NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:20 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

ACTING PRESIDENT BAILEY: Apostolic Bishop Debra Elaine Gause, of the Holy Light Church of Poughkeepsie, New York, will deliver today's invocation.

Bishop.

APOSTOLIC BISHOP GAUSE: Let us pray.

Most gracious and heavenly Father, it is with great gratitude and honor that I stand on the Senate floor to proclaim and decree a prayer and a blessing on these Your servants who have been elected to serve the people in New York and the United States of America.

As the Senators open their session today, I pray that You will be first on the agenda. I pray for an atmosphere that is conducive for love, harmony, peace and collaboration.

Father, I ask that You endow each one with Your wisdom from above, and bestow on them the character and integrity of my Lord and Savior, Jesus Christ, who took the posture of a servant leader and said, I came not to this world to be served, but to serve and to give my life as a ransom.

Senators, allow the Lord to enable you to lead and to guide the people. Never let, Father, them forget that they were chosen to stand on behalf of the people to make rash and hard decisions that sometimes are not favorable to the recipients.

Father, I ask for Your wisdom and understanding from You for them, that they might execute right judgment and honest decisions regardless of their party affiliation is.

Father, let them realize that the same judgment that they mete out will be the same judgment that will be meted to them. Cause them to do what is just, true, right, and honest.

I pray each Senator will be very careful of prideful and arrogant dispositions, because the Lord resisteth the proud but giveth grace to the humble.

When they cannot seem to come to a decision, Lord, cause the Senators to lean on You for guidance and godly counsel, because You said in the multitude of counsel there is safety.

Give them humble and submissive hearts that are dedicated to the righteous cause of democracy.

Senators, trust in the Lord with all your heart. Lean not to your own understanding, but in all your ways acknowledge Him, and He will direct your path.

God bless you and keep you and cause His face to shine upon you. The Lord lift up His countenance unto you, be gracious unto you, and grant you and your family His excellent peace, is my prayer for you today.

God bless you.

(Response of "Amen.")

ACTING PRESIDENT BAILEY: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, May 19, 2024, the Senate met pursuant to adjournment. The Journal of Saturday, May 18, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Persaud moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 4667B and substitute it for the identical Senate Bill 932D, Third Reading Calendar 111.

Senator Addabbo moves to discharge, from the Committee on Finance, Assembly Bill Number 3865A and substitute it for the identical Senate Bill 1965A, Third Reading Calendar 1103.

Senator Martinez moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 4853 and substitute it for the identical Senate Bill 5423, Third Reading Calendar 1132.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from

state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

On behalf of Senator Mayer, I wish to call up Senate Print 8409A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 519, Senate Print 8409A, by Senator Mayer, an act to amend the Education Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT BAILEY: The

amendments are received.

SENATOR GIANARIS: I offer amendments to the following Third Reading Calendar bills:

By Senator Skoufis, page 14, Calendar 332, Senate Print 5500A;

Senator Sepúlveda, page 23, Calendar 553, Senate Print 749A;

Senator Stavisky, page 36, Calendar 774, Senate Print 1900;

Senator Scarcella-Spanton, page 36, Calendar 787, Senate Print 7739;

Senator Kavanagh, page 52, Calendar 1016, Senate Print 2078A;

Senator Stavisky, page 57, Calendar 1058, Senate Print 1819;

Senator Mannion, page 58, Calendar 1069, Senate Print 9147A;

Senator Serrano, page 65, Calendar 1135, Senate Print 7807;

Senator Hoylman-Sigal, page 32, Calendar 711, Senate Print 8484A;

Senator Parker, page 48, Calendar 966, Senate Print 1316;

And Senator Gianaris, page 63,

Calendar 1115, Senate Print 6584B.

ACTING PRESIDENT BAILEY: The amendments are received, and those bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Lanza for some motions.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

Mr. President, I wish to call up, on behalf of Senator Ashby, Print Number 4459, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 764, Senate Print 4459, by Senator Ashby, an act to amend the State Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading Calendar.

SENATOR LANZA: I now offer the following amendments.

ACTING PRESIDENT BAILEY: The amendments are received.

SENATOR LANZA: Mr. President, on behalf of Senator Rhoads, I wish to call up Bill Print Number 7555, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 246, Senate Print 7555, by Senator Rhoads, an act authorizing the Friendship Engine & Hose Company to file an application for exemption from real property taxes.

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

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading Calendar.

SENATOR LANZA: I now offer the following amendments.

ACTING PRESIDENT BAILEY: The amendments are received.

