

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 12, 2018

11 1:01 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

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

15 ACTING PRESIDENT GRIFFO: The
16 reading of the Journal.

17 THE SECRETARY: In Senate, Monday,
18 June 11th, the Senate met pursuant to
19 adjournment. The Journal of Sunday, June 10th,
20 was read and approved. On motion, Senate
21 adjourned.

22 ACTING PRESIDENT GRIFFO: Without
23 objection, the Journal will stand approved as
24 read.

25 Presentation of petitions.

1 Messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: On page 9, Senator
4 Boyle moves to discharge, from the Committee on
5 Health, Assembly Bill Number 7218A and
6 substitute it for the identical Senate Bill
7 5585A, Third Reading Calendar 198.

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

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

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

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

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

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

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

13 ACTING PRESIDENT GRIFFO: The
14 substitutions are so ordered.

15 Messages from the Governor.

16 Reports of standing committees.

17 Reports of select committees.

18 Communications and reports of state
19 officers.

20 Motions and resolutions.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Yes, on
23 page 60 I offer the following amendments to
24 Calendar Number 1298, Senate Print 6029B, by
25 Senator O'Mara, and ask that said bill retain

1 its place on the Third Reading Calendar.

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

5 SENATOR DeFRANCISCO: I wish to
6 call up Senator Ritchie's bill, Print 6839,
7 recalled from the Assembly, which is now at the
8 desk.

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 212, by Senator Ritchie, Senate Print 6839, an
13 act to amend the Highway Law.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll on reconsideration.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 46.

20 SENATOR DeFRANCISCO: I now offer
21 the following amendments.

22 ACTING PRESIDENT GRIFFO: The
23 amendments are received.

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

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

3 ACTING PRESIDENT GRIFFO: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 1603, by Senator LaValle, Senate Print 8254, an
7 act to amend the Town Law.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll on reconsideration.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 46.

15 SENATOR DeFRANCISCO: I now offer
16 the following amendments.

17 ACTING PRESIDENT GRIFFO: The
18 amendments are received.

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

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

25 (Response of "Aye.")

1 ACTING PRESIDENT GRIFFO: Opposed?

2 (No response.)

3 ACTING PRESIDENT GRIFFO: The
4 Resolution Calendar is adopted.

5 Senator DeFrancisco.

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

9 ACTING PRESIDENT GRIFFO: Senator
10 Akshar.

11 SENATOR AKSHAR: Mr. President,
12 thank you.

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

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

1 respond to it.

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

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

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

25 Mr. President, please extend the

1 courtesies and the privileges of the house.

2 ACTING PRESIDENT GRIFFO: Senator
3 DeFrancisco.

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

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

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

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

20 (Standing ovation.)

21 ACTING PRESIDENT GRIFFO: Senator
22 DeFrancisco.

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

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

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Legislative
7 Resolution Number 5366, by Senator Comrie,
8 welcoming the members of the Veterans Advisory
9 Committee upon the occasion of their visit to
10 Albany, the Capital City of New York, on June 12,
11 2018.

12 And Legislative Resolution Number
13 5525, by Senator Comrie, commending Emery A.
14 Perry upon the occasion of his designation for
15 special recognition by the Veterans Advisory
16 Committee, on June 12, 2018.

17 ACTING PRESIDENT GRIFFO: Senator
18 Comrie.

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

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

1 their hearts and souls.

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

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

14 The Veterans Advisory Committee has
15 devoted its efforts to a wide range of programs
16 in surrounding communities. The Leave No Veteran
17 Behind project sends much-needed supplies to
18 veterans living in and rebuilding Haiti after
19 2010's decimating earthquake. The Black History
20 Month programs have been giving grants to bring
21 their message to schools and local audiences all
22 over Queens. Their annual events and Pantries in
23 the Park provides food baskets and healthcare
24 information to more than 1,000 veteran families
25 so far. And their Feeding of the 2,000 event

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

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

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

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

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

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

6 (Laughter.)

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

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

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

1 served on the force in the 79th Precinct for
2 20 years. He has continued his service to the
3 community as an active member of the Cambria
4 Heights Civic Association, Alpha Phi Alpha Senior
5 Center, NYPD Council of Retired Guardians,
6 St. Albans VAVS Living Center, Amvets Post 10-13,
7 the 227th Street Block Association, the Lions
8 Club, and of course the Queens VAC.

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

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

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

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

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

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator Comrie.

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

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

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

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

8 (Laughter.)

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

12 (Standing ovation.)

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

16 Senator DeFrancisco.

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

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read.

