applause.)

ACTING PRESIDENT AKSHAR: Senator Hannon on the resolution.

SENATOR HANNON: Thank you, Mr. President.

This is the most significant type of resolution, because Lyme disease has proven to be one of the more irascible types of diseases. It's hard to detect, it's hard to prevent, it's hard to treat.

Senator Serino, her task force had a roundtable in the fall, and it was amazing the nonconsensus there is among the medical community as to how to do the detection and how to do the treatment.

And yet since then, we've found out that there are more diseases borne by ticks. It's wider spread in New York and other states. The CDC is really perking up.

So the leadership the Senate and Senator Serino have shown is significant. Money

has been put in the budget. There is an agenda today with some significant advances. And with all the other types of concerns that get articulated in the paper, this really should be a top priority for public health.

So I urge the adoption of this resolution.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Hannon.

Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

I rise in support of this resolution but also to commend our colleagues, people like Senator Sue Serino, Senator Hannon, who have worked so hard on these issues. And we have made great progress in addressing Lyme disease, but there's so much further to go.

About six months ago I received a call from one of my dear friends, I hadn't spoken to him in a long time. What I found out was his son, for four years -- a young man at the very beginning of his adult life, had been bedridden for about four years. They took him to doctors

in New York, they took him to doctors in California, they went to every medical expert they could find, and they could not find the cause for his dire illness. Finally, they found out it was due to Lyme disease.

And unfortunately, there's family after family after family in New York State that is dealing with the crippling, devastating effects of Lyme disease. And that's why we are taking action in New York State. We have several programs, grant funding. We want to prevent people from getting the disease, we want to be able to treat it in the proper manner.

And again, I commend Senator Serino. She has been a champion on this issue. Senator Amedore has been. Senator Murphy has been. And Senator O'Mara has been. But all of the members have worked together to make progress. And I couldn't be prouder to be a part of this body because of how we get things done here in the State of New York.

And again, we need to continue this battle. Today is a great day, but we need to continue to win this fight against Lyme disease.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Senator Young, thank you.

Senator Boyle on the resolution.

SENATOR BOYLE: Mr. President, in support of the resolution.

I'd first like to thank my colleague Senator Serino for her leadership on this issue, and Senator Hannon. I represent Fire Island, a large part of Fire Island, where Lyme disease and tick-borne illnesses have been a problem for many years.

And I can tell you that at the hearings that took place -- I urge all my colleagues to watch the video if you were not able to attend this.

One of my constituents, Martin Wilson, an intelligent, successful businessperson who suffered, was misdiagnosed and finally diagnosed with Lyme disease years later. It's devastated his life. But he's a true advocate, and I want to thank him for his efforts.

This is just the beginning. This resolution, I strongly support. This package of bills, we're going to get this passed today with Senator Serino's leadership and move on and

finally cure Lyme disease and all tick-borne illnesses.

ACTING PRESIDENT AKSHAR: Thank you, Senator Boyle.

Senator Amedore on the resolution.

SENATOR AMEDORE: Thank you, Mr. President.

I want to thank Senator Serino and her leadership, not just for this resolution but for her leadership on the Task Force on Lyme and Tick-Borne diseases.

There's no question that she has elevated and raised the awareness and also advocated for much-needed funds.

Representing part of the Hudson Valley and the Capital Region, we have a major problem. We have a major problem with our constituents who suffer from a tick-borne disease or just a little tick bite, or Lyme disease that they don't know where the cure -- what the cure -- or why they feel the way they do, and physicians not being properly able to diagnose the right diagnoses.

I believe that what we're doing, what Senator Serino has been doing will go a long

way here in the State of New York. We have to put more resources, more dedication, more thought. We need to listen to our constituents and to the professionals throughout the State of New York to try to bring a solution to this painful, painful situation that we see in the State of New York.

And we know that the State of New York faces a large-population deer herd as well as a major problem with ticks.

So I thank Senator Serino and you, Mr. President, for allowing the resolution to be heard today.

ACTING PRESIDENT AKSHAR: Thank you, Senator Amedore.

Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

I rise also to thank Senator Hannon and Senator Sue. I'm just -- I'm thrilled that they put the time that they put into this issue.