SENATOR LANZA: Mr. President, on behalf of Senator Stec, on page number 32 I offer the following amendments to Calendar Number 706, Senate Print Number 5608B, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Mr. President, we're going to simultaneously call a meeting of the Rules Committee while we take up resolutions.

So let's begin with -- I believe Senator Borrello is going to jointly discuss previously adopted Resolutions 2062, 2389, 2390, and 2417. So call all those up simultaneously, and we will have an immediate meeting of the

Rules Committee in Room 332.

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

The Secretary will read all the resolutions.

THE SECRETARY: Resolution 2062, by Senator Borrello, memorializing Governor Kathy Hochul to proclaim May 20, 2024, as Italian American Day in the State of New York.

Resolution 2389, by Senator Borrello, commending Johnny Farina upon the occasion of his designation as the 2024 Italian American of the Year by the New York Conference of Italian American State Legislators.

Resolution 2390, by Senator Borrello, commending Bobby Previte upon the occasion of his designation as the 2024 Italian American of the Year by the New York Conference of Italian American State Legislators.

Resolution 2417, by Senator Borrello, commending Gregg "Gio" Giannotti upon the occasion of his designation as the 2024 Italian American of the Year by the New York Conference of Italian American State Legislators.

ACTING PRESIDENT BAILEY: Senator Borrello on the resolutions.

SENATOR BORRELLO: Thank you, Mr. President.

It's an honor to memorialize Governor Kathy Hochul to proclaim today, May 20, 2024, as Italian American Day in New York State.

As president of the New York State Conference of Italian American State Legislators, I am proud to recognize this day and the contributions that Italian Americans have made to the access of our state and our nation.

With approximately 3 million residents of Italian heritage, the most of any state in the nation, the history and culture of New York State has been enriched by the contribution of Italian Americans.

Much of the construction and the beautiful masonry work in this Capitol Building was the result of the labor and craftsmanship of immigrants from Italy in the late 1800s.

In the centuries that followed, Italian Americans would progress and go to make important contributions in every aspect of society, every industry from business to public

service to the arts, science, and more. Recognizing and honoring that legacy is the goal of today's events.

As part of the celebration, we recognize individuals whose contributions have enhanced the Italian American legacy and benefited our state and our nation.

This year we are fortunate to have three honorees whose achievements are an inspiring reminder of how far Italian Americans have come. This year's honorees are Gregg Giannotti -- a well known figure from the world of sports media, Gregg "Gio" Giannotti is the cohost of the Boomer & Gio show, the hit morning drive sports radio program in the New York City metro area that also features NFL MVP Boomer Esiason.

We also have Johnny Farina, the quintessential steel guitarist and part of the musical duo Santo & Johnny. Their iconic instrumental hit "Sleep Walk" earned them a Golden Record in 1959 and has been a soundtrack for over 20 movies, television programs, and commercials.

Also we have Bobby Previte, who is a

classical composer and performer who has stood on stages and collaborated with leading figures from the music world and beyond, including iconic composer John Adams, filmmaker Robert Altman, and maestro Michael Tilson Thomas.

They are truly extraordinary honorees. Although they are in the Assembly chamber being honored right now this afternoon, they'll be joining us this evening at Festa Italiana, where we'll be recognizing their achievements.

The proceeds from this evening's festa are used for scholarships to help four exceptional young people for their college costs. And in fact our honorees this year are Isabella O'Shea, from Senator Lanza's district; Timothy Manzello, from Senator Palumbo's district; Sophia Green from Senator Rhoads' district; and from my district, Nina Bartz.

Do we have someone -- Senator, do we have -- (turning to gallery). Oh, hello, all. All right, you are here. The Assembly did quick business today.

(Laughter.)

SENATOR BORRELLO: So with that,

Mr. President, I would ask that we could extend the courtesies and privileges of this house to our guests, please.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

Senator Mattera on the resolution.

SENATOR MATTERA: Thank you, Mr. President.

And I want to thank our Senator Borrello for this resolution, how important this is for our happy, very important day, Italian American Day.

I just would like to also thank Senator Griffo, also a past president. And, you know, Senator Borrello, just so everybody understands, he is the president of the Italian American Legislative Conference.

You know, I'm so proud to be a Italian American. Just like everybody's heritage and everything like that, it's very, very important to me. But I have to mention some special, special people that are up in the gallery here today. Somebody very, very important to me that I said last time, last year, that is always in my kitchen cabinet for me, that

is a mentor to me, is Robert -- Bob -- Fonti. I know Bob is here, he's up in the gallery. Oh, there he is, up there.