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

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

3 ACTING PRESIDENT GRIFFO: Senator
4 Stavisky.

5 SENATOR STAVISKY: Thank you,
6 Mr. President.

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

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

25 Let me just say a couple of things

1 about Queens College. Because the roots of
2 Queens College really go back to 1847, with the
3 founding of the Free Academy, which later became
4 City College. And the purpose, the original
5 mission of the Free Academy was to educate the
6 sons and daughters of immigrants. That was in
7 1847. That mission really hasn't changed.

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

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

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

1 institution.

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

9 And the Equality of Opportunity
10 Project ranked Queens College in the top
11 1 percent of the country in moving from the
12 bottom of the economic system, the bottom
13 quartile, to the top. That students come in
14 poor, they receive such a first-rate education
15 that they go out and they become very, very
16 successful and productive.

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

25 Powdermaker Hall, where we've

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

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

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

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

1 and I must say in my Senate district.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Thank
4 you, Senator Stavisky.

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

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

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

14 I want to recognize Senator Rivera.

15 SENATOR RIVERA: Thank you,
16 Mr. President.

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

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

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

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

9 Thank you, Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator
11 Comrie.

12 SENATOR COMRIE: Thank you,
13 Mr. President.

14 I just also wanted to rise and
15 acknowledge Queens College on its
16 80th anniversary. And now that Senator Rivera
17 has asked for Dr. Matos to come back in 15 or
18 20 years --

19 (Laughter.)

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

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

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

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

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

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

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Alcantara.

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

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

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

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

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

12 Thank you.

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

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

20 Let's rise and please acknowledge
21 our distinguished guests.

22 (Standing ovation.)

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

1 Senator DeFrancisco.

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

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

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

14 ACTING PRESIDENT GRIFFO: Senator
15 Rivera.

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

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

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

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

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

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

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

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

15 I remember that more than once as a
16 volunteer in my campaigns all the way back to
17 2010, he would show up in my campaign office --
18 he didn't tell anybody he was going to show up,
19 he just showed up, he did three or four shifts,
20 got a couple of dozen signatures, and then he
21 would go back to what he was doing.

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

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

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

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

25 I had the opportunity to go to the

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

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

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

25 Thank you, Mr. President.

1 ACTING PRESIDENT GRIFFO: Senator
2 Bailey.

3 SENATOR BAILEY: Thank you,
4 Mr. President.

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

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

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

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

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

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

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

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

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

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

16 And thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Bailey.

19 The resolution was previously
20 adopted on May 31st.

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

1 Let's please rise and acknowledge
2 the Sandler family.

3 (Standing ovation.)

4 ACTING PRESIDENT GRIFFO: Senator
5 DeFrancisco.

6 SENATOR DeFRANCISCO: The
7 resolution is open for cosponsorship.

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

11 Senator DeFrancisco.

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

15 ACTING PRESIDENT GRIFFO: The
16 Secretary will read.

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

20 ACTING PRESIDENT GRIFFO: Senator
21 Peralta.

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

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

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

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

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

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

25 The popularity of world football, or

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

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

14 Mr. President, let's celebrate this
15 resolution with an iconic and traditional
16 Gooooooooo!

17 (Laughter.)

18 SENATOR PERALTA: Que viva the
19 World Cup!

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Peralta.

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

25 Senator DeFrancisco.

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

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 129, by Senator Avella, Senate Print 1690, an act
8 to amend the Family Court Act.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 passes.

19 THE SECRETARY: Calendar Number
20 174, by Senator Hamilton, Senate Print 2943, an
21 act to amend the Executive Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 58. Nays, 3.
5 Senators Amedore, DeFrancisco and Griffio recorded
6 in the negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 passes.

9 THE SECRETARY: Calendar Number
10 198, substituted earlier by Member of the
11 Assembly Jaffee, Assembly Print 7218A, an act to
12 amend the Public Health Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Senator
21 Boyle to explain his vote.

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

24 This bill will make it such that
25 18-year-olds or younger than 18 will no longer be

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

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

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

19 I vote strongly in favor. Thank
20 you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Boyle recorded in the affirmative.

23 Announce the results.

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

1 negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 passes.