You know, you go back home, any one of us -- I have Columbia County, where we kind of refer to it as Ground Zero for tick disease. And it is such a serious issue for everyone.

But you know, one of the brochures that we got out talk about little boys 6 to 10 or that age that are outside playing, they're the most susceptible. That's a real scare. That's a real scare to all of us, but certainly myself as a grandmother who has four boys ranging between 6 and 10, you see them -- they're out in the woods, they're playing -- just like we did, but now it's dangerous.

I just -- I thank you, Sue, for all of -- Senator Serino -- for all that you do, all that you have been doing, the leadership that you've given this issue.

And this package of bills is terrific, spearheaded by you and by Senator Hannon and all the efforts that have been put into it. This is a critically important issue to our districts and to the people we represent. Thank you so much for that.

ACTING PRESIDENT AKSHAR: Thank you, Senator Marchione.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, this resolution is open for cosponsorship. If you want to cosponsor, please notify the desk.

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

SENATOR DeFRANCISCO: All right. On page 77, I offer the following amendments to Calendar 1120, Senate Print 7949, by Senator Serino, and ask that that bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill shall retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: Now can we take up previously adopted Resolution 4520, by Senator Little, read it in its entirety, and call on Senator Little to speak.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4520, by Senator Little, congratulating the Lake George Varsity Boys Basketball Team and Head Coach Dave Jones upon the occasion of capturing the New York State Public High School Athletic Association Class C Boys Basketball Championship.

"WHEREAS, Individual and team

championships are highly sought after in high school sports; this Legislative Body commends rare athletic achievements and pays special recognition to those who pursue such excellence and become examples for the youth of this great Empire State; and

"WHEREAS, Athletic competition helps to enhance both the moral and physical development of young athletes, preparing them for the future by instilling in them the importance of teamwork, encouraging a standard of healthy living, and developing a sense of fair play and competition; and

"WHEREAS, This Legislative Body is justly proud to congratulate the Lake George Varsity Boys Basketball Team and Head Coach Dave Jones upon the occasion of capturing the New York State Public High School Athletic Association Class C Boys Basketball Championship; to the praise and applause of their excited fans, the Warriors defeated Northstar Christian Academy in an exciting 66-65 victory to win their third championship in six years on Saturday, March 17, 2018, at Floyd L. Maines Veterans Memorial Arena in Binghamton, New York; and

"WHEREAS, Proudly donning the school's colors of blue and white, family, friends, and the community at large loyally and enthusiastically supported the Warriors throughout their journey as they ended their season with an impressive 28-0 overall record; and

"WHEREAS, In a sport such as basketball, which demands athletic prowess, speed and agility, Head Coach Dave Jones and Assistant Coach Tim Kissane worked hard to hone the skills of this championship team, teaching these outstanding athletes lessons which will prove invaluable both on and off the court; and

"WHEREAS, Head Coach Dave Jones and all of the outstanding athletes on the Lake George Varsity Boys Basketball Team have clearly utilized dedication, determination and teamwork in providing a lasting contribution to the spirit of excellence which is a tradition of their school; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the members of the Lake George Varsity Boys Basketball team -- Jacab Helms, Connor Vidnansky,

Alex Leonelli, Colin Leonelli, Kagen Helms, Mike Johnson, Alex Jones, Daniel Pushor, Mason Flatley, Nick Hoffis, Caleb Scrime, and Chris Becker -- Head Coach Dave Jones and Assistant Coach Tim Kissane upon the occasion of capturing the New York State Public High School Athletic Association Class C Boys Basketball Championship; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the members of the Lake George Varsity Boys Basketball Team, Head Coach Dave Jones, and Assistant Coach Tim Kissane."

ACTING PRESIDENT AKSHAR: Senator Little on the resolution.

SENATOR LITTLE: Thank you, Mr. President.

And let me say welcome back to the Lake George Basketball Team. This is their second time here in the Senate chamber receiving recognition for a fantastic season and the Class C State Championship.

On this team -- and in Lake George, they are a very athletic school district, and many sports and many achievements. And they've

also had many individual stars. But this is a team that really doesn't have a lot of individual stars; they are all the stars. And every single athlete here has participated and been a factor in winning games. A 28 and 0 record is an amazing achievement, because they go beyond and they play teams above the Class C as well.