And there's just somebody that, you know, you could call and get advice from, and it's the right advice every time. And I really, really feel this is the background of him being an Italian American. I know that, I know that it is.

Dr. Joseph Scelsa, the president of the Italian American Museum that's going to be opening up in October -- I can't wait to be there for that ribbon cutting -- that's right there in Manhattan, Mulberry Street. And how important it is. He put his life into this museum, and everybody needs to make sure that they are there, for this is going to be this important, important day.

Anthony Conzapoli (ph), member of the Italian American Action Committee. Anthony, met you last night, it was great seeing you. I thank you so much for all you do. Again, everybody has to remember something: 3.2 million Italian Americans are in the great State of New York.

Anthony Bonomo, Italian American Action Committee also, that is present here. John LoPresti, also Italian American Action Committee. And I thank you, gentlemen, for again representing 3.2 million Italian Americans.

You know, growing up in an Italian household, that there's my -- may he rest in peace -- my father, that I miss dearly, and my grandparents that came over from Ellis Island, and they were brought here and they worked so, so hard. They worked so hard to have the American dream.

And you know what? And it was everything about respect. And that's what I was brought into. Like when I would go into anybody's home, I made sure that I went and said hello to everybody, gave somebody a big hug and thanked them for allowing me to be in their home.

Think about -- and I'm going to get into this a little bit more because there is my good friend Senator Bailey. I know he gets in -- you know, he talks about family and how he talked about how proud you are of everything that you speak about. And it's just like me today, speaking on behalf of my family. My grandfather,

called Pappy, my grandmother called Nanny. And you know, you sit there and you have your Sunday dinner. You know, that Sunday dinner, there had to be gravy. It's not brown gravy, it's red gravy. Sitting there with the Locatelli cheese that my mother said, You know how expensive that cheese is?

(Laughter.)

SENATOR MATTERA: I would sit there with the grater, I'd sit there till it went right to my fingernails, watching Abbott and Costello, which a lot of us did.

But it was just the most important -- you know, when you think about that, smelling that gravy being cooked in the morning, and that's what you had for breakfast, meatballs.

It was just wonderful. There it is, getting back to my grandparents, both parents, my father -- again, may he rest in peace, my dad, from Queens. Good-looking man. Very good-looking man. And my mom, Judy Jivanelli. Judy Jivanelli, from Island Park.

My father's -- my grandparents, they had a home in Island Park, a summer home, and there's my father, good-looking man, he became --

he was a lifeguard. He sees Judy Jivanelli, a blond-haired blue-eyed beauty. He sees my mom. Takes her and he throws her in the Long Beach -- right into the ocean. My mother gets up, smacks him in the face, and guess what happens? My sister comes a year later.

(Laughter.)

SENATOR MATTERA: It is the Annette Funicello-Frankie Avalon story, but this is a true story.

And this is what it is, growing up in Island Park, it was just so amazing, going to the San Gennaro Feast in Island Park, an Italian community. My mother graduated high school with Senator D'Amato, which they called Tippy. Okay? And it was just amazing. She said he was a spoiled brat, but I'm not going to get into that.

But, you know what, to our Senator, our great Senator -- but you know what, I'm just so proud to be here today. You know, I can talk so many stories, we all can, about our heritage and about how -- you know, growing up with our families. And I will say this. Without our families we have nothing. We don't.

This is a big family here. I gotta

say one thing, I am so blessed with our Republican Conference, how you guys are a big family, and it reminds me of a big Italian family. Yes, my friends on the other side too. You guys are great people. You wouldn't be elected if you weren't.

I'm just proud to be here. (Crying.) And to my dad, Richard Mattera, I know you're looking down. I love you, Dad. My grandparents. But my father would be so proud of me today, that I'm a New York State Senator. Because when I became a business agent with the plumbers union, he cried like I am today.

But all I can just say is I'm so proud that I'm the honoree today. And I thank you guys so much. I'm the honoree today at the festa. But I just want to say once more -- and you're laughing -- at the festa tonight I'm the honoree with the legislative conference.

But all I'd like to say is God bless you all American Italians, Italian Americans. God bless all of our families. And especially God bless the United States of America.

Thank you.

(Applause.)

ACTING PRESIDENT BAILEY: Thank you, Senator Mattera.

And dare I go off script, but your father certainly is proud.

Senator Scarcella-Spanton on the resolution.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

And I agree. Senator Mattera, that was beautiful.

I am so happy to join my colleagues today in celebrating Italian Heritage Day here in New York State. We have clearly, to probably nobody's surprise, Staten Island is represented by two Italians, Scarcella and Senator Lanza -- one of the biggest and most dense Italian populations in the entire State of New York.