4 THE SECRETARY: Calendar Number
5 250, by Senator Klein, Senate Print 1988, an act
6 to amend the Alcoholic Beverage Control Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

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

17 ACTING PRESIDENT GRIFFO: The bill
18 passes.

19 THE SECRETARY: Calendar Number
20 398, by Senator Ritchie, Senate Print 7166C, an
21 act authorizing.

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

24 The Secretary will read the last
25 section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 passes.

9 THE SECRETARY: Calendar Number
10 465, by Senator Robach, Senate Print 409, an act
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

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

21 ACTING PRESIDENT GRIFFO: The bill
22 passes.

23 THE SECRETARY: Calendar Number
24 476, by Senator Savino, Senate Print 3861, an act
25 to amend the Penal Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect on the 60th day.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

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

11 ACTING PRESIDENT GRIFFO: The bill
12 passes.

13 THE SECRETARY: Calendar Number
14 489, by Senator Marchione, Senate Print 177C, an
15 act to amend the Agriculture and Markets Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 606, by Senator Tedisco, Senate Print 5369A, an
3 act to amend the Vehicle and Traffic Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 passes.

14 THE SECRETARY: Calendar Number
15 659, by Senator Marcellino, Senate Print 6715, an
16 act to require.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

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

1 in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 672, by Senator Funke, Senate Print 7878A, an act
6 to amend the Agriculture and Markets Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 passes.

17 THE SECRETARY: Calendar Number
18 799, by Senator Serino, Senate Print 7174A, an
19 act to amend the Executive Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 810, substituted earlier by Member of the
7 Assembly Dinowitz, Assembly Print 10100, an act
8 to amend the Estates, Powers and Trusts Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 981, by Senator Hannon, Senate Print 7713B, an
21 act to amend the Public Health Law.

22 SENATOR KLEIN: Lay it aside.

23 ACTING PRESIDENT GRIFFO: The bill
24 is laid aside.

25 THE SECRETARY: Calendar Number

1 982, substituted earlier by Member of the
2 Assembly Gottfried, Assembly Print --

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

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

7 THE SECRETARY: Calendar Number
8 1011, by Senator Phillips, Senate Print 6437, an
9 act to repeal.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1093, substituted earlier by Member of the
22 Assembly Simon, Assembly Print 8110, an act to
23 amend the Education Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1095, by Senator LaValle, Senate Print 2211A, an
11 act to amend the State Finance Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1173, by Senator Marchione, Senate Print 1124B,
24 an act to amend the Executive Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1205, substituted earlier by Member of the
12 Assembly Glick, Assembly Print 10722, an act to
13 amend Chapter 987 of the Laws of 1971.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1255, by Senator O'Mara, Senate Print 2284, an

1 act to amend the Environmental Conservation Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1311, by Senator DeFrancisco, Senate Print 677,
14 an act to amend the Labor Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 SENATOR DeFRANCISCO: Lay it aside
23 temporarily, please.

24 ACTING PRESIDENT GRIFFO: The bill
25 is laid aside temporarily.

1 THE SECRETARY: Calendar Number
2 1354, by Senator Griffo, Senate Print 3157, an
3 act to amend the Environmental Conservation Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Announce
12 the results.

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

17 Ayes, 56. Nays, 5.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1357, by Senator Murphy, Senate Print 307A, an
22 act to amend the Executive Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 passes.

8 THE SECRETARY: Calendar Number
9 1362, by Senator Ortt, Senate Print 1280A, an act
10 relating to legalizing, validating, ratifying and
11 confirming.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 passes.

22 THE SECRETARY: Calendar Number
23 1376, substituted earlier by Member of the
24 Assembly Peoples-Stokes, Assembly Print 10275, an
25 act to amend the Executive Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT GRIFFO: The bill
10 passes.

11 THE SECRETARY: Calendar Number
12 1412, by Senator Larkin, Senate Print 4994, an
13 act to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

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

23 ACTING PRESIDENT GRIFFO: The bill
24 passes.

25 THE SECRETARY: Calendar Number

1 1422, substituted earlier by Member of the
2 Assembly McDonald, Assembly Print 2857D, an act
3 to amend the Education Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 passes.

14 THE SECRETARY: Calendar Number
15 1429, by Senator Amedore, Senate Print 8600A, an
16 act to amend the Mental Hygiene Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 THE SECRETARY: Calendar Number
3 1476, by Senator Akshar, Senate Print 1113, an
4 act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

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

14 ACTING PRESIDENT GRIFFO: The bill
15 passes.

16 THE SECRETARY: Calendar Number
17 1477, by Senator Ortt, Senate Print 7207, an act
18 to amend the Mental Hygiene Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 passes.

4 THE SECRETARY: Calendar Number
5 1483, by Senator Felder, Senate Print 2113A, an
6 act to amend the Public Health Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 SENATOR DeFRANCISCO: Lay it aside
16 temporarily.