So I'm really happy to have them here. And I'd like to do a little special recognition of their coach, Dave Jones, who has been the coach for many, many years but is retiring this year. Dave Jones has had something that I think most coaches would love to be and have: he has had the ability to coach his three sons and one daughter in sports at Lake George High School. And that's a privilege that not every coach gets, nor does every father get that. So that's an award-winning thing all by itself.

Accompanying them today we also have with us Kyle Manny, who is the director of athletics; Blake White, who is also an assistant coach; and Tara Sullivan, who does their communications.

The whole community came out once again for this team and celebrated. The parade

was kind of stymied because of rain, but we celebrated in the Lake George gymnasium, and it was just a wonderful event where everybody got to participate. And the thing they like to do the most is cut down that net, so each and every one of them got a chance to get up on the ladder and cut down the net. So very, very exciting.

But my hat's off to this team. There are some graduating seniors, but there are some kids who just are there. You work hard, you practice a lot, and you go out and give every game your best. And I hope you continue to do that throughout your life, whether it's in basketball or work or family activities, whatever and wherever. Always try to do your best as you have in this season.

So thank you. And thank you, Mr. President, for recognizing them.

ACTING PRESIDENT AKSHAR: Thank you, Senator Little.

Coach Jones, your assistants, all the athletes that are with us, we congratulate you on behalf of all of your accomplishments. We too welcome you to this great chamber, which is your chamber.

And I'd ask everybody in the chamber, please rise and congratulate these fine young men on their accomplishments.

(Standing ovation.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, that is also open for cosponsorship. If you'd like to cosponsor, please notify the desk.

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

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

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 123, by Senator Robach, Senate Print 287, an act to amend the Domestic Relations Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco, I'm sorry, you're just voting no or you wish to be heard?

SENATOR DeFRANCISCO: (Gesturing.) That's a no.

ACTING PRESIDENT AKSHAR: For which one of my questions, sir?

(Laughter.)

SENATOR DeFRANCISCO: The first one.

ACTING PRESIDENT AKSHAR: Got it.

Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I just would like to explain my no vote.

You know, this bill is a great bill if it dealt with only the issue of whether or not somebody was convicted of a rape. It seems to me that's a no brainer. If you're convicted of a

rape, you should not be -- of the person who bore a child, you should certainly not be even considered for custody or visitation and the like.

But this is broader than that. It's talking about an individual cannot even be considered for visitation if the person is charged with a crime.

There used to be a presumption of innocence, there used to be innocent until proven guilty. In the good old days, you were in a trial and you weren't convicted until a jury said you were.

And it just seems to me judges are smart enough that if there's a risk to a child, the judge who's determining visitation or custody will be able to make that determination, and not their hands being tied based on a law that says you have to deny this to an individual custody or visitation if there's even a charge.

So for that reason, I vote no. I would vote yes if it was just for convictions.

Thank you.

ACTING PRESIDENT AKSHAR: Senator DeFrancisco, you will be recorded in the

negative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Yes, I'm going to vote for the bill, but I also want to express my concerns, somewhat along the lines of what Senator DeFrancisco described.

There are situations where parents who have been convicted of raping a woman get custody of -- or visitation rights and custody of the child. And I think that's an area of tremendous concern, and I've had legislation on this issue.

And I really wish that we would go a lot deeper into this, make this an issue of concern, work with the Assembly and try to come up with some legislation that upon conviction, that a parent can never get custody of the child if the child is a victim of that rape.

Thank you, Mr. President.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you. I'm going to vote no because I think I did misread

the bill until it was explained by Senator DeFrancisco.

I do believe this state needs to do much more to protect victims of sexual assault and rape, and there are many changes we should make in our laws to do so. But I have to agree with the Senator that we need to ensure due process. And if someone has not been found guilty as charged, it's a serious question why we in the state should be explicit that they cannot have visitation.

I share his view that judges are capable of hearing arguments for and against visitation on many levels. And if someone has been accused but not yet found guilty or found innocent of a charge, I think we have to be very careful with overriding due process in our diligence to try to protect children.