My Italian heritage has instilled in me the values of hard work, determination, and importance of never forgetting where you come from.

There are countless contributions Italian Americans have made throughout history, not only in my district but to New York as a whole, from building the infrastructure of the

city to the generations of Italian American leaders who have served this state, the Italian community has played an integral part in shaping the New York that we know and love today.

I'm proud to represent my Italian American constituents here on Staten Island and in Southern Brooklyn.

And Senator Mattera, like you, I know my dad is very proud. And I think of his grandparents, who came here from Italy, opened up their own grocery store, and started what is the Scarcella legacy in New York and in many other states across this country.

So thank you, and I proudly vote aye.

ACTING PRESIDENT BAILEY: Thank you, Senator Scarcella-Spanton.

To our guests, I welcome you on behalf of the Senate. We appreciate the heritage and culture you bring into the chamber. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Extended standing ovation.)

ACTING PRESIDENT BAILEY: Senator

Serrano.

SENATOR SERRANO: Thank you.

Let's take up previously adopted Resolution 2393, by Senator O'Mara. Please read that resolution, title only, and call on Senator O'Mara.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2393, by Senator O'Mara, congratulating Peyton Mullin upon the occasion of capturing the 235-pound weight class title at the New York State Public High School Athletic Association Girls Invitational State Championship on January 26, 2024.

ACTING PRESIDENT BAILEY: Senator O'Mara on the resolution.

SENATOR O'MARA: Yes, thank you, Mr. President.

It's an honor to have here today from my district Peyton Mullin, state wrestling champion from this year. Congratulations, Peyton. Job well done.

Peyton has been wrestling for 11 years. She has over 140 wins. She was

undefeated this past season. And she's a two-time New York Western Association for Youth state champion. An impressive record; she's just a freshman this year, from Dundee High School in Yates County.

She defeated last year's champion in this weight class, who was from Waverly High School, which I would add is also in my 58th Senate District that I represent. She defeated Mackenzie LaForest in a minute and five seconds, a very impressive record.

With Peyton today is her mom, Leslie Mullin; her dad, DJ Mullin; her grandfather, Mike Mullin; and her grandmother, Shannon Schuyler.

I just want to take this moment to congratulate all of you on this momentous occasion. Clearly she's had great guidance from her family. She's had a great coach in Sheldon Gibson over the years.

And it's my honor to have you here today to congratulate you on your championship. Job well done.

Thank you.

(Applause.)

ACTING PRESIDENT BAILEY: To our championship athlete, we welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please remain standing and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 14th.

Senator Gianaris.

SENATOR GIANARIS: Let's take up previously adopted Resolution 2304, by Leader Stewart-Cousins, read its title, and recognize Majority Leader Andrea Stewart-Cousins.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2304, by Senator Stewart-Cousins, commemorating the 150th Anniversary of the Village of Sleepy Hollow, New York, on May 20, 2024.

ACTING PRESIDENT BAILEY: Majority Leader Andrea Stewart-Cousins on the resolution.

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

I rise to honor one of the villages

that I have an opportunity to represent. As most of you know, I represent, in Westchester, the majority of Yonkers, the Town of Greenburgh, and the Town of Mount Pleasant. And in the Town of Mount Pleasant is a place called Sleepy Hollow.

Now, you all have heard of the Legend of Sleepy Hollow. I know, you have to think about that. We were just talking about how we would introduce 150 years of this amazing village, a place where actually, on his way to Dobbs Ferry, George Washington actually stayed, in the Old Dutch Church in 1781.

But today is an amazing day for the Village of Sleepy Hollow. And to be part of this day, we have Mayor Martin Rutyna, we have Deputy Mayor Denise Scaglione, we've got Trustee Jim Husselbee, and we have Village Administrator Anthony Giaccio. Because they left Sleepy Hollow on this day to come here, because this day marks the 150th anniversary of this wonderful, wonderful village.

Now, you understand it's on the Hudson, and it has all of the beauty of what small villages have -- the shops, and it's an amazing, diverse community. But every

Halloween -- so you are all invited -- about 100,000 visitors come there because it is obviously the Legend of Sleepy Hollow's birthplace, but Washington Irving is also buried in Sleepy Hollow Cemetery.

So this is a serious attraction. All ages, and everybody is part of Halloween in Sleepy Hollow. It is festive, it is fun, it is not scary -- unless you really, really want to be scared.