17 ACTING PRESIDENT GRIFFO: Lay it
18 aside temporarily.

19 THE SECRETARY: Calendar Number
20 1490, by Senator Carlucci, Senate Print 4082, an
21 act to amend the Public Health Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: Senator
5 Carlucci to explain his vote.

6 SENATOR CARLUCCI: Thank you,
7 Mr. President.

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

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

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

7 Thank you, Mr. President.

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

10 Announce the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 passes.

14 THE SECRETARY: Calendar Number
15 1494, by Senator Akshar, Senate Print 5670, an
16 act to amend the Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 THE SECRETARY: Calendar Number
3 1507, by Senator Hannon, Senate Print 8648, an
4 act to amend the New York State Medical Care
5 Facilities Finance Agency Act.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT GRIFFO: The bill
15 passes.

16 THE SECRETARY: Calendar Number
17 1567, by Senator Murphy, Senate Print 7118A, an
18 act to authorize.

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

21 The Secretary will read the last
22 section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT GRIFFO: The bill
5 passes.

6 THE SECRETARY: Calendar Number
7 1641, by Senator Phillips, Senate Print 5530, an
8 act in relation to authorizing.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Senator
17 Phillips to explain her vote.

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

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

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

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

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

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

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

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

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

7 Senator Kaminsky to explain his
8 vote.

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

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

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

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

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

7 Thank you.

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

10 Senator Bailey to explain his vote.

11 SENATOR BAILEY: Thank you,
12 Mr. President.

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

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

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

5 Thank you, Mr. President. I vote
6 aye.

7 ACTING PRESIDENT GRIFFO: Senator
8 Bailey in the affirmative.

9 Senator Serrano to explain his vote.

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

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

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

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

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Serrano in the affirmative.

9 Senator Stavisky to explain her
10 vote.

11 SENATOR STAVISKY: Thank you,
12 Mr. President.

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

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

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

5 Thank you.

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

8 Announce the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 passes.

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

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

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

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

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Legislative

1 Resolution Number 4133, by Senator Little,
2 congratulating Joseph Girard III upon the
3 occasion of breaking the New York State all-time
4 boys basketball scoring record, as well as
5 becoming the first and only member of the
6 3,000-point club, one of high school basketball's
7 most exclusive groups.

8 ACTING PRESIDENT GRIFFO: Senator
9 Little.

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

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

20 So today it's my honor to recognize
21 him for another significant event. The highest
22 scorer in boys basketball in New York State was
23 2,952 points. Joseph Girard, on January 30th of
24 this year, broke that record -- and a few days
25 later, in another game, scored 50 additional

1 points to break the 3,000-point record.

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

6 So it's really an honor to be
7 welcoming him. This is a young man who has
8 developed a skill in basketball that is being
9 recognized nationally. He actually has
10 25 Division I offers for college, and they
11 include like Boston College, Duke, Syracuse,
12 Notre Dame, Michigan, all kinds of Division I
13 schools looking for him to play basketball for
14 them.

15 He works at it. And I think that
16 that's one of the reasons people recognize him so
17 well. When he was here with the foul-shooting
18 contest, even as an 11-year-old he said he shot
19 300 shots a day, foul shots, to develop that
20 skill. And he still has that skill. He works
21 very hard in all that he does and is an example
22 for many, many young athletes.

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

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

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

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

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

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

24 ACTING PRESIDENT GRIFFO: Senator
25 Tedisco.

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

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

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

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

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

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

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

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

25 Now, I've seen some films of Pistol

1 Pete Maravich, and he averaged a little over
2 40 points. Of course his father actually coached
3 the team, so that helped him out a little bit.

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

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

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

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

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

7 ACTING PRESIDENT GRIFFO: Senator
8 DeFrancisco.

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

12 (Laughter.)

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

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

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

1 choices down to two, okay?

2 (Laughter.)

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

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

16 Thank you.

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

19 (Laughter.)

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

22 This resolution was adopted on March
23 13th of this year.

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

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

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

8 (Standing ovation.)

9 ACTING PRESIDENT GRIFFO: Senator
10 DeFrancisco.

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

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

17 The Senate stands at ease.

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

20 (Whereupon, the Senate reconvened at
21 2:40 p.m.)

