NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 11th, the Senate met pursuant to adjournment. The Journal of Sunday, June 10th, 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 9, Senator Boyle moves to discharge, from the Committee on Health, Assembly Bill Number 7218A and substitute it for the identical Senate Bill 5585A, Third Reading Calendar 198.

On page 34, Senator Bonacic moves to discharge, from the Committee on Judiciary, Assembly Bill Number 10100 and substitute it for the identical Senate Bill 6138, Third Reading Calendar 810.

On page 43, Senator Hannon moves to discharge, from the Committee on Health, Assembly Bill Number 7108 and substitute it for the identical Senate Bill 7871, Third Reading Calendar 982.

On page 48, Senator LaValle moves to discharge, from the Committee on Finance, Assembly Bill Number 8110 and substitute it for the identical Senate Bill 1243, Third Reading Calendar 1093.

On page 53, Senator LaValle moves to discharge, from the Committee on Rules, Assembly Bill Number 10722 and substitute it for

the identical Senate Bill 7930A, Third Reading Calendar 1205.

On page 67, Senator Gallivan moves to discharge, from the Committee on Finance, Assembly Bill Number 10275 and substitute it for the identical Senate Bill 7993, Third Reading Calendar 1376.

And on page 71, Senator Funke moves to discharge, from the Committee on Rules, Assembly Bill Number 2857D and substitute it for the identical Senate Bill 1043D, Third Reading Calendar 1422.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, on page 60 I offer the following amendments to Calendar Number 1298, Senate Print 6029B, by Senator O'Mara, 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 Ritchie's bill, Print 6839, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 212, by Senator Ritchie, Senate Print 6839, an act to amend the Highway Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 46.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I now wish to call up Senate Print 8254, recalled from the

Assembly, which is now at the desk. It's a Senator LaValle bill.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1603, by Senator LaValle, Senate Print 8254, an act to amend the Town 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, 46.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I now move to adopt the Resolution Calendar, without exceptions.

ACTING PRESIDENT GRIFFO: All in favor of adopting the Resolution Calendar, without exceptions, indicate by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I now request that you recognize Senator Akshar for an introduction.

ACTING PRESIDENT GRIFFO: Senator Akshar.

SENATOR AKSHAR: Mr. President, thank you.

I rise this afternoon to welcome the members of the New York City Fire Department's Uniformed Firefighters Association that are with us today.

The men and women that are with us today are true community heroes, and I thank you for that. Almost 9,000 strong, their brave members respond to over 600,000 emergencies a year. Each of their respective fire companies are doing between 5,000 and 6,000 runs a year, responding to all sorts of emergencies -- fires, medical emergencies, hazmat incidents, building collapses. If you can think about it, they

respond to it.

The average response time by these men and women? Four minutes. Four minutes to respond to these emergencies. I think that's incredibly impressive.

And firefighters, by their very nature, always put others before themselves. And quite frankly, they run into danger as others are running away from danger, providing life-saving services to their communities and of course keeping our loved ones safe in the communities that they represent.

I know that I speak on behalf of everyone in this room, the people of the City of New York, the people of this great state. I just want to say thank you for your selfless service. I want to welcome you to Albany on your Lobby Day. You truly are heroes. You are. While I don't represent the City of New York -- I represent a great community upstate -- I simply just want to say thank you for being with us today. Thank you for putting yourself before others. Thank you for your selfless service. And again, welcome to Albany.

Mr. President, please extend the

courtesies and the privileges of the house.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: All members here repeat and emphasize the remarks of Senator Akshar. I think on an introduction there's -- I don't believe we have a procedure for everyone to speak. Am I correct?

SENATOR AKSHAR: Senator Comrie agrees with everything I just said. He means it.

ACTING PRESIDENT GRIFFO: I will speak on behalf of the chamber.

We want to welcome New York City's bravest. Thank you so much for what you do each and every day in serving and protecting our community. We extend our best wishes. Please stay safe. God bless you all and your good work on behalf of the citizens of the City of New York. Let's acknowledge our firefighters.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: At this point I would like to request that we take up previously adopted Resolutions 5366 and 5525, by

Senator Comrie. So he can speak next, and then call on either he or Senator Stavisky or both to speak, please. Title only.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5366, by Senator Comrie, welcoming the members of the Veterans Advisory Committee upon the occasion of their visit to Albany, the Capital City of New York, on June 12, 2018.

And Legislative Resolution Number 5525, by Senator Comrie, commending Emery A. Perry upon the occasion of his designation for special recognition by the Veterans Advisory Committee, on June 12, 2018.

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President. Thank you, Mr. Floor Leader.

Members, today I'm proud to welcome a group of men and women who have also committed themselves to the highest levels of service, both foreign and domestic, whose love of country and community are constrained only by the borders of

their hearts and souls.

We are honoring today the arrival of the Queens Veterans Advisory Committee here in Albany, and I'd ask you to join me in giving a special recognition to my members -- the former Amvets commander, retired NYPD officer and former member of the Army's 82nd Airborne Division, Mr. Emery Perry.

The Veterans Committee in Queens was formed to unify and crescendo the voices of those who have served, and now its affiliate organizations have grown into a body of folks who continue to serve each and every day.

The Veterans Advisory Committee has devoted its efforts to a wide range of programs in surrounding communities. The Leave No Veteran Behind project sends much-needed supplies to veterans living in and rebuilding Haiti after 2010's decimating earthquake. The Black History Month programs have been giving grants to bring their message to schools and local audiences all over Queens. Their annual events and Pantries in the Park provides food baskets and healthcare information to more than 1,000 veteran families so far. And their Feeding of the 2,000 event

gives meals to children living in the homeless center. And that's just some of the things that the Queens Vets has done. And also opening three food pantries, because as we know, veterans are in more need than ever before.

I just want to acknowledge some of the members of the VAC. Retired Major Sharon Sweeting Lindsey, the chair of the VAC, executive director of Vets Inc., and cofounder of the Allen AME Veterans Committee. Jackie Wilson, who's not here, the cochair of the VAC and vice commander of VFW Post 5298. Nathaniel Walker, the historian for the VAC and member of the Eternal Light Veterans Association. Michael Cook, veteran entrepreneur; Lamar Gilmore, member of the Allen AME Veterans Committee; and others.

But I sincerely want to thank all of you for coming to Albany today. The community and I are eternally grateful for the work that the VAC is doing on behalf of all members in Queens, all veterans in Queens, and working with all veterans organizations.

I'm glad that we have the VAC here today because it allows this body to amplify the special recognition of Emery Perry, who served in

the Army's historic 82nd Airborne Division in the escalating years of the Vietnam War, and who has selflessly served the community ever since.

Mr. Perry went to Theodore Roosevelt High School in the Bronx.

(Laughter.)

SENATOR COMRIE: He was also -- he has said one of his hardest parts of enlisting before graduating was having to give up his love of basketball, but his landlord reminded him that he couldn't play or eat rent -- couldn't eat rent? Couldn't eat rent, listen to me -- could not pay the rent or eat just playing basketball, so he joined the Army.

As America fought threats beyond its shores, as people faced the fundamental battle in the fight for civil rights, Emery Perry, even in uniform, was subject to the racism and hatred that fills too many pages of our country's history. As he was wont to do, though, Emery overcame and served his nation with dignity and honor which he continues to this day.

When he returned from duty, he joined the New York City Police Department, earned a bachelor's degree in education, and

served on the force in the 79th Precinct for 20 years. He has continued his service to the community as an active member of the Cambria Heights Civic Association, Alpha Phi Alpha Senior Center, NYPD Council of Retired Guardians, St. Albans VAVS Living Center, Amvets Post 10-13, the 227th Street Block Association, the Lions Club, and of course the Queens VAC.

When he joined Amvets as his post's treasurer, they had less than $500 in the bank. In five years he multiplied that to $10,000, which was returned to his fellow veterans, and he has worked tirelessly ever since to keep growing their ability to reach and help new members, annually hosting fundraisers and events to raise money for veterans in the community. He is constantly working as a faithful servant at Sacred Heart Church, as a member of the different groups in his church as well. Mr. Perry is retired, but he's more active than most of us in this room.

I want to thank you, Emery, for your distinguished service in the Army and here at home. Supportive, vibrant communities like ours are built on the shoulders of citizens like you.

And thank you to all of the VAC members here today as you do the transformative and often life-saving work that you continue to do each day in Queens. I encourage you to come back to Albany, your capital, to remind myself and colleagues that we only serve you because you served us.

And I want to thank you again personally for your service, Mr. Perry. You've been a true friend and a supporter of mine going back to way before I got elected to anything. You've been a constant guiding light to so many people.

And also to the entire Veterans Committee, again, for your service and commitment to our community. Thank you for being here.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Comrie.

This resolution was previously adopted on May 31st of this year.

On behalf of the New York State Senate, we want to extend our congratulations on this special recognition to Mr. Perry, and we want to extend a very warm welcome to all the

members of the Queens Veterans Advisory Council. We thank you for your service to our nation. We thank you for your continued service and contributions to the community.

And when Senator Comrie started talking about the rent, he almost sounded like Jimmy McMillan for a few minutes there.

(Laughter.)