But it is such a beautiful community that I wanted the mayor and the trustees and the administrator to come here to receive this resolution and to know that this amazing body celebrates everyone and everything. And when it comes to our history, we are extremely serious. And so villages such as Sleepy Hollow make a difference in terms of tourism, building the economy, and just creating the magic that is so much of New York.

So I'm so very, very proud to have you here. Congratulations, Sleepy Hollow, on the 150th anniversary. And just so you know, you don't have to wait till Halloween. Because it's their 150th year, they are celebrating every day

of every month. So just let me know when you come into my district, and we will have some great times.

So thank you so much.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Madam Leader.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 7th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let me apologize to our leader. I visited Washington Irving's home last October with my family and did not tell her --

SENATOR STEWART-COUSINS: And you didn't tell me?

SENATOR GIANARIS: I didn't tell her I was going.

(Laughter.)

SENATOR GIANARIS: But it is

lovely. I do encourage everyone to go visit.

Next up, let us call on Senator Hinchey for an introduction.

ACTING PRESIDENT BAILEY: Senator Hinchey for the purposes of an introduction.

SENATOR HINCHEY: Thank you, Mr. President.

It is my privilege to welcome I think nearly 60 members of 4H from across the state here to our chamber today.

They are led by a number of teachers who are with us, and they're here representing the 89th anniversary -- or 89th annual trip to the Capitol, bringing 4H students to meet with their legislative leaders, to see different agencies, and to see the Capitol to advocate on behalf of so many of the things that we all care about across our state, but most importantly agriculture and the future of a strong food supply here locally.

And so I just want to thank them for being here and for what they do, and for being the future leaders of our state. And I ask that you offer them the privileges of this chamber.

Thank you very much.

ACTING PRESIDENT BAILEY: Thank you, Senator Hinchey.

To our young guests, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Let's take up previously adopted Resolution 2332, by Senator Rolison, read its title and recognize Senator Rolison.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2332, by Senator Rolison, honoring Thomas Pape upon the occasion of his retirement from the City of Poughkeepsie Police Department after 40 years of devoted service.

ACTING PRESIDENT BAILEY: Senator Rolison on the resolution.

SENATOR ROLISON: Thank you, Mr. President.

It's an honor today to recognize

Thomas Pape on the occasion of his retirement this Friday, at 1 o'clock, when he will walk out of police headquarters for the very last time in the City of Poughkeepsie, after 40 years of service to that department.

And I know it's the custom of this Legislature to recognize and honor those distinguished individuals and citizens who would devote themselves to public service and, in Chief Pape's position demonstrating great courage and bravery and diligence in providing for the care and welfare of the citizens of the City of Poughkeepsie.

And within every community there are those certain individuals who, by virtue of that commitment and dedication, they command the respect and admiration of their community. And in Chief Pape's time on the job of 40 years, I'm talking about the entire community. And it's for their contributions and service on the behalf of others.

Now, this legislative body is proud to honor my friend Tom Pape upon the occasion of his retirement from the City of Poughkeepsie Police Department, again, after 40 years of

devoted service. And Tom Pape joined the City of Poughkeepsie PD one year after I joined the Town of Poughkeepsie PD. He joined in 1983.

His career spanned all of the divisions within the police department, both in patrol and detective. He was a supervisor in patrol. The traffic division, community policing unit, and the neighborhood recovery unit.

In 1984, Tom was promoted to sergeant. He assumed duties in the narcotics unit and special units. Rising through the ranks, Thomas Pape was recognized for his hard work by being promoted to captain, where he had oversight of all the specialized units in the detective division.

And then, Mr. President, in 2016, my first year as mayor, I had the honor of appointing my friend to the office of chief of police. And under his able leadership he oversaw department operations, budget and oversight of a job of approximately 100 sworn officers and 25 civilians.

Now, Thomas Pape is a very humble individual. And the fact that he is even here today, Mr. President, I am honored and absolutely

amazed that he would come up here to be recognized. Because that is not how he has served that community. Never looking for accolades, never looking for recognition, just always doing what's right for the people of Poughkeepsie.

So his numerous commendations and awards over those 40 years speak volumes of who he is.

But just one other part of his career. The City of Poughkeepsie Police Department was one of the first jobs in the State of New York to embrace procedural justice and implicit bias. And members of the City of Poughkeepsie Police Department who were trained in those two very important topics for police officers actually trained police officers throughout the entire Hudson Valley when some of those terms weren't even known to other departments in the way that the City of Poughkeepsie embraced it.

And when the Governor, then Governor Cuomo, created Executive Order 203 for police reform, the majority of the mandates that the Governor wanted to see police departments do,

the City of Poughkeepsie was already doing under his leadership.