22 ACTING PRESIDENT GRIFFO: The
23 Senate will come to order.

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO:

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

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

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

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

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

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

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

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

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

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

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

25 Senate 3050, by Senator Serrano, an

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

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

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

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

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

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

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

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

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

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

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

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

25 Senate 6379, by Senator Krueger, an

1 act to amend the Education Law;

2 Senate 6463, by Senator Addabbo, an

3 act to amend the Environmental Conservation Law;

4 Senate 6489, by Senator Jacobs, an

5 act to amend the State Finance Law;

6 Senate 6634, by Senator Marcellino,

7 an act to authorize;

8 Senate 6924, by Senator Helming, an

9 act to amend the Public Health Law;

10 Senate 7134, by Senator Ortt, an act

11 to amend the Retirement and Social Security Law;

12 Senate 7227, by Senator Parker, an

13 act to amend the Social Services Law;

14 Senate 7554, by Senator Gallivan, an

15 act to amend the General Municipal Law;

16 Senate 7885, by Senator Avella, an

17 act to amend the Family Court Act;

18 Senate 7896, by Senator Avella, an

19 act to amend the Family Court Act;

20 Senate 8028A, by Senator Gallivan,

21 an act to amend the Correction Law;

22 Senate 8116B, by Senator Jacobs, an

23 act authorizing;

24 Senate 8304, by Senator Phillips, an

25 act to amend the Education Law;

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

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

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

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

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

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

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

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

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

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

21 All bills reported direct to third
22 reading.

23 SENATOR DeFRANCISCO:

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

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

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

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

9 (Response of "Aye.")

10 ACTING PRESIDENT GRIFFO: Opposed?

11 (No response.)

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

14 Senator DeFrancisco.

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

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

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

1 Senator Hamilton moves to discharge,
2 from the Committee on Mental Health and
3 Developmental Disabilities, Assembly Bill Number
4 7976 and substitute it for the identical Senate
5 Bill 5534A, Third Reading Calendar 1716.

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

11 Senator Golden moves to discharge,
12 from the Committee on Rules, Assembly Bill Number
13 9566 and substitute it for the identical Senate
14 Bill 8305, Third Reading Calendar 1731.

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

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

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

25 ACTING PRESIDENT GRIFFO: We will

1 return to motions and resolutions.

2 Senator Klein.

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

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

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 1637, by Senator Addabbo, Senate Print 3065A, an
13 act to amend the Tax Law.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll on reconsideration.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

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

23 ACTING PRESIDENT GRIFFO: The
24 amendments are received.

25 Senator DeFrancisco.

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

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

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

7 (Whereupon, the Senate reconvened at
8 3:31 p.m.)

9 ACTING PRESIDENT GRIFFO: The
10 Senate will come to order.

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

16 ACTING PRESIDENT GRIFFO: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 1698, substituted earlier by Member of the
20 Assembly Miller, Assembly Print 7849A, an act in
21 relation to permitting.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

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

7 ACTING PRESIDENT GRIFFO: The bill
8 passes.

9 THE SECRETARY: Calendar Number
10 1699, by Senator Murphy, Senate Print 306, an act
11 to amend the Labor Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 passes.

22 THE SECRETARY: Calendar Number
23 1700, by Senator Valesky, Senate Print 1246, an
24 act to amend the Public Health Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1701, by Senator Kennedy, Senate Print 1838, an
12 act to amend the General Business Law.

13 SENATOR DeFRANCISCO: Lay the bill
14 aside, please.

15 ACTING PRESIDENT GRIFFO: Lay it
16 aside.

17 THE SECRETARY: Calendar Number
18 1702, by Senator Klein, Senate Print 1953A, an
19 act to amend the Education Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 passes.

5 THE SECRETARY: Calendar Number
6 1703, by Senator Serino, Senate Print 2155B, an
7 act to amend the Elder Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT GRIFFO: The bill
17 passes.

18 THE SECRETARY: Calendar Number
19 1704, by Senator Breslin, Senate Print 2209, an
20 act to amend the General Municipal Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1705, by Senator Parker, Senate Print 2678, an
8 act to amend the Public Health Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

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

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1706, by Senator Serrano, Senate Print 3050, an
23 act to amend the Parks, Recreation and Historic
24 Preservation Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 passes.

10 THE SECRETARY: Calendar Number
11 1707, by Senator Serrano, Senate Print 3087A, an
12 act to amend the Education Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60. Nays, 1.
21 Senator Gallivan recorded in the negative.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1708, by Senator Golden, Senate Print 3159A, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

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

13 Ayes, 56. Nays, 5.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1709, by Senator Larkin, Senate Print 3248, an
18 act to amend the Vehicle and Traffic Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

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

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1710, by Senator Tedisco, Senate Print 3292A, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 passes.

19 THE SECRETARY: Calendar Number
20 1711, by Senator Gianaris, Senate Print 3477A, an
21 act to amend the General Municipal Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 passes.