So I'm also voting no. Thank you, Mr. President.

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

Announce the result.

THE SECRETARY: In relation to Calendar 123, those recorded in the negative are

Senators DeFrancisco, Krueger and Montgomery.

Ayes, 57. Nays, 3.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 186, by Senator Serrano, Senate Print 3052, an act to amend the General City Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 607, by Senator Murphy, Senate Print 5580B, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 680, by Senator LaValle, Senate Print 5558, an act authorizing.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 746, by Senator Brooks, Senate Print 7399A, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 768, by Senator Ortt, Senate Print 7827, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 813, by Senator Helming, Senate Print 7935A, an act to amend the Uniform Justice Court Act.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number

897, by Senator Golden, Senate Print 5686A, an act to authorize.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 950, substituted earlier by Member of the Assembly Magnarelli, Assembly Print 10347, an act to amend Chapter 62 of the Laws of 2003.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 956, by Senator Young, Senate Print 6883, an act to amend the Highway Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 972, substituted earlier by Member of the Assembly Lentol, Assembly Print 9728, an act to amend Chapter 548 of the Laws of 2004.

ACTING PRESIDENT AKSHAR: Read the

last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: That bill is passed.

THE SECRETARY: Calendar Number 1029, by Senator Helming, Senate Print 6638, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I'm voting no. It's possible that expanding the universe of investments for the State Insurance Fund might offer no risk, but the fact is the mix that we allow now clearly is working for us, because our State Insurance Fund has actually been quite healthy and even had surpluses.

And so it's not an across-the-board why would you be opposed to alternative investments that might have higher risk but still be recognized by -- I think in the memo Moody's was the example.

So I remember the 2008 period when we learned that the well-respected rating agencies -- Moody's, Standard & Poor's -- were in fact misleading the public because they're hired by the companies who they rate. And that's just a fundamental flaw in that model.

So I actually think if it's not broke, don't fix it. And we ought to keep the mix of investments as is, because clearly it's working for us now. So I vote no.

Thank you, Mr. President.

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

Announce the result.

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

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1146, by Senator Serino, Senate Print 2588, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: That bill is passed.

THE SECRETARY: Calendar Number 1148, by Senator LaValle, Senate Print 3816, an act authorizing.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: That bill is passed.

THE SECRETARY: Calendar Number 1149, by Senator Ranzenhofer, Senate Print 3880, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

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

negative.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1150, by Senator Hannon, Senate Print 6926, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1151, by Senator Serino, Senate Print 7168, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: That bill is passed.

THE SECRETARY: Calendar Number 1152, by Senator Serino, Senate Print 7169, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1153, by Senator Serino, Senate Print 7208, an act to amend the Public Health Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1154, by Senator Serino, Senate Print 7242, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1156, by Senator Serino, Senate Print 8534, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 1157, by Senator Serino, Senate Print 8539, an act directing.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT AKSHAR: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please recognize Senator Savino for a brief introduction.

ACTING PRESIDENT AKSHAR: Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I rise to offer welcome to a group of young students from my district. They have just arrived from I.S. 303, the Student Government Group and Liberty Kiwanis Builders Club. And they are accompanied by their teachers Michael Young and Mario Caggiano.

So we welcome you to the Senate chamber. We hope that you learned something here today, and we hope that you will enjoy your time in Albany and take part in learning what goes on here in state government. We look forward to having you here, and welcome to the Senate.

ACTING PRESIDENT AKSHAR: We welcome you all to the Senate. We extend all the privileges and the courtesies of this great house. We hope you enjoy your visit today.

Let's give them a round of applause, ladies and gentlemen.

(Applause.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco, I made a mistake up here. We completed the reading of the noncontroversial calendar.

SENATOR DeFRANCISCO: Yes, I had recognized that. Thank you.

ACTING PRESIDENT AKSHAR: You're welcome.

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

ACTING PRESIDENT AKSHAR: There is no further business at the desk.

SENATOR DeFRANCISCO: In that case, I move to adjourn until Tuesday, May 22nd, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AKSHAR: On motion, the Senate stands adjourned until

Tuesday, May 22nd, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:11 p.m., the Senate adjourned.)