I hope we can pause in deliberations today to honor Chief Thomas Pape upon the occasion of his retirement. And Mr. President, would you please extend the courtesies of this house to this chief. He's leaving the job on Friday after 40 years of service.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: To our guest, we thank you for your service and welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was adopted on May 7th.

Senator Gianaris.

SENATOR GIANARIS: Let's move on to previously adopted Resolution 2240, by Senator Cleare, read its title and recognize Senator Cleare.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2240, by

Senator Cleare, commemorating the 99th Birthday of Malcolm X, an advocate for human rights and one of the most influential African-American leaders in history.

ACTING PRESIDENT BAILEY: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Mr. President.

Yesterday I spent a reverent and wonderful day in the 30th Senatorial District celebrating the 99th birthday of Malcolm X, a singularly important Black liberation leader of our times.

Malcolm X may have been born in Nebraska, but many of the most essential events of his life happened in the village of Harlem. He spent part of his transformative youth in Harlem, from 1943 to 1945. He returned to Harlem in the 1950s to lead Temple No. 7 on West 116th Street in Harlem, which today is known as Masjid Malcolm Shabazz. And it was upon a return to Harlem, sadly, he was assassinated.

The birthday of Malcolm X is one of the most important annual events in parts of my district and throughout other parts of New York

City. And that is because Malcolm's journey and evolution has not only inspired billions of people worldwide, but so many of those people lived the very same experience, took the very same steps, fought against the very same racism and injustice, and have paid the ultimate price, much like Brother Malcolm did.

As we here in New York begin to ponder the question of reparations, with the first meeting of the New York State Community Commission on reparations remedies coming up on our annual -- around Juneteenth this year, we can see in the history of Malcolm X the history of so many.

Born with the surname of Little, house torched as a child, father killed while Malcolm was a youth. Every door closed to him. Despite massive intelligence and motivation, feeling that the only path left open for him was to hustle in the streets.

It was that experience eventually that allowed him to speak clearly, truthfully, forthrightly, and without compromise about the condition of Black people in the United States and why moderate, incremental approaches were not

preferable, nor would they bring about the desired goal of equality.

As Malcolm X said, "I have no mercy or compassion in me for a society that will crush people and then penalize them for not being able to stand up under the weight."

History and human behavior has proved so much of what Malcolm X said and preached to be correct. His 99th birthday was yesterday, but his legacy lives on. His teachings live on. His vision lives on. And as thousands celebrated Malcolm yesterday, and showed love and respect for him on his birthday, we know that we have so much further to go to realize the world he was talking about in the 1960s.

And I'll leave you with this quote from Malcolm that has always are rung clear with me: "If you don't stand for something, you will fall for anything."

I proudly vote aye. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Cleare.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you,

Mr. President.

I want to thank Senator Cleare for bringing such a timely resolution forward to speak of Malcolm X, el-Hajj Malik el-Shabazz, the human rights leader. He was not so much a civil rights leader, my friends, as a human rights leader.

A very misunderstood character in the American history. If we understood him, perhaps we would understand more about ourselves. And I guess we have a journey to take.

He admitted to having fallen himself from a place of respect, and a respectful family, to the gutter. He was one of the worst, at one point, that we have seen, one of the -- while in prison he was known as "The Devil," he was so outraged.

But he managed to turn himself around. He managed to find a belief system that allowed him to turn his back on drugs, turn his back on crime, turn his back on all of those horrible things that hold people back -- and became something magnificent, something great.

He was a human rights leader who at the end of his life -- and I pause for a second

and tell you that it's important to read the entire story. If you only read a portion of his life, you will come away with a vast misunderstanding.

Toward the end of his life he was starting to speak of the unity of the human family. And he said he would stand with anyone who stood for justice, of any color who stood for justice. I urge you to take it upon yourself and do some more reading.

He went from the gutter to being considered, as one writer spoke, our shining Black prince, a possibility of what we could achieve, what humans can achieve in spite of all of the obstacles that they found themselves in.

I also urge us to -- there's a civil rights law that will allow us to look in on his assassination, and we should actually -- I've spoken to the DAs of Manhattan and said that they should look into that assassination. A civil rights law, the -- I think it's Medgar Evers' Law, allows you to look in on these matters to solve them, even on this day.

To Malcolm, who is 99 -- and I say "is" because he lives in the hearts of those who

understand him, who love him and love America and love the possibilities of America. To Malcolm, who is 99. To his enemies, to the ones who took him out, I will only remind them of what he said, and he said "Every shuteye ain't sleep, and every good-bye ain't gone."