7 THE SECRETARY: Calendar Number
8 1712, by Senator Larkin, Senate Print 3719, an
9 act to amend the Environmental Conservation Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 passes.

20 THE SECRETARY: Calendar Number
21 1713, by Senator Lanza, Senate Print 4062A, an
22 act to amend the Tax Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect July 1, 2018.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Announce
6 the results.

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

12 Ayes, 51. Nays, 10.

13 ACTING PRESIDENT GRIFFO: The bill
14 passes.

15 THE SECRETARY: Calendar Number
16 1714, by Senator Sanders, Senate Print 4524, an
17 act to amend the Public Health Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT GRIFFO: The bill
2 passes.

3 THE SECRETARY: Calendar Number
4 1715, by Senator Funke, Senate Print 5235A, an
5 act to amend the Education Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

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

17 ACTING PRESIDENT GRIFFO: The bill
18 passes.

19 THE SECRETARY: Calendar Number
20 1716, substituted earlier by Member of the
21 Assembly De La Rosa, Assembly Print 7976, an act
22 to amend the Mental Hygiene Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 60th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 passes.

8 THE SECRETARY: Calendar Number
9 1717, by Senator Ritchie, Senate Print 5858B, an
10 act to amend the Domestic Relations Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

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

22 Ayes, 57. Nays, 4.

23 ACTING PRESIDENT GRIFFO: The bill
24 passes.

25 THE SECRETARY: Calendar Number

1 1718, by Senator Krueger, Senate Print 6379 --

2 SENATOR DeFRANCISCO: Lay the bill
3 aside, please.

4 ACTING PRESIDENT GRIFFO: Lay it
5 aside.

6 THE SECRETARY: Calendar Number
7 1719, by Senator Addabbo, Senate Print 6463, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 passes.

19 THE SECRETARY: Calendar Number
20 1720, by Senator Jacobs, Senate Print 6489, an
21 act to amend the State Finance Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 passes.

7 THE SECRETARY: Calendar Number
8 1721, by Senator Marcellino, Senate Print 6634 --

9 SENATOR KLEIN: Lay it aside.

10 ACTING PRESIDENT GRIFFO: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 1722, by Senator Helming, Senate Print 6924, an
14 act to amend the Public Health Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 passes.

25 THE SECRETARY: Calendar Number

1 1723, by Senator Ortt, Senate Print 7134, an act
2 to amend the Retirement and Social Security Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 passes.

13 THE SECRETARY: Calendar Number
14 1724, by Senator Parker, Senate Print 7227, an
15 act to amend the Social Services Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 passes.

1 THE SECRETARY: Calendar Number
2 1725, substituted earlier by Member of the
3 Assembly Paulin, Assembly Print 9667, an act to
4 amend the General Municipal Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 passes.

15 THE SECRETARY: Calendar Number
16 1726, by Senator Avella, Senate Print 7885, an
17 act to amend the Family Court Act.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 passes.

4 THE SECRETARY: Calendar Number
5 1727, by Senator Avella, Senate Print 7896, an
6 act to amend the Family Court Act.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 passes.

17 THE SECRETARY: Calendar Number
18 1728, by Senator Gallivan, Senate Print 8028A, an
19 act to amend the Correction Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60. Nays, 1.

3 Senator Hoylman recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1729, by Senator Jacobs, Senate Print 8116B, an
8 act authorizing.

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

11 The Secretary will read the last
12 section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1730, by Senator Phillips, Senate Print 8304, an
23 act to amend the Education Law.

24 SENATOR DeFRANCISCO: Where are we?

25 ACTING PRESIDENT GRIFFO: We're on

1 Calendar 1730.

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

4 ACTING PRESIDENT GRIFFO: Lay it
5 aside for the day.

6 Calendar Number 1731.

7 THE SECRETARY: Calendar Number
8 1731, substituted earlier by Member of the
9 Assembly Hevesi, Assembly Print 9566, an act to
10 amend the Social Services Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1732, by Senator Murphy --

23 SENATOR DeFRANCISCO: Lay the bill
24 aside for the day.

25 ACTING PRESIDENT GRIFFO: Lay it

1 aside for the day.

2 THE SECRETARY: Calendar Number
3 1733, by Senator LaValle, Senate Print 8385A, an
4 act to authorize.

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

7 The Secretary will read the last
8 section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 passes.

17 THE SECRETARY: Calendar Number
18 1734, by Senator LaValle, Senate Print 8386A, an
19 act to authorize.

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

22 The Secretary will read the last
23 section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1735, by Senator LaValle, Senate Print 8660B, an
9 act to authorize.