ACTING PRESIDENT GRIFFO: Can we all please rise and acknowledge these fine ladies and gentlemen.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: The resolution is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Now can we take up Resolution 5748, by Senator Stavisky, title only, and call on Senator Stavisky to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5748, by Senator Stavisky, memorializing Governor Andrew M. Cuomo to

proclaim October 11, 2017, as Queens College Day in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

And we want to congratulate Queens College on its 80th anniversary. President Felix Matos Rodriguez is here on the floor. And we recognized your service when you were appointed four years ago as the 10th president of Queens College. And he's accompanied by the assistant vice president, a new constituent of mine, Jeffrey Rosenstock.

Dr. Matos Rodriguez, incidentally, has an interesting background. He is an academic, he's an administrator, he's a former cabinet secretary in the Department of Public Service for the Commonwealth of Puerto Rico. And he was president of Hostos Community College in Senator Rivera's district -- it is not. Senator Serrano's district. But I heard about Dr. Matos Rodriguez before he came to Queens College from Senator Rivera.

Let me just say a couple of things

about Queens College. Because the roots of Queens College really go back to 1847, with the founding of the Free Academy, which later became City College. And the purpose, the original mission of the Free Academy was to educate the sons and daughters of immigrants. That was in 1847. That mission really hasn't changed.

And if you come to most of the CUNY colleges, but especially to Queens College, you will see the most diverse group of students -- immigrants, new Americans.

Their motto is interesting. It's Discimus ut serviamus, which means "We learn so that we may serve." And that, to me, is the message of higher education today, why we're teaching immigrants, particularly in Queens College, which is probably the most diverse county in the country.

Queens College has nearly 20,000 students from more than 150 countries. They speak a hundred languages, more than a hundred languages. And about a third of the students are the first in their family to attend college. And New York City is providing that opportunity to an affordable education at a first-class

institution.

Washington Monthly recognized Queens College as second among 1540 colleges in the United States for the best return on the investment. Tuition we try to keep as affordable as possible, but it's the return on the investment where you can really see the results at Queens College.

And the Equality of Opportunity Project ranked Queens College in the top 1 percent of the country in moving from the bottom of the economic system, the bottom quartile, to the top. That students come in poor, they receive such a first-rate education that they go out and they become very, very successful and productive.

If you came to visit Queens College you'd see about 80 acres of trees and open space, but in a traditional college setting. They have a lovely quadrangle, they have interesting buildings that go back a number of years. But it's also modern. And people come for our concerts to Colden Auditorium, to the Kupferberg Center for Visual and Performing Arts.

Powdermaker Hall, where we've

provided some funding in the past, the state has, is an old building but technologically so advanced that it's amongst the greenest buildings in the college campus and a place where people can use the best there is to have.

I mentioned a moment ago the tradition, and they have a long list of distinguished alumni. And let me mention just a couple: Charles Wang, the founder of Computer Associates; Jerry Seinfeld; Paul Simon. But also a number of our colleagues and former colleagues, Congressman Joseph Crowley and Congressman Adriano Espaillat, were graduates of Queens College. And State Senator Jeffrey Klein, State Senator Jose Peralta. And I even took 15 graduate credits to finish my graduate school at Queens College.

So we are very proud of Queens. They have a glorious past, but an even brighter future. And it's the innovation and the tradition of Queens College that we honor in the presence of Dr. Matos Rodriguez.

So we thank you for everything that you have done to bring Queens college to the forefront of -- really, we're very proud of it,

and I must say in my Senate district.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stavisky.

SENATOR STAVISKY: Oh, and may I ask that the resolution be opened for cosponsorship.

ACTING PRESIDENT GRIFFO: We have a couple of other speakers.

I'm going to ask the Sergeant to please tend to the doors up in the galleries, because the doors are open and we're getting some noise from the galleries.

I want to recognize Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

I will be brief because Senator Stavisky, who has Queens College in her district, spoke at length about how great this college is.

And I was there a few months ago, and I certainly was impressed with it. But I do have to make sure that we -- you know, credit where credit is due. We are lending you Dr. Matos -- Felo, as we know him in the boogie-down Bronx -- we are lending him to you so

that you can have such a great institution be run well, but we want the brother back. I just want to make sure that it's said.

Felo is a fantastic Bronxite, a fantastic scholar. I'm very glad to have him over at Queens College, but we shall get him back at some point. I just want to make sure that's stated for the record.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President.

I just also wanted to rise and acknowledge Queens College on its 80th anniversary. And now that Senator Rivera has asked for Dr. Matos to come back in 15 or 20 years --

(Laughter.)

SENATOR COMRIE: -- we'll see that that happens.

But I just wanted to acknowledge that Dr. Matos and Jeff Rosenstock, both of them -- stand up, Jeff, so they can see you as well -- because they have both worked to increase

the community outreach of Queens College, to make sure that every legislator in Queens, every community group, every school association understands that Queens College is there to serve the community. Jeff has worked to make sure that the cultural institutions at Queens are opened up to people from all over the community. That we have a world-class theater now that they both work to make sure is open and available to the public, and bringing an interesting variety of events and opportunities for people to enjoy culture, music and dance at Queens College.

Dr. Matos also has been working on educational policy. One of the things that I'm most proud about is that he's been working to increase minority participation at every level at Queens College, also working to make sure that Queens College is sending teachers to schools all over Queens to encourage more minority males to be students and teachers one day.

So I just want to thank Dr. Matos on forwarding the educational policy of Queens College, ensuring that it's truly open and giving opportunities for more minorities to be involved at every level, and also doing everything they

can to ensure that all of Queens knows that -- and all of New York City knows that Queens College is a college that is open to the public, that's accessible and available to teach anybody that wants to learn.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Alcantara.

SENATOR ALCANTARA: Thank you, Mr. President.

I want to congratulate Felix Matos for being one of the few Latino college presidents in the State of New York. And we are very proud to have a Boricua brother leading one of the most diverse educational institutions in the State of New York.

Queens College is consistently ranked amongst the top public universities in the country, and for graduating some of the most diverse students in the country. And to me, Queens College is a great example that you don't have to sacrifice, you can have a diverse student body and still be a great institution, that diversity and cultural diversity just adds to the greatness of an institution.

We want to thank you. Our community is very proud of you. I'm sure that the students feel very proud to see someone like you leading them that came from the Bronx. You are an inspiration to people like my son who see the possibility of what New York can be and what the United States should be about, encouraging people from other cultures, and that Queens College is a place where anybody can do great.

We love you very much and we hope that you can continue at Queens College.

Thank you.

ACTING PRESIDENT GRIFFO: As indicated, the resolution was previously adopted.

We want to extend our recognition and extend the courtesies of the house to the president, to staff here today. Thank you so much for your leadership and for your continued service in higher education.

Let's rise and please acknowledge our distinguished guests.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: The resolution is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we take up previously adopted Resolution 5264, by Senator Rivera, title only, and call upon Senator Rivera to speak, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5264, by Senator Rivera, paying tribute to the life and community service of Andrew Sandler, district manager of Bronx Community Board 7, who passed away on Saturday, August 5, 2017.

ACTING PRESIDENT GRIFFO: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

Now, many folks in this chamber were elected officials before they got elected to the Senate, but there are many of us who were actually staffers. And there's many folks who were also elected officials but were staffers as well before they were elected. And there is a recognition from those folks that without those individuals that work for us, without all these

young men and women behind us that make our offices work, our job wouldn't be possible.

And these young men and women are committed public servants just like we are. And so when we think about the fact that the Senate works or any governmental agency works, it is those individuals who are so important to the working of the organization, not the person necessarily that's on the door, whose picture is on the wall, but the people who actually make that office work are usually unrecognized.

And such a person was Andrew Sandler. Now, he at the young age of 31 sadly and tragically passed away last year. But before he did, the work that he did in the community of the Bronx in Riverdale, and crossing over a little bit into Kingsbridge Heights, where I live, was exceptional.

He was a young man who was kind of an unsung hero, if you will. He was constantly involved in community affairs. He was involved in his community board even before he became its manager. He worked for a few elected officials -- local Councilmembers, local Assemblymembers -- and during this time he

consistently figured out how, like many of us, we are convinced that government is something that can actually play a positive role in people's lives. And that's what Andrew thought about public service.

I remember him fondly because he was constantly showing up where you didn't necessarily expect him, knowing more than you did about the issue, and making sure that the things -- and telling you what he thought his opinion was in a strong way, but without being pushy. He just wanted to make sure you were educated about the issue and could make the best decision about it.

I remember that more than once as a volunteer in my campaigns all the way back to 2010, he would show up in my campaign office -- he didn't tell anybody he was going to show up, he just showed up, he did three or four shifts, got a couple of dozen signatures, and then he would go back to what he was doing.

I remember also -- and this is the one that really struck me. When he found out that he was -- that he had a very -- a very strong and -- he had cancer, he had a very

advanced form of cancer that he found very late in his life. And while he was still convalescing, he actually called me to tell me about the issues that he was having and how he thought that legislation could be brought to actually make the situation that he was living in not happen to somebody else.

I want you to think about that for a second. While he was being very private about his disease and he was -- he had been in the community board, he was -- he just said that he had to go away for a medical situation, but he didn't really share with many people what was going on -- he took time to get his doctor on the phone with me to tell me in detail the situation that he was living in and how we needed to change legislation or needed to change administratively how things were done to make sure that that wouldn't happen to somebody else.