Thank you very much for this.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam President.

I want to thank Senator Cleare for bringing this resolution supporting the 99th birthday of Malcolm X.

I'm sorry I got here late; I wanted to congratulate Senator Mattera on his being honored today on Italian American Day and honoring the Italian American community for everything that they did to assimilate and come to America.

But in a sense these stories are not asimilar. The Italian American story and Malcolm X's story of dealing with the issues that they

faced, the Italian American community coming here and not being recognized and respected, fighting for their respect, fighting for their place in the country.

Malcolm going through everything that he has gone through, as has been so eloquently stated by my colleagues -- coming from poverty, coming from a single-parent home, going to jail, being a criminal, finding a new way, finding an opportunity to, through education and understanding, becoming a better person, a person that wanted to create a better world in his own way. Working through the anger and frustration and bitterness, going from that to becoming a preacher, a leader, a humanitarian.

As Senator Sanders said, there's a lot of things that have not been said about Malcolm because people only want to focus on the negative. I'd rather focus on the positives, that we are all trying to make a better world. People get there in all different ways. People try to find their place through whatever background, whatever starting point they come from, to try to figure out a way to make life better.

I honor Malcolm because he understood that there were some major issues in the '60s and the '70s, and through redemptive suffering, he urged his followers to defend themselves. He didn't take any shorts from anybody. He criticized anyone that did not try to understand Black consciousness, Black power, and the need for bringing people together.

After he went on his pilgrimage to Mecca, he completely changed his mind about how to talk to people, how to work with people, and abandoned his belief in violence. He began to focus on a true brotherhood, a true hope for people of all races.

He was one of many people that inspired a generation to fight for principles enshrined in the Constitution for all peoples. And while some may only remember his aggressive approach to getting things done, we all must remember that he had compassion for what he stood for, he had an understanding of what was needed, and he tried to express himself by every means possible to bring us to a better state.

Thank you, Mr. President -- thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Senator Cleare, for this resolution.

In many ways Malcolm X is like the American dream. From "Detroit Red" to being one of the most regarded civil rights advocates, activists ever -- human rights activist. From a life certainly destined for tragedy at one point to being triumphant. That is in fact the American dream, Madam President.

We've often opined what happens when a dream is deferred and Langston Hughes and James Baldwin said that to be a Negro in this country, to be relatively conscious, is to be in a constant state of rage. But Malcolm X, instead of letting his dream be deferred or being in a constant state of rate, channeled that positively.

He passed away at the age of 39, much like Reverend Dr. Martin Luther King.

And people often want to do as they

are wont to do. When it comes to powerful Black individuals, they want to pit each other against them. They want to say you are either in the Malcolm camp or you're in the Martin camp. And that's a false dichotomy, Madam President. As we know, as we read in the last couple of years, that famous quote that was said to be by Martin Luther King about Malcolm X was in fact false.

Even though the two brothers only met each other once in life, their goals were aligned. Which was for equality -- not just for Black people but for all people.

And so when Malcolm X said by any means necessary, I want us to think about that in a contextual way, Madam President. Not just violence, or not just bearing arms or not just doing things that it's fine for other folks to do. Think about it by any means necessary, by virtue of education. And my favorite Malcolm X quote: "Education is our passport to the future. For tomorrow belongs to the people, prepare for it today."

Rest in power, Brother Malcolm.

ACTING PRESIDENT PERSAUD: Thank

you.

The resolution was adopted on April 16th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, all of the resolutions we took up today are open for cosponsorship.

ACTING PRESIDENT PERSAUD: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: There's a report of the Rules Committee at the desk.

Please take that up.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 15, by Senator Gounardes, an act to amend the Social Services Law;

Senate Print 451, by Senator Gianaris, an act to amend the Vehicle and

Traffic Law;

Senate Print 1023, by Senator Cooney, an act to amend the Cannabis Law;

Senate Print 2067, by Senator Stavisky, an act to amend the Tax Law;

Senate Print 2096, by Senator Thomas, an act in relation to authorizing the County of Nassau assessor to accept an application for a retroactive real property tax exemption;

Senate Print 3512A, by Senator May, an act in relation to authorizing Christopher Walser to take the competitive civil service examination;

Senate Print 4061A, by Senator Mannion, an act to amend the Correction Law;

Senate Print 4273, by Senator Lanza, an act to amend the Vehicle and Traffic Law;

Senate Print 4520A, by Senator Stewart-Cousins, an act in relation to authorizing Lawrence Ecker to receive certain service credit with the New York State and Local Employees' Retirement System;