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

12 The Secretary will read the last
13 section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1736, by Senator Serino, Senate Print 8717, an
24 act to amend the Not-For-Profit Corporation Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1737, substituted earlier by Member of the
12 Assembly Pretlow, Assembly Print 3936, an act to
13 amend the Executive Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: It's
22 Calendar Number 1737.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1738, by Senator Persaud, Senate Print 8821A, an
3 act to amend the Correction Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Senator
12 Little to explain her vote.

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

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

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

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

24 SENATOR LITTLE: I'm an aye vote.

25 ACTING PRESIDENT GRIFFO: Senator

1 Little to be recorded in the affirmative.

2 Announce the results.

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

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1739, by Senator Mayer, Senate Print 8857 --

10 SENATOR DeFRANCISCO: Lay the bill
11 aside.

12 ACTING PRESIDENT GRIFFO: Lay it
13 aside.

14 THE SECRETARY: Calendar Number
15 1740, by Senator Golden, Senate Print 8929, an
16 act to amend the Executive Law.

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

19 SENATOR KLEIN: Lay it aside.

20 ACTING PRESIDENT GRIFFO: Lay it
21 aside.

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

25 SENATOR DeFRANCISCO: Yes, if we

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

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

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 981, by Senator Hannon, Senate Print 7713B, an
13 act to amend the Public Health Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

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

24 ACTING PRESIDENT GRIFFO: The bill
25 passes.

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

4 Ayes, 57. Nays, 4.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 Senator DeFrancisco.

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

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1311, by Senator DeFrancisco, Senate Print 677,
15 an act to amend the Labor Law.

16 ACTING PRESIDENT GRIFFO: The
17 Secretary --

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

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

23 (Laughter.)

24 SENATOR DeFRANCISCO: Pardon me?

25 ACTING PRESIDENT GRIFFO: There's

1 not --

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

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

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

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

1 hire people.

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

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

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

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

23 Read the last section.

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

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

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

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

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

15 (Laughter.)

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

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

20 Senator DeFrancisco.

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

25 ACTING PRESIDENT GRIFFO: That is

1 correct.

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

4 ACTING PRESIDENT GRIFFO: That will
5 now be laid aside for the day, Calendar Number
6 1483.

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

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

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

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

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1701, by Senator Kennedy, Senate Print 1838, an
20 act to amend the General Business Law.

21 SENATOR DeFRANCISCO: Explanation,
22 please.

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

25 SENATOR KENNEDY: Thank you,

1 Mr. President.

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

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

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

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

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

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

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

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

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Senator Kennedy.

17 Seeing and hearing no other
18 Senator -- Senator DeFrancisco.

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

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

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

25 (Whereupon, the Senate reconvened at

1 3:58 p.m.)

2 SENATOR DeFRANCISCO: Read the last
3 section.

4 ACTING PRESIDENT GRIFFO: Senator
5 Amedore has a question.

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

8 ACTING PRESIDENT GRIFFO: Senator
9 Kennedy, do you yield?

10 SENATOR KENNEDY: I'd be happy to
11 yield.

12 ACTING PRESIDENT GRIFFO: The
13 Senator yields.

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

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

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

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

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

9 SENATOR KENNEDY: Of course.

10 ACTING PRESIDENT GRIFFO: Senator
11 Kennedy yields.

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

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

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

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

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

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

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

1 Because I can certainly continue.

2 (Laughter.)

3 SENATOR AMEDORE: No, no, I --

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

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

9 (Laughter, cross-talk.)

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

13 Senator Amedore, do you have a
14 question?

15 SENATOR KENNEDY: Senator
16 Amedore --

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

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

22 SENATOR KENNEDY: (Unintelligible.)

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

1 follow decorum.

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

4 SENATOR AMEDORE: I have another
5 question, yes.

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

8 (Laughter.)

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

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

13 ACTING PRESIDENT GRIFFO: Senator
14 Kennedy, do you yield?

15 SENATOR KENNEDY: I would love to
16 yield.

17 ACTING PRESIDENT GRIFFO: Senator
18 Kennedy yields.

19 Senator Amedore, please pose your
20 question.

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

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

6 ACTING PRESIDENT GRIFFO: Senator
7 Kennedy.

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

17 So the answer is, simply, yes.

18 ACTING PRESIDENT GRIFFO: Senator
19 Amedore.

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

23 ACTING PRESIDENT GRIFFO: Senator
24 Amedore on the bill.

25 SENATOR AMEDORE: You know, this is

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

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

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

25 And that's typically what you see

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

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

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

24 ACTING PRESIDENT GRIFFO: Senator
25 Ranzenhofer.

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

3 ACTING PRESIDENT GRIFFO: Senator
4 Kennedy, do you yield?

5 SENATOR KENNEDY: Certainly.

6 ACTING PRESIDENT GRIFFO: Senator
7 Kennedy yields.

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

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

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

1 transaction was initiated.