So even in the moment where he was literally fighting for his life, he was thinking about the community that he was from. And he was thinking about other people. And that ultimately is who he was.

I had the opportunity to go to the

corner of 238th and Waldo Avenue -- just a block down from a bar he used to hang out at quite often, the An Beal Bocht -- which is now Andrew Sandler Way. He was a young man who will be immensely missed, because he is exactly the type of person that we need in public service, someone who's committed to public service and somebody who wanted to make sure that government worked to make people's lives better, and didn't necessarily seek credit. He just did the work.

We are joined today by his mother and his sister, Stephanie and Sandra, who are here joining us and who told me that he would be excited about this opportunity. Right? He was -- I think he visited Albany many times, I'm not sure if he was ever in this room. But I know that I will miss him greatly because, again, he is the type of person that we need in public service.

And I know that a couple of my colleagues also want to speak about him. But I will just say: Andrew, wherever you are, thank you for the work that you did, and we will always remember you.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Bailey.

SENATOR BAILEY: Thank you, Mr. President.

I want to thank you, Senator Rivera, for bringing this resolution to the floor today.

Everything happens for a reason. And it's apropos that you bring this here the day that we celebrate Bronx Day. And Andrew Sandler was somebody who was all about the Bronx. He might have lived in Riverdale, but he was a Bronxite through and through.

If you went to that street renaming ceremony, you saw people -- a cross-section of our borough. It did not matter if you overlapped with Community Board 7, where he was the district manager. There were people from the South Bronx, the North Bronx, Westchester County. People that knew about Andrew's dedication to public service, they came to Andrew Sandler Way on that Saturday morning and we celebrated.

And it was a somber celebration of life, knowing that somebody who was so full of life and that should not have gone away at such a young age is no longer here with us. But it was

a celebration for all of the great things that he did.

When I first started out this endeavor to become a State Senator and Andrew was at Community Board 7, he reached out to me weekly, letting me know the happenings, what was happening at CB 7. Because I'm from the northeast Bronx, and the northwest Bronx in many ways was somewhat foreign to me, and some of the issues and concerns that were happening on Mosholu Parkway and West Gun Hill Road and Jerome Avenue were not things that I knew of firsthand.

Andrew made sure that I knew of them. He made sure that I knew of them in detail. He made sure that I knew of them forward and backward, like the back of my hand, and better than I would, as Gustavo said.

He was somebody who was always known as -- he was up next for so many different things. When you thought about the Riverdale political landscape and who was next to come out of that, Andrew Sandler was next. And it's saddening that he's not here, but it is an amazing thing that he touched so many people's lives in ways that he did not even intend to do

so. I think that's a true mark of leadership, Mr. President, that leaders touch people's lives that they've never met and never would meet, but by the work that you do, by the work that Andrew did, invariably he made the Bronx a better place.

And he lived by the motto of the borough of the Bronx, which is Ne cede malis, which means "Yield not to evil." It comes from The Aeneid, actually. And Andrew would not yield to the circumstance that ultimately took his life too early. And for that I salute him, I salute his family, and anybody that knew Andrew -- and I can hear what I'm saying today -- would nod their head in assent or yell it out loudly, and we salute his life.

And thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Bailey.

The resolution was previously adopted on May 31st.

We want to extend our condolences to the Sandler family, to Sandra and Stephanie who are here today. Thank you for sharing your loved one with the community, and we appreciate you being here today.

Let's please rise and acknowledge the Sandler family.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: The resolution is open for cosponsorship.

ACTING PRESIDENT GRIFFO: The reso is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could you now take up Resolution 5737, by Senator Peralta, title only, and call on Senator Peralta to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5737, by Senator Peralta, commemorating the 2018 FIFA World Cup.

ACTING PRESIDENT GRIFFO: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

So soccer is not just a sport, it's a passion. Soccer -- or football, as it's called

around the globe -- is a way of life. Every four years the world stops and comes together to celebrate el deporte rey, or the king of all sports.

The World Cup is the premier sporting event across the globe. No other sport is as passionate. On June 14th, Russia 2018 kicks off. Thirty-two teams will battle it out to be crowned king, 32 teams representing each corner of the world. Unfortunately, the United States didn't qualify for Russia 2018. But this is a world stage.

In my district, the United Nations of all Senate districts, people will be paying very close attention to the quadrennial FIFA competition. They will have one eye here in New York and the other in Russia. With fair play in mind, Colombia, Portugal, Egypt, Brazil, Iran, Japan, Senegal, Germany, Morocco, Saudi Arabia, Argentina, South Korea and another 20 countries will compete to see who is the best in the world.

People from all 32 competing nations will be cheering their teams from my district, from the state, and from the nation.

The popularity of world football, or

soccer, in the United States and in New York has continued to grow at a rapid pace amongst all generations, but especially among our youth. And as we in New York are a true national and cultural melting pot, Russia 2018 is of special interest to our diverse population. There is no more fitting a place than Queens, which happens to be the world's borough, to experience the passion and the pride that only the world's game can stir in the hearts of fans and nonfans alike.

Therefore, be it that this legislative body pause in its deliberations to commemorate the 2018 FIFA World Cup.

Mr. President, let's celebrate this resolution with an iconic and traditional Goooooooo!

(Laughter.)

SENATOR PERALTA: Que viva the World Cup!

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

The resolution is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now take up the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 129, by Senator Avella, Senate Print 1690, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 174, by Senator Hamilton, Senate Print 2943, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 3. Senators Amedore, DeFrancisco and Griffo recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 198, substituted earlier by Member of the Assembly Jaffee, Assembly Print 7218A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Boyle to explain his vote.

SENATOR BOYLE: Thank you, Mr. President, to explain my vote.

This bill will make it such that 18-year-olds or younger than 18 will no longer be

able to use commercial tanning booths in New York State. Prospective tanning customers will be required to submit proof of age, and shop owners will be required to keep records of customers' names and age verification.

Fifteen states and the District of Columbia already ban minors from indoor tanning.

I want to thank the advocates who have fought so hard for this piece of legislation, and my constituents as well. We all know that the younger a person starts to use tanning facilities, the greater the risk of developing skin cancer later in life. Skin cancer is the most common form of cancer diagnosis in the United States. And with this piece of legislation to ban minors from using indoor tanning facilities, we are literally going to save lives in the years to come.

I vote strongly in favor. Thank you.

ACTING PRESIDENT GRIFFO: Senator Boyle recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 2. Senators Funke and Ranzenhofer recorded in the

negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 250, by Senator Klein, Senate Print 1988, 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 on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Kaminsky and Kavanagh recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 398, by Senator Ritchie, Senate Print 7166C, an act authorizing.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 465, by Senator Robach, Senate Print 409, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 476, by Senator Savino, Senate Print 3861, 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 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 489, by Senator Marchione, Senate Print 177C, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 606, by Senator Tedisco, Senate Print 5369A, 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 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 659, by Senator Marcellino, Senate Print 6715, an act to require.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 3. Senators Hoylman, Kavanagh and Krueger recorded

in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 672, by Senator Funke, Senate Print 7878A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 799, by Senator Serino, Senate Print 7174A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 810, substituted earlier by Member of the Assembly Dinowitz, Assembly Print 10100, an act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 981, by Senator Hannon, Senate Print 7713B, an act to amend the Public Health Law.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

THE SECRETARY: Calendar Number

982, substituted earlier by Member of the Assembly Gottfried, Assembly Print --

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

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

THE SECRETARY: Calendar Number 1011, by Senator Phillips, Senate Print 6437, an act to repeal.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1093, substituted earlier by Member of the Assembly Simon, Assembly Print 8110, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1095, by Senator LaValle, Senate Print 2211A, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1173, by Senator Marchione, Senate Print 1124B, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1205, substituted earlier by Member of the Assembly Glick, Assembly Print 10722, an act to amend Chapter 987 of the Laws of 1971.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1255, by Senator O'Mara, Senate Print 2284, an

act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1311, by Senator DeFrancisco, Senate Print 677, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

SENATOR DeFRANCISCO: Lay it aside temporarily, please.

ACTING PRESIDENT GRIFFO: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 1354, by Senator Griffo, Senate Print 3157, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1354, those recorded in the negative are Senators Alcantara, Avella, Hoylman, Krueger and Serrano.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1357, by Senator Murphy, Senate Print 307A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1362, by Senator Ortt, Senate Print 1280A, an act relating to legalizing, validating, ratifying and confirming.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1376, substituted earlier by Member of the Assembly Peoples-Stokes, Assembly Print 10275, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1412, by Senator Larkin, Senate Print 4994, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number

1422, substituted earlier by Member of the Assembly McDonald, Assembly Print 2857D, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1429, by Senator Amedore, Senate Print 8600A, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

passes.

THE SECRETARY: Calendar Number 1476, by Senator Akshar, Senate Print 1113, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1477, by Senator Ortt, Senate Print 7207, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1483, by Senator Felder, Senate Print 2113A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect one year after the date upon which it shall have become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

SENATOR DeFRANCISCO: Lay it aside temporarily.

ACTING PRESIDENT GRIFFO: Lay it aside temporarily.

THE SECRETARY: Calendar Number 1490, by Senator Carlucci, Senate Print 4082, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

With the warm weather approaching and the school year wrapping up for summer session or summer break, parents around the state are going to be taking their kids to camp. And unfortunately, right now we have a major loophole in our law in terms of keeping our children safe at camps.

Right now on the books we have legislation that requires regular day camps and sleep-away camps and travel camps to check their employees against the sex offender registry. However, there's a major loophole when you talk about single-purpose day camps, which have really proliferated over the past few years. We're talking about basketball camp, soccer camp, violin camp, you name it. Those camps are not required to check their employees against the sex offender registry.

We have to do what we can to keep our children safe. Unfortunately, many parents are just unknowing of the fact that -- thinking that their camp is safe when it might not be. It's important that we pass this legislation. I want to thank my colleagues for supporting it.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1494, by Senator Akshar, Senate Print 5670, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill

passes.

THE SECRETARY: Calendar Number 1507, by Senator Hannon, Senate Print 8648, an act to amend the New York State Medical Care Facilities Finance Agency Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1567, by Senator Murphy, Senate Print 7118A, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1641, by Senator Phillips, Senate Print 5530, an act in relation to authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Phillips to explain her vote.

SENATOR PHILLIPS: Yes, Mr. President, thank you. And I promise to be quick.

So this legislation ensures that New York State students are being taught about the history of the Holocaust. The bill was introduced last year in response to numerous anti-Semitic threats and acts on Long Island and

across the state, as well as the upstate high school's "critical thinking" assignment where students were told to provide their Nazi point of view and justify the mass murder of millions of innocent people as part of the Final Solution.

So we have an obligation to remember one of the worst atrocities in human history and continue to condemn it and prevent it from happening again. And teaching the next generation about the Holocaust in a responsible way is critically important, because understanding and learning from the past -- Senator Hamilton mentioned it last week -- really will help change the future.

And I have to shout out to a Girl Scout that's visiting me today, Troop 1737. The girls and their mothers are here; we have Jessica and Ayden Laffey, Kim and Maddie Troche, Amy and Emily Levine, and Marisa and Isabella LoManto.

And the reason I shout them out is thank you for coming to visit. But they are going to the Holocaust Memorial & Tolerance Center of Nassau County next week with their fifth-grade class to do exactly what this bill's intention is to do, to make sure that our

students and our young people of New York State are educated on this horrible atrocity.

So for all of you, to my colleagues, thank you for continuing to support this bill.

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

Senator Kaminsky to explain his vote.

SENATOR KAMINSKY: Thank you. I just want to thank the sponsor and underscore the importance of this bill.

The New York Times recently reported that 40 percent of Americans don't know what Auschwitz was. So we really have our work cut out for us as a body to make sure that the next generation of students understand the horrors of what humanity and a society bent in the wrong direction are able to inflict upon other human beings, people that they actually didn't see as human beings.

And understanding the humanity and self-worth of every individual is critical to what it means to be a decent human and what it means to be American. And unfortunately, with the lessons receding in the past of the Greatest

Generation in our country and the lessons of the Holocaust across the ocean, we can't let that message ever get away from us.

So this is important. We have to continue along these lines. And I applaud the sponsor and vote in the affirmative.

Thank you.

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

I want to commend the sponsor for this piece of legislation. I just wanted to note that we should be learning more about the Holocaust. I had the pleasure of graduating from the Bronx High School of Science, and within the Bronx High School of Science there is a world-renowned Holocaust Museum.

So for those of you who want to take a trip to the Bronx -- and you all should come to the Bronx, for many, many reasons -- that's another reason to go there. I learned so much about the Holocaust and what happened to people of the Jewish faith while in high school. And it

was right at my fingertips, but it should be at everybody's fingertips, and you should all go and check that out because it's really enlightening and eye-opening.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Senator Bailey in the affirmative.

Senator Serrano to explain his vote.

SENATOR SERRANO: And I also rise to lend my voice in thanking the sponsor for this very important piece of legislation.

As I mentioned last week when we had had a resolution on D-Day, it is very important that we never lose sight of the fact that there were many horrors in the past, and we cannot repeat them going forward. And the only way that we can do that is by ensuring that younger generations are well aware of these things that happened.

I think to many, they might believe that this -- they could not think that humanity could come to this. But very well they did. And there were so many different moving parts that allowed these horrific actions to happen.

And it's so important that we learn and educate future generations to avoid many of the pitfalls that have come in the past, to ensure that we live in a society and a world that will never, ever repeat these horrific acts.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Serrano in the affirmative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

Senator Bailey mentioned the Holocaust Center at Science. And I think he and I are the only two graduates of Science, and we're very proud of the Holocaust Museum at Science.

But let me also mention the fact that we have an unusually creative and interactive and exciting place -- at Queensborough Community College, they have the Holocaust Center there. And I recommend that to anybody who would like to see more and do not feel like going to Yad Vashem or the one in Manhattan or the one in Washington.

But I do thank the sponsor for the bill, but let me point out that the study of the Holocaust is already in the curriculum of the New York City schools.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

Senator DeFrancisco, that completes the noncontroversial reading before the desk at this point.

SENATOR DeFRANCISCO: Yes, can we go back to motions and resolutions, please.

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

SENATOR DeFRANCISCO: Can we take up previously adopted Resolution 4133, by Senator Little, read the title only, and call on Senator Little to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative

Resolution Number 4133, by Senator Little, congratulating Joseph Girard III upon the occasion of breaking the New York State all-time boys basketball scoring record, as well as becoming the first and only member of the 3,000-point club, one of high school basketball's most exclusive groups.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

It is my honor today to welcome Joseph Girard III to the chamber. It wasn't that long ago that he was here sitting in that part of the gallery with his father and grandfather, also named Joseph Girard, and we honored him because he became the national foul shooting winner, champion, as an 11-year-old for the whole country.

So today it's my honor to recognize him for another significant event. The highest scorer in boys basketball in New York State was 2,952 points. Joseph Girard, on January 30th of this year, broke that record -- and a few days later, in another game, scored 50 additional

points to break the 3,000-point record.

And since that time, he ended the season in basketball I believe scoring 3,400-some points. I don't know the exact number, but he agrees with me.

So it's really an honor to be welcoming him. This is a young man who has developed a skill in basketball that is being recognized nationally. He actually has 25 Division I offers for college, and they include like Boston College, Duke, Syracuse, Notre Dame, Michigan, all kinds of Division I schools looking for him to play basketball for them.

He works at it. And I think that that's one of the reasons people recognize him so well. When he was here with the foul-shooting contest, even as an 11-year-old he said he shot 300 shots a day, foul shots, to develop that skill. And he still has that skill. He works very hard in all that he does and is an example for many, many young athletes.

He's a junior in high school at Glens Falls High School, so he may be back here next year breaking the 4,000-point record or

setting a 4,000-point record that probably no one else is going to achieve.

But more importantly, he's also a member of the Glens Falls High School National Honor Society, and I think that that's very important. He's a good student, works hard at everything that he attempts to get to and, you know, certainly plays a lot of basketball. Not only does he play on the Glens Falls team, he also plays on the City Rocks AAU team that plays around the country.

It's my honor to recognize him today. And joining him today is his mother Arlene Girard, his father Joseph Girard, Jr., and his grandmother, Nancy Girard, is here with him today.

So a young man that has really worked hard at what he does and is looked up to by many, many young men and women, and certainly is the first male basketball player to go over that 3,000-point mark.

So I would ask the honors of the chamber and welcome them once again. Thank you.

ACTING PRESIDENT GRIFFO: Senator Tedisco.

SENATOR TEDISCO: Thank you, Mr. President.

First of all, let me thank Senator Little for bringing forth this resolution to honor Joe Girard. For any of you here who watch basketball, played basketball, understand basketball, you know that it's almost an incredible situation to average 50 points for a season. That's what Joe Girard has done.

But there's something that goes beyond that and is even more incredible. Now, if you ask Joe, he would say to you, "Well, I'm part of a team," and give a lot of credit to his team, and rightfully so. He couldn't have done the things that the Senator talked about, and do the accomplishments, because you need somebody to pass you the ball out of bounds so he could get it in his hands.

But the fact of the matter is he's an unbelievable team player. You'd have to go to the games to understand what he meant to the team this year out there in Glens Falls, because here's the incredible part. Every team -- and I've seen him play several times, Glens Falls, Broadalbin -- and I'll say something about the

game I saw at Broadalbin. They didn't prepare to beat the Glens Falls team, they prepared to beat Joe Girard. Because if you beat him, you'd probably beat the entire time.

And what's incredible is they designed -- every game I saw, the design was to stop Joe. Let me tell you what I saw at Broadalbin. I went to a Broadalbin game earlier in the year. They played what's called -- and if you've played basketball or were involved with basketball or coached -- I coached for ten years basketball, played a little bit myself -- they came out with what's called a triangle-and-two defense against Joe.

Now, that means there was two guys guarding Joe at Broadalbin all the time. When he stepped out of the locker room, two guys were next to him. They followed him out to the court, they followed him all over the court. And the other three players were designed to help those two guys guard Joe Girard.

You know how many points he scored that night? Forty-six points. With basically the entire team guarding him.

Now, I've seen some films of Pistol

Pete Maravich, and he averaged a little over 40 points. Of course his father actually coached the team, so that helped him out a little bit.

But I mean this is an incredible accomplishment, and I think as Senator Little has outlined his accomplishments, fantastic. But really the future is what we want to look at, because I think he has an unbelievable future. Like the Senator said, he's got one more year left there, and then we've just all got to be excited to see what college he goes to and what he accomplishes in college, because I think he's unlimited in what he can accomplish.

And look out LeBron James, because the NBA may be available at some point to him. And I don't know, he may stay a little bit longer than Huerter, or he may not, I don't know. But we've had some unbelievable players come out of this Capital Region. I don't think there's any that's more unbelievable than what he has accomplished so far and what I believe he is destined to accomplish.

So congratulations to you, outstanding student-athlete, your parents, your grandmother, all the coaches who worked with you,

and your team. Because I think it's been a team effort. But you certainly have really impressed everyone with what you've done, and we know there's tremendous more successes to come.

So congratulations, Joe, we're proud of you.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Congratulations. That's a high compliment from the recordholder at Union College.

(Laughter.)

SENATOR DeFRANCISCO: And the first thing I want to mention, it's an incredible feat, especially since you're not one of those abnormally tall people that play the game. You're sort of like the person that likes to watch the game that can't get to play because they're not abnormally tall.

So it's wonderful to see the little people actually excel to that level. It's absolutely unbelievable.

I was listening to Senator Little. I went to Syracuse undergraduate and then Duke Law School. So I've already narrowed your

choices down to two, okay?

(Laughter.)

SENATOR DeFRANCISCO: Secondly, you love your grandmother, I know; she's here. You love her. You realize how short a ride it is to Syracuse, so she could come and see every single game. She's nodding her head. She's nodding her head. So I don't want to give you any ideas of what your choice should be, but I thought maybe you could just think about that suggestion.

So congratulations, incredible accomplishments. And I agree with Senator Tedisco, your future is unlimited. I see you as the next Steph Curry, because nobody can shoot like him other than you.

Thank you.

ACTING PRESIDENT GRIFFO: Is this when we cue the orange balloons?

(Laughter.)

ACTING PRESIDENT GRIFFO: I want to welcome the Girard family here today.

This resolution was adopted on March 13th of this year.

We want to extend our sincere congratulations to Joseph on this athletic

milestone and for being an exceptional academic student as well. So congratulations on this. We wish you the best of luck as you pursue your educational career and your athletic career.

So please rise and be recognized, and I'll ask the chamber to please acknowledge him.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

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

The Senate stands at ease.

(Whereupon, the Senate stood at ease at 2:08 p.m.)

(Whereupon, the Senate reconvened at 2:40 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO:

Mr. President, is there a report of the Rules Committee at the desk?

ACTING PRESIDENT GRIFFO: There is a Committee on Rules report at the desk, and the Secretary will read.

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

Senate Print 13B, by Senator Kaminsky, an act in relation to permitting;

Senate 306, by Senator Murphy, an act to amend the Labor Law;

Senate 1246, by Senator Valesky, an act to amend the Public Health Law;

Senate 1838, by Senator Kennedy, an act to amend the General Business Law;

Senate 1953A, by Senator Klein, an act to amend the Education Law;

Senate 2155B, by Senator Serino, an act to amend the Elder Law;

Senate 2209, by Senator Breslin, an act to amend the General Municipal Law;

Senate 2678, by Senator Parker, an act to amend the Public Health Law;

Senate 3050, by Senator Serrano, an

act to amend the Parks, Recreation and Historic Preservation Law;

Senate 3087A, by Senator Serrano, an act to amend the Education Law;

Senate 3159A, by Senator Golden, an act to amend the Tax Law;

Senate 3248, by Senator Larkin, an act to amend the Vehicle and Traffic Law;

Senate 3292A, by Senator Tedisco, an act to amend the Environmental Conservation Law;

Senate 3477A, by Senator Gianaris, an act to amend the General Municipal Law;

Senate 3719, by Senator Larkin, an act to amend the Environmental Conservation Law;

Senate 4062A, by Senator Lanza, an act to amend the Tax Law;

Senate 4524, by Senator Sanders, an act to amend the Public Health Law;

Senate 5235A, by Senator Funke, an act to amend the Education Law;

Senate 5534A, by Senator Hamilton, an act to amend the Mental Hygiene Law;

Senate 5858B, by Senator Ritchie, an act to amend the Domestic Relations Law;

Senate 6379, by Senator Krueger, an

act to amend the Education Law;

Senate 6463, by Senator Addabbo, an act to amend the Environmental Conservation Law;

Senate 6489, by Senator Jacobs, an act to amend the State Finance Law;

Senate 6634, by Senator Marcellino, an act to authorize;

Senate 6924, by Senator Helming, an act to amend the Public Health Law;

Senate 7134, by Senator Ortt, an act to amend the Retirement and Social Security Law;

Senate 7227, by Senator Parker, an act to amend the Social Services Law;

Senate 7554, by Senator Gallivan, an act to amend the General Municipal Law;

Senate 7885, by Senator Avella, an act to amend the Family Court Act;

Senate 7896, by Senator Avella, an act to amend the Family Court Act;

Senate 8028A, by Senator Gallivan, an act to amend the Correction Law;

Senate 8116B, by Senator Jacobs, an act authorizing;

Senate 8304, by Senator Phillips, an act to amend the Education Law;

Senate 8305, by Senator Golden, an act to amend the Social Services Law;

Senate 8326, by Senator Murphy, an act to amend the Public Service Law;

Senate 8385A, by Senator LaValle, an act to authorize;

Senate 8386A, by Senator LaValle, an act to authorize;

Senate 8660B, by Senator LaValle, an act to authorize;

Senate 8717, by Senator Serino, an act to amend the Not-For-Profit Corporation Law;

Senate 8751, by Senator Sepúlveda, an act to amend the Executive Law;

Senate 8821A, by Senator Persaud, an act to amend the Correction Law;

Senate 8857, by Senator Mayer, an act to amend Chapter 725 of the Laws of 1984;

And Senate 8929, by Senator Golden, an act to amend the Executive Law.

All bills reported direct to third reading.

SENATOR DeFRANCISCO:

Mr. President, can we now go back to messages from the Assembly.

ACTING PRESIDENT GRIFFO: I can entertain a motion to accept the Committee on Rules report.

SENATOR DeFRANCISCO: Yeah, that's a great idea.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Now can we go back to messages from the Assembly, for substitutions.

ACTING PRESIDENT GRIFFO: We will return to messages from the Assembly, and the Secretary will read subs.

THE SECRETARY: Senator Kaminsky moves to discharge, from the Committee on Local Government, Assembly Bill Number 7849A and substitute it for the identical Senate Bill 13B, Calendar Number 1698.

Senator Hamilton moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 7976 and substitute it for the identical Senate Bill 5534A, Third Reading Calendar 1716.

Senator Gallivan moves to discharge, from the Committee on Local Government, Assembly Bill Number 9667 and substitute it for the identical Senate Bill 7554, Third Reading Calendar 1725.

Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9566 and substitute it for the identical Senate Bill 8305, Third Reading Calendar 1731.

And Senator Sepúlveda moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 3936 and substitute it for the identical Senate Bill 8751, Third Reading Calendar 1737.

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

SENATOR DeFRANCISCO: Now, Mr. President, can we go back to motions and resolutions and call on Senator Klein.

ACTING PRESIDENT GRIFFO: We will

return to motions and resolutions.

Senator Klein.

SENATOR KLEIN: Mr. President, I have a motion to amend a bill recalled from the Assembly.

I wish to call up a bill on behalf of Senator Addabbo, Print Number 3065A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1637, by Senator Addabbo, Senate Print 3065A, an act to amend the Tax Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR KLEIN: Mr. President, I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we please stand at ease for the moment.

ACTING PRESIDENT GRIFFO: The Senate will stand temporarily at ease.

(Whereupon, the Senate stood at ease at 2:46 p.m.)

(Whereupon, the Senate reconvened at 3:31 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

SENATOR DeFRANCISCO: Mr. President, there is a supplemental calendar for the Senate, Number 53A, on the desks. And I would request that you do the noncontroversial reading of that calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1698, substituted earlier by Member of the Assembly Miller, Assembly Print 7849A, an act in relation to permitting.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1699, by Senator Murphy, Senate Print 306, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1700, by Senator Valesky, Senate Print 1246, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1701, by Senator Kennedy, Senate Print 1838, an act to amend the General Business Law.

SENATOR DeFRANCISCO: Lay the bill aside, please.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1702, by Senator Klein, Senate Print 1953A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1703, by Senator Serino, Senate Print 2155B, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1704, by Senator Breslin, Senate Print 2209, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1705, by Senator Parker, Senate Print 2678, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Little and Marchione recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1706, by Senator Serrano, Senate Print 3050, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1707, by Senator Serrano, Senate Print 3087A, 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, 60. Nays, 1. Senator Gallivan recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1708, by Senator Golden, Senate Print 3159A, an

act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 14. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1708, those recorded in the negative are Senators Akshar, Krueger, Ortt, Robach and Serino.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1709, by Senator Larkin, Senate Print 3248, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 3. Senators Dilan, Hoylman and Kavanagh recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1710, by Senator Tedisco, Senate Print 3292A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1711, by Senator Gianaris, Senate Print 3477A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1712, by Senator Larkin, Senate Print 3719, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1713, by Senator Lanza, Senate Print 4062A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect July 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1713, those recorded in the negative are Senators Alcantara, Benjamin, Dilan, Gianaris, Hoylman, Kavanagh, Krueger, Montgomery, Persaud and Rivera.

Ayes, 51. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1714, by Senator Sanders, Senate Print 4524, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1715, by Senator Funke, Senate Print 5235A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 14. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Griffo and Ranzenhofer recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1716, substituted earlier by Member of the Assembly De La Rosa, Assembly Print 7976, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1717, by Senator Ritchie, Senate Print 5858B, an act to amend the Domestic Relations Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1717, those recorded in the negative are Senators Funke, Helming, Marchione and Ranzenhofer.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number

1718, by Senator Krueger, Senate Print 6379 --

SENATOR DeFRANCISCO: Lay the bill aside, please.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1719, by Senator Addabbo, Senate Print 6463, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1720, by Senator Jacobs, Senate Print 6489, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1721, by Senator Marcellino, Senate Print 6634 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1722, by Senator Helming, Senate Print 6924, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number

1723, by Senator Ortt, Senate Print 7134, 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, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1724, by Senator Parker, Senate Print 7227, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on June 30, 2019.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1725, substituted earlier by Member of the Assembly Paulin, Assembly Print 9667, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1726, by Senator Avella, Senate Print 7885, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the same date and in the same manner as Section 36 of the Laws of 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1727, by Senator Avella, Senate Print 7896, an act to amend the Family Court Act.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1728, by Senator Gallivan, Senate Print 8028A, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1729, by Senator Jacobs, Senate Print 8116B, an act authorizing.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1730, by Senator Phillips, Senate Print 8304, an act to amend the Education Law.

SENATOR DeFRANCISCO: Where are we?

ACTING PRESIDENT GRIFFO: We're on

Calendar 1730.

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

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

Calendar Number 1731.

THE SECRETARY: Calendar Number 1731, substituted earlier by Member of the Assembly Hevesi, Assembly Print 9566, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1732, by Senator Murphy --

SENATOR DeFRANCISCO: Lay the bill aside for the day.

ACTING PRESIDENT GRIFFO: Lay it

aside for the day.

THE SECRETARY: Calendar Number 1733, by Senator LaValle, Senate Print 8385A, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1734, by Senator LaValle, Senate Print 8386A, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1735, by Senator LaValle, Senate Print 8660B, an act to authorize.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1736, by Senator Serino, Senate Print 8717, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1737, substituted earlier by Member of the Assembly Pretlow, Assembly Print 3936, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: It's Calendar Number 1737.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1738, by Senator Persaud, Senate Print 8821A, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Little to explain her vote.

SENATOR LITTLE: Thank you, Mr. President.

Senator Persaud has put forth this bill. I just want to say that this is being done and the Commission on Corrections already requires it in county jails as well as in all state prison facilities.

And I'm an aye vote on this bill. Thank you.

ACTING PRESIDENT GRIFFO: Senator Little, you're --

SENATOR LITTLE: I'm an aye vote.

ACTING PRESIDENT GRIFFO: Senator

Little to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 2. Senators Helming and Ortt recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1739, by Senator Mayer, Senate Print 8857 --

SENATOR DeFRANCISCO: Lay the bill aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1740, by Senator Golden, Senate Print 8929, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: The Secretary will read the last section.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

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

SENATOR DeFRANCISCO: Yes, if we

could go back to today's active list, there were a few bills laid aside, and the first of which was Calendar Number 981, Senate Print 7713B, by Senator Hannon. Could we do the noncontroversial reading of that bill.

ACTING PRESIDENT GRIFFO: Without objection, we will return to the noncontroversial reading of Calendar Number 981 on today's active list.

The Secretary will read.

THE SECRETARY: Calendar Number 981, by Senator Hannon, Senate Print 7713B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: In relation to Calendar 981, those recorded in the negative are Senators Alcantara, Felder, Klein and Savino.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Now can we take up, controversial, 1311.

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1311, by Senator DeFrancisco, Senate Print 677, an act to amend the Labor Law.

ACTING PRESIDENT GRIFFO: The Secretary --

SENATOR DeFRANCISCO: Excuse me. I'd like to give an explanation first.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, you may provide an explanation though none has been requested.

(Laughter.)

SENATOR DeFRANCISCO: Pardon me?

ACTING PRESIDENT GRIFFO: There's

not --

SENATOR DeFRANCISCO: Thank you for all the advice. Now may I explain my bill?

ACTING PRESIDENT GRIFFO: You may speak on the bill, Senator DeFrancisco.

SENATOR DeFRANCISCO: Okay. Because there may be some misconception about the bill, because when it was noncontroversial -- and what I want to explain, there seemed to be a lot of hands being raised in the chamber. It was very confusing to me, because last year the bill passed, noncontroversial, 63 to 0. So that's why I think maybe some have a wrong impression of what the bill really does, and I'd like to explain it before there's a vote.

The basic theory is this. If the government is going to submit or provide documents to the general public and businesses in general, as far as forms that are to be used by the general public and businesses, those individuals who are going to the website and using these forms should be able to rely on the fact that the Labor Department knows what they're doing and is providing forms that are good forms so that businesses can operate businesses and

hire people.

Well, what I found out was that in several instances there was a form that was on the website of the Labor Department that people were using, businesses were using, and despite that, the Labor Department was not accepting the forms as filled out.

So this is really, really simple. That if the Labor Department chooses to put forms out, the general public should reasonably be able to rely on those forms.

And so the bill says that if you use the forms, then you should be in a position then to be in compliance as long as you provide the information that that form requires, not say that the form is out of date and you really need to provide additional information.

So with that said, I hope that those that made a mistake and raised their hands must have thought something else and weren't aware of the last vote last year of 63 to nothing. So that's why the explanation.

Read the last section.

ACTING PRESIDENT GRIFFO: Well, Senator DeFrancisco, the bill was only laid aside

temporarily. We requested a controversial vote, but we can return without objection to a noncontroversial reading just to allow the vote.

Without objection, it is so ordered. The bill will be restored to noncontroversial reading, and the Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

SENATOR DeFRANCISCO: In view of the confusion that continues --

(Laughter.)

SENATOR DeFRANCISCO: -- I'm going to lay the bill aside for the day.

ACTING PRESIDENT GRIFFO: We will lay the bill aside for the day.

Senator DeFrancisco.

SENATOR DeFRANCISCO: The only other bill on the original active list that was laid aside, I believe, was 1483. Is that correct?

ACTING PRESIDENT GRIFFO: That is

correct.

SENATOR DeFRANCISCO: I'd like to lay that bill aside for the day.

ACTING PRESIDENT GRIFFO: That will now be laid aside for the day, Calendar Number 1483.

SENATOR DeFRANCISCO: Now can we go back to the Senate supplemental calendar, the --

ACTING PRESIDENT GRIFFO: We will return to Senate Supplemental Calendar 53A.

SENATOR DeFRANCISCO: I'd like to request -- I'd like you to read the -- read it from the controversial calendar, 1701.

ACTING PRESIDENT GRIFFO: So the Secretary will ring the bell to begin the controversial reading on Calendar Number 1701.

The Secretary will read.

THE SECRETARY: Calendar Number 1701, by Senator Kennedy, Senate Print 1838, an act to amend the General Business Law.

SENATOR DeFRANCISCO: Explanation, please.

ACTING PRESIDENT GRIFFO: An explanation has been requested, Senator Kennedy.

SENATOR KENNEDY: Thank you,

Mr. President.

First of all, let me thank my colleagues for adding this to the active list today to Rules. This is a very, very important bill for anyone that concerns themselves with following the law.

And, you know, over the course of time we have recognized that there has been an increase in thefts of metals, of break-ins to get metals that have gone up in value -- for example, copper piping at some historic buildings, for example. You have individuals who will break into homes, some of them vacant, some of them not vacant. Older buildings -- again, oftentimes historic structures.

Sometimes these thieves will cut into the pipes, the metal pipes, without shutting off the water -- because what would they care about the place they're breaking into -- and create problems for historic structures that otherwise may be revitalized, leaving in the wake of this burglary and thievery a disaster that is costly, that oftentimes for developers that are going to go in and redevelop a historic property then becomes cost-prohibitive.

But what do they do with that copper pipe? They take it to a scrap metal dealer, of course, and they get paid for their thievery.

And so what this bill does is very simple. It adds to a law that's currently in existence a stipulation where individual businesses, these scrap metal dealers that are buying the scrap metal from folks, simply have to add a stipulation where the license plate number of the vehicle driven by the seller at the time of the transaction is taken down and it is saved as a part of the information that is already being collected by these scrap metal dealers. And I will read from the law that is currently in existence already, that the scrap processor shall record already each purchase "of metal, bronze or brass castings or parts thereof, sprues or gates or parts thereof, utility wire or brass car journals, or of metal beer kegs, and each purchase of iron, steel and/or nonferrous scrap for a price of fifty dollars or more, and preserve such record for a period of three years; which record shall show the date of purchase, name of seller, his residence address by street, number, city, village or town."

And this bill, which to me is very common sense, adds that the license plate of that vehicle through which the scrap metal was delivered be added.

Now, why is that important? It's important because if these thieves happen upon a scrap metal dealer, they receive funding for that to which a crime has been committed. Law enforcement then has another tool in their toolbox to get these criminals.

With that, Mr. President, I'd be happy to answer any questions. And I hope that my colleagues, like myself and my conference, will be supportive of this legislation.

ACTING PRESIDENT GRIFFO: Thank you, Senator Kennedy.

Seeing and hearing no other Senator -- Senator DeFrancisco.

SENATOR DeFRANCISCO: May we be at ease for a moment, please.

ACTING PRESIDENT GRIFFO: The Senate will stand temporarily at ease.

(Whereupon, the Senate stood at ease at 3:58 p.m.)

(Whereupon, the Senate reconvened at

3:58 p.m.)

SENATOR DeFRANCISCO: Read the last section.

ACTING PRESIDENT GRIFFO: Senator Amedore has a question.

SENATOR AMEDORE: Will the Senate sponsor yield to a question?

ACTING PRESIDENT GRIFFO: Senator Kennedy, do you yield?

SENATOR KENNEDY: I'd be happy to yield.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR AMEDORE: Thank you, Senator Kennedy. Through the President.

In the case of nonreporting, what happens to the small-business owner who is the kind of junkyard or processing company? Is there a penalty that they would have to pay?

SENATOR KENNEDY: This bill specifically is focused on getting information so that if in fact a crime was committed in attaining whatever scrap metal may be paid for by the dealer, that law enforcement will have the tool to catch that.

So this is not about the business entity and punishing any business. This is about catching thieves that are committing crimes in our community and getting paid for it by some of these dealers, unbeknownst to them.

SENATOR AMEDORE: Through you, Mr. President, would the sponsor continue to yield?

SENATOR KENNEDY: Of course.

ACTING PRESIDENT GRIFFO: Senator Kennedy yields.

SENATOR AMEDORE: Has the sponsor ever gone through the process of bringing scrap metal to a collection yard?

SENATOR KENNEDY: Through you, Mr. President, personally I have not.

But I can tell you just a couple of days ago my wife and I had to put some metal out by our front curb to be picked up. Within minutes, within the hour, that metal was picked up by somebody in the neighborhood or somebody in the community. And I'm sure that metal was paid for at some dealership. You will find no complaint from myself or my wife, as it was metal that we dumped.

But what I can tell you is that I have heard very difficult stories, unfortunately -- and I know we've all heard the same stories -- of thieves and criminals that have attained metals during -- while committing a crime and then gone to the dealer and sold those metals. The victim of that crime, whether it's their property that that metal was stolen from or the property was a piece of metal in and of itself, if they file a complaint with law enforcement, law enforcement then has to go to that particular dealer, find out if in fact that stolen property was in fact given the proper information. They already have to keep records for three years.

So by keeping the license plate number of the motor vehicle driven by the seller at the time of the transaction, I can't imagine why this would be any burden on the place of business.

SENATOR AMEDORE: Are you done with your answer? Are you finished with that explanation?

SENATOR KENNEDY: Through you, Mr. President, would you like me to continue?

Because I can certainly continue.

(Laughter.)

SENATOR AMEDORE: No, no, I --

SENATOR KENNEDY: As a matter of fact, Mr. President, since he asked, let me go a little further.

SENATOR AMEDORE: No, no. Through you -- through you, Mr. President --

(Laughter, cross-talk.)

ACTING PRESIDENT GRIFFO: Senator Kennedy. Senator Kennedy, Senator Amedore has the floor.

Senator Amedore, do you have a question?

SENATOR KENNEDY: Senator Amedore --

SENATOR AMEDORE: Yes, I do, I have a --

ACTING PRESIDENT GRIFFO: Senator Kennedy {gaveling}. Senator Kennedy, Senator Amedore has the floor, Senator Kennedy.

SENATOR KENNEDY: (Unintelligible.)

ACTING PRESIDENT GRIFFO: -- Senator Kennedy. Senator Kennedy. Senator Kennedy, Senator Amedore has the floor. Please

follow decorum.

Senator Amedore, do you continue to wish that Senator Kennedy yield? I think --

SENATOR AMEDORE: I have another question, yes.

ACTING PRESIDENT GRIFFO: -- the consensus of the body would say no, but --

(Laughter.)

ACTING PRESIDENT GRIFFO: Do you continue to ask Senator Kennedy to yield?

SENATOR AMEDORE: Yes, I do, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kennedy, do you yield?

SENATOR KENNEDY: I would love to yield.

ACTING PRESIDENT GRIFFO: Senator Kennedy yields.

Senator Amedore, please pose your question.

SENATOR AMEDORE: So through you, Mr. President, does the sponsor intend to have the small-business owners gather information from every customer that comes into the scrap yard that is different than the information that they

already have to gather and provide the law enforcement agencies, if in fact there's suspicious activity by the customers that come in to recycle or to sell the scraps that they have in their trailer, their truck or their vehicle?

ACTING PRESIDENT GRIFFO: Senator Kennedy.

SENATOR KENNEDY: Through you, Mr. President, if the cost of the transaction is more than $50, very simply, as the legislation -- as the law already exists today, that they need to get this information and keep it for a length -- a period of three years, all they need to do now is simply add the license plate number to that information that is already provided and kept.

So the answer is, simply, yes.

ACTING PRESIDENT GRIFFO: Senator Amedore.

SENATOR AMEDORE: I don't have any further questions, but I'd like to speak on the bill.

ACTING PRESIDENT GRIFFO: Senator Amedore on the bill.

SENATOR AMEDORE: You know, this is

a prime example of we as a body, we think we have a problem in New York State or in our local communities and that we react to a situation that we think legislation can solve a problem.

The simple matter is this is another example of bad legislation that hurts small-business owners once again in the State of New York. Why? More reporting on information or another form that they have to fill out, and that the agencies or a department in the State of New York will then have to go and audit and inspect. And if those small-business owners did not properly fill out the form or gather the right information, then there's a penalty or a charge. That's not good business. That's not New York open for business.

And this legislation doesn't do any other -- doesn't stop the crime on the street from happening. No one wants to see a historic building be ransacked and having copper or precious metals taken out so that someone -- who's probably bound by addiction to try and go to get enough money to get their next hit because they need to feed that addiction.

And that's typically what you see

happen on construction sites, that when the copper or the wiring or the plumbing is stripped out of a building, whether it's vacant or new, that's typically the reason for it, is they go and try to find enough money to feed their addiction.

I think a piece of legislation that would be more pro-business to help, then, law enforcement to go after those individuals who are stripping important structures of the State of New York from its precious metals or structural integrity -- they should have not the punitive measure, but they should have the resources to say, Look, we know that this is suspicious activity, we know that this is stolen merchandise, and those business owners will go and call law enforcement -- which they already do, which they have to already report.

I don't think that we need such legislation like this to burden, once again, more small businesses in the State of New York. That's why, Mr. President, I will be voting in the negative.

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer.

SENATOR RANZENHOFER: Yes, will the sponsor yield for a question through the chair?

ACTING PRESIDENT GRIFFO: Senator Kennedy, do you yield?

SENATOR KENNEDY: Certainly.

ACTING PRESIDENT GRIFFO: Senator Kennedy yields.

SENATOR RANZENHOFER: So the bill as written, prior to your suggested language, already requires the date of purchase; is that correct?

SENATOR KENNEDY: The law as it exists today -- and I will read again -- such scrap processor shall record the purchase of metal, bronze, brass castings, parts therein, sprues, gates, parts thereof, utility wires, brass car journals, metal beer kegs, each purchase of iron, steel, nonferrous scrap for a price of $50 or more, preserve such record for a period of three years, which record shall show the date, purchase, name of the seller, residence address, street, number, city, village or town.

What this bill once again simply does is adds the license plate number of the car, of the vehicle through which that scrap metal

transaction was initiated.

SENATOR RANZENHOFER: Through you, Mr. Chair, so it would be correct to say that it does require the date of purchase on the form.

SENATOR KENNEDY: I can read it again, but the answer is, simply, yes.

SENATOR RANZENHOFER: And the existing law right now --

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer, are you asking Senator Kennedy to continue to yield?

SENATOR RANZENHOFER: Yes, I'm asking the Senator to yield.

SENATOR KENNEDY: Of course.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RANZENHOFER: Through you, Mr. Chair. It is my understanding also that the bill, prior to any changes, requires the name of the seller.

SENATOR KENNEDY: Through you, Mr. President, that is correct.

SENATOR RANZENHOFER: Okay. And it also requires a resident address -- through you, Mr. Chair -- of the number of the house, the

street, and the city, village or town. Is that correct also?

SENATOR KENNEDY: That is correct.

SENATOR RANZENHOFER: Okay. And right now under existing law, prior to any changes, it's already required that they get the driver's license number from a state-issued photo I.D.; is that correct?

SENATOR KENNEDY: Through you, Mr. President, that is correct.

SENATOR RANZENHOFER: And in your --

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer, do you want Senator Kennedy to continue to yield?

SENATOR RANZENHOFER: If he would, yes.

ACTING PRESIDENT GRIFFO: Senator Kennedy, do you yield?

SENATOR KENNEDY: I would love to, Mr. President.

SENATOR RANZENHOFER: So I was a little confused about some of the language when you set forth the purpose, because you say the purpose of the bill is -- "This bill strengthens

the records scrap processors must keep upon purchase to include the driver's license of the motor vehicle by the seller at the time of the transaction."

So I'm a -- the bill already requires the driver's license information, but under "Purpose" you have that the purpose is to get the driver's license number. And the driver's license number is something that they're already collecting under the existing law.

So what is the new purpose, then, if they're already collecting the information which you've recited?

SENATOR KENNEDY: Through you, Mr. President, I recognize that my colleague is confused by this language --

SENATOR RANZENHOFER: Only as written.

SENATOR KENNEDY: As written in the bill, if you read the bill -- through you Mr. President -- the bill says one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13, 14, 15, 16, 17 words. I will read them. "The license plate number of the motor vehicle driven by the seller at the time of transaction."

That is all that is added to the bill.

And what this ultimately does, though, Mr. President and colleagues, is it gives law enforcement another tool in their toolbox to go after thieves and criminals if in fact there was a crime that was committed. It's very simple.

SENATOR RANZENHOFER: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer on the bill.

SENATOR RANZENHOFER: The legislation already requires to get the driver's license number from a photo I.D., which would clearly identify the person coming into the business, plus the name of the person, the address of the person.

I don't think a reliable source of information would be the license plate number from the person coming in. Especially, as represented by the sponsor, if they're looking for someone who has committed a crime. You know, what are the chances of somebody coming in in their own vehicle, coming in in a stolen vehicle, coming in in a neighbor's vehicle.

I mean, the bottom line is that here you've already got the information from the person. I actually think it would be more confusing for police agencies to then have conflicting information from a vehicle which may not be that person's vehicle, which may be a stolen vehicle, which may be a borrowed vehicle.

If you've got the name and the number of the person, that's more important. If you've got the driver's license number, that's more important. Perhaps if you wanted to get the Social Security number, that might be relevant, because that identifies the person as opposed to a vehicle.

So with those concerns, Mr. President, I think this bill needs a little bit of work. And I thank you for the opportunity.

And sponsor, I thank you for answering the questions.

ACTING PRESIDENT GRIFFO: Senator Helming.

SENATOR HELMING: Thank you, Mr. President.

Senator Ranzenhofer has asked the --

ACTING PRESIDENT GRIFFO: Senator Helming, do you want to speak on the bill?

SENATOR HELMING: Yes, please.

ACTING PRESIDENT GRIFFO: Senator Helming on the bill.

SENATOR HELMING: As someone who audited scrap collection facilities and scrap processing facilities for almost a decade, I can assure you that the regulations that are currently in place are sufficient.

The data that's collected, as has already been pointed out, it's very comprehensive. It provides enough information, in my opinion, for the police officers to do their work, if there is any.

And I'd like to align myself with the comments offered by Senator Amedore that we have got to stop pushing down unnecessary burdens on small businesses in New York State.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Lanza.

SENATOR LANZA: Mr. President, would the sponsor yield for a question?

ACTING PRESIDENT GRIFFO: Senator

Kennedy, do you yield?

SENATOR KENNEDY: I'd love to.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR LANZA: Through you, Mr. President. Senator Kennedy, does this legislation increase the penalties for those thieves and criminals you mentioned who actually do the vandalism and actually steal these metals?

SENATOR KENNEDY: Through you, Mr. President, this bill does one thing specifically, and it adds "license plate number of the motor vehicle driven by the seller at the time of the transaction."

Now, the reasoning for that, if I can elaborate once again, is to catch criminals who have committed crimes and give law enforcement the ability to have another tool in their toolbox to go after the bad guys.

SENATOR LANZA: I'll take that as a no, Mr. President.

On the bill.

ACTING PRESIDENT GRIFFO: Senator Lanza on the bill.

SENATOR LANZA: Mr. President, I

agree with my colleagues on this side of the aisle. I think the way to deter these crimes is to actually increase the penalty for those who commit them. And I think the wrong approach is to punish small business. I think we ought to punish the criminal. Especially with a measure that I think has been demonstrated will do nothing to actually deter the crime.

So for those reasons, Mr. President, I vote no.

ACTING PRESIDENT GRIFFO: Senator Krueger.

Do you yield to Senator Krueger, Senator Kennedy?

SENATOR KENNEDY: (Gesturing affirmatively.)

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you, Mr. President.

So I've calculated that in the time we've debated the bill, we've used up the total amount of time every single scrap metal buyer would take to fill out the license plate number of whoever's showing up. We're implying that

somehow this is a new mandate on small businesses that will do them harm.

Literally, again, we're talking about writing down the license plate number. Usually they're no more than seven, eight letters and numbers. It takes about two seconds to write it down. They're already collecting a great deal more information. As I understand it, it's just giving the police another tool that might be handy for them when they're attempting to capture somebody who's violated the law.

So I don't know why everyone is making it seem so complicated. It is not. Senator Kennedy is simply offering one additional modernization to existing law to assist in the capture of thieves participating in this activity. And really, let's be honest. Everyone take out a pen, write down your license please plate number, see how long it takes you out of your day.

I think it's a very good bill, Senator Kennedy. Thank you.

ACTING PRESIDENT GRIFFO: Senator Kennedy to close debate.

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. I wanted to rise and commend Senator Kennedy for this bill.

I live on the West Side, in the east side of Manhattan, and we have a lot of historic sites, as I'm sure a lot of our colleagues do. And one of the prime targets for these types of thieves that Senator Kennedy has mentioned, in order to cut off their resources, is to require the license plate. With that assistance, we can stop headlines like this, Mr. President, across the State of New York.

Let me just read a few headlines where historic plaques were stolen to be resold as scrap: "War Memorials Hit by Metal Theft." "Bronze Plaques Stolen from War Memorial." "Commemorative World War I Bronze Plaque Stolen." "Stolen Bronze Plaque Valued at $10,000." "Plaque Stolen from VFW Post 6919." "War Memorials Being Stolen for Scrap." And "Stolen Plaques Replaced." Well, the last headline was the good news.

But even in my district, just a few months ago, a plaque that was at the base of the Grand Clock in the Waldorf Astoria Hotel was

stolen.

So I think this is a commonsense solution, as Senator Kennedy has said repeatedly. It gives law enforcement more tools in their toolbox. So I'll be voting in the affirmative.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kennedy to close.

SENATOR KENNEDY: Again, Mr. President, I want to thank my colleagues for bringing this to the floor today. This is an important bill.

As one of my colleagues already began with headlines, let me just read a few. "Copper Stolen From Another Power Substation." "$5,000 in Damages to Steal $50 Worth of Copper." "$20,000 Worth of Copper Stolen From Orangeville's Wind Farm Power Station." "Copper in Television Stolen From a Deceased Man's House." "Copper Pipe and Wiring Stolen From a Newly Renovated Falls House." "Copper Plumbing Stolen in Damaging Break-In in the Falls." "A Dump Truck Filled with Copper Stolen from 75th Street."

I can go on and on and on. It's

across the state. This is not confined to one area of the state or another. There are issues that we have of individuals who are stealing metal that is increasing in value. They are taking it to scrap metal yards. They are getting compensated for their thievery and crimes. And oftentimes, for one reason or another, they're getting away with it.

Why would we vote against a bill that would give law enforcement a tool to go after criminals? Why would we be soft on crime and vote against this bill? I'm perplexed to think that anybody would be against a bill that would help law enforcement catch criminals that either committed the crime themselves or drove the vehicle in assisting with the crime being committed.

I would ask my colleagues to think about their vote, to think about the importance of this bill statewide, and to support its passage.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator wishing to be heard,

the debate is closed and the Secretary will ring the bell.

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.)

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

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

SENATOR KLEIN: Mr. President --

ACTING PRESIDENT GRIFFO: Senator Kennedy, why do you rise?

SENATOR KLEIN: Mr. President, the sponsor of the bill does not want to lay his bill aside for the day. Please call the roll.

ACTING PRESIDENT GRIFFO: Excuse me. Thank you, Senator Klein.

The Floor Leader, in accordance with Rule 9 and Section 6 of the Senate rules, has the ability to lay aside any bill before the calendar.

And Floor Leader, are you asking the

bill to be laid aside for the day?

SENATOR DeFRANCISCO: Yes, I did.

ACTING PRESIDENT GRIFFO: The bill is therefore so ordered. It is laid aside for the day.

SENATOR KENNEDY: Mr. President --

SENATOR DeFRANCISCO: Can we go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: Motions and resolutions.

SENATOR KENNEDY: Point of order, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kennedy, why do you rise?

SENATOR KENNEDY: I just want to thank my colleagues for the robust debate and I'm looking forward to the time when we can in fact pass that very important bill.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, we're returned to motions and resolutions.

SENATOR DeFRANCISCO: On page 31, I offer the following amendments to Calendar 730, Senate Print 6954, by Senator Seward, and ask

that the 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: And I now lay the remainder of the bills on the supplemental calendar aside for the day.

ACTING PRESIDENT GRIFFO: All the remaining bills on Senate Supplemental Calendar 53A have been laid aside for the day.

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

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

SENATOR DeFRANCISCO: In that case, I move to adjourn until Wednesday, June 13th, at 3:00 p.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Wednesday, June 13th, at 3:00 p.m.

The Senate is adjourned.

(Whereupon, at 4:23 p.m., the Senate adjourned.)