Senate Print 4563, by

Senator Skoufis, an act to amend the Highway Law;

Senate Print 5291A, by Senator Skoufis, an act granting retroactive Tier IV status in the New York State and Local Employees' Retirement System to Dana Kerstanski;

Senate Print 5361A, by Senator Mannion, an act granting retroactive membership with Tier IV status in the New York State Teachers' Retirement System to Peter Guarino;

Senate Print 5530, by Senator Brouk, an act to amend the Veterans' Services Law;

Senate Print 6251A, by Senator Mattera, an act in relation to authorizing the Halesite Fire District to file an application for exemption from real property taxes;

Senate Print 6457, by Senator Breslin, an act directing the Department of Transportation to conduct a traffic and planning study on the feasibility of transforming the Harriman Campus in connection with the relocation of the Wadsworth Laboratory at Harriman;

Senate Print 6602A, by Senator Webb,

an act to amend the Military Law;

Senate Print 6696, by Senator Parker, an act to amend the Social Services Law;

Senate Print 7254, by Senator Canzoneri-Fitzpatrick, an act to amend the Vehicle and Traffic Law;

Senate Print 7409, by Senator Breslin, an act to amend Chapter 453 of the Laws of 1977;

Senate Print 7501, by Senator Martinez, an act to amend the Veterans' Services Law;

Senate Print 7600, by Senator Hinchey, an act to amend the Public Health Law;

Senate Print 7684, by Senator Chu, an act to amend the Education Law;

Senate Print 7713A, by Senator Stavisky, an act to amend the Education Law;

Senate Print 7779B, by Senator Brouk, an act to amend the Public Health Law;

Senate Print 8118, by

Senator Gounardes, an act to amend the Education Law;

Senate Print 8374A, by Senator Persaud, an act to amend the Social Services Law;

Senate Print 8505, by Senator Harckham, an act to incorporate the Bedford Hills Fire Department Benevolent Association;

Senate Print 8535, by Senator Gonzalez, an act to amend the Public Authorities Law;

Senate Print 8575, by Senator Ryan, an act to amend the Public Service Law;

Senate Print 8640, by Senator Ryan, an act to amend subpart H of Part C of Chapter 20 of the Laws of 2015;

Senate Print 8703, by Senator Hinchey, an act to amend the Navigation Law;

Senate Print 8783A, by Senator Scarcella-Spanton, an act to amend the Labor Law;

Senate Print 8827A, by Senator Bailey, an act to amend the Election Law;

Senate Print 8860, by Senator Gallivan, an act in relation to authorizing the Town of Eden to alienate and discontinue the use of certain parklands;

Senate Print 8989, by Senator Skoufis, an act to authorize Lee Weinstein to receive certain service credit under Section 384-d of the Retirement and Social Security Law;

Senate Print 9104, by Senator Gonzalez, an act to amend the State Technology Law;

Senate Print 9140, by Senator Comrie, an act in relation to directing the Department of Health to conduct a study relating to the opening of a public hospital in Southeast Queens;

Senate Print 9163A, by Senator Breslin, an act authorizing the Praise Tabernacle Church of God to receive retroactive real property tax exempt status;

Senate Print 9218, by Senator Martins, an act to amend the Nassau County Civil Divisions Act;

Senate Print 9486, by

Senator Thomas, an act to amend the Real Property Tax Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report of the Rules Committee is accepted.

Senator Gianaris.

SENATOR GIANARIS: Please take up the calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 111, Assembly Print Number 4667B, by Assemblymember Dinowitz, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 120, Senate Print 564A, by Senator Kavanagh, an act to amend the Banking Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 120, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 38. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 247, Senate Print 7861A, by Senator Martins, an act in relation to authorizing the County of Nassau assessor to accept an application for a real property tax exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 247, voting in the negative:
Senator O'Mara.

Ayes, 56. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 254, Senate Print 5905, by Senator Brisport, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 254, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 38. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 259, Senate Print 1110A, by Senator Comrie, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 259, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco and Weik. Also Senator Ashby.

Ayes, 45. Nays, 13.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

621, Senate Print 585A, by Senator May, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 621, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 42. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 700, Senate Print Number 2477D, by Senator Hoylman-Sigal, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 700, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Stec, Tedisco, Weber and Weik.

Ayes, 42. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 829, Senate Print 799, by Senator Comrie, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 829, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Stec, Tedisco, Weber and Weik.

Ayes, 44. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 830, Senate Print 7185, by Senator Parker, an act to require the Office for the Prevention of Domestic Violence to conduct a study