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

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

7 SENATOR RANZENHOFER: And the
8 existing law right now --

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

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

14 SENATOR KENNEDY: Of course.

15 ACTING PRESIDENT GRIFFO: The
16 Senator yields.

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

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

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

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

3 SENATOR KENNEDY: That is correct.

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

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

11 SENATOR RANZENHOFER: And in
12 your --

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

16 SENATOR RANZENHOFER: If he would,
17 yes.

18 ACTING PRESIDENT GRIFFO: Senator
19 Kennedy, do you yield?

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

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

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

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

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

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

17 SENATOR RANZENHOFER: Only as
18 written.

19 SENATOR KENNEDY: As written in the
20 bill, if you read the bill -- through you
21 Mr. President -- the bill says one, two, three,
22 four, five, six, seven, eight, nine, 10, 11, 12,
23 13, 14, 15, 16, 17 words. I will read them.
24 "The license plate number of the motor vehicle
25 driven by the seller at the time of transaction."

1 That is all that is added to the bill.

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

8 SENATOR RANZENHOFER: On the bill,
9 Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator
11 Ranzenhofer on the bill.

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

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

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

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

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

19 And sponsor, I thank you for
20 answering the questions.

21 ACTING PRESIDENT GRIFFO: Senator
22 Helming.

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

25 Senator Ranzenhofer has asked the --

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

3 SENATOR HELMING: Yes, please.

4 ACTING PRESIDENT GRIFFO: Senator
5 Helming on the bill.

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

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

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

20 Thank you, Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Lanza.

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Kennedy, do you yield?

2 SENATOR KENNEDY: I'd love to.

3 ACTING PRESIDENT GRIFFO: The
4 Senator yields.

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

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

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

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

22 On the bill.

23 ACTING PRESIDENT GRIFFO: Senator
24 Lanza on the bill.

25 SENATOR LANZA: Mr. President, I

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

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

11 ACTING PRESIDENT GRIFFO: Senator
12 Krueger.

13 Do you yield to Senator Krueger,
14 Senator Kennedy?

15 SENATOR KENNEDY: (Gesturing
16 affirmatively.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Krueger on the bill.

19 SENATOR KRUEGER: Thank you,
20 Mr. President.

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

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

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

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

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

23 ACTING PRESIDENT GRIFFO: Senator
24 Kennedy to close debate.

25 Senator Hoylman.

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

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

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

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

1 stolen.

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

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Kennedy to close.

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

13 As one of my colleagues already
14 began with headlines, let me just read a few.
15 "Copper Stolen From Another Power Substation."
16 "\$5,000 in Damages to Steal \$50 Worth of Copper."
17 "\$20,000 Worth of Copper Stolen From
18 Orangeville's Wind Farm Power Station." "Copper
19 in Television Stolen From a Deceased Man's
20 House." "Copper Pipe and Wiring Stolen From a
21 Newly Renovated Falls House." "Copper Plumbing
22 Stolen in Damaging Break-In in the Falls." "A
23 Dump Truck Filled with Copper Stolen from
24 75th Street."

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

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

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

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

22 Thank you, Mr. President. I vote
23 aye.

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

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

3 Read the last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

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

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

13 SENATOR KLEIN: Mr. President --

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

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

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

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

25 And Floor Leader, are you asking the

1 bill to be laid aside for the day?

2 SENATOR DeFRANCISCO: Yes, I did.

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

6 SENATOR KENNEDY: Mr. President --

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

9 ACTING PRESIDENT GRIFFO: Motions
10 and resolutions.

11 SENATOR KENNEDY: Point of order,
12 Mr. President.

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

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

19 Thank you, Mr. President.

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

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

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

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

6 SENATOR DeFRANCISCO: And I now lay
7 the remainder of the bills on the supplemental
8 calendar aside for the day.

9 ACTING PRESIDENT GRIFFO: All the
10 remaining bills on Senate Supplemental Calendar
11 53A have been laid aside for the day.

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

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

16 SENATOR DeFRANCISCO: In that case,
17 I move to adjourn until Wednesday, June 13th, at
18 3:00 p.m.

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

22 The Senate is adjourned.

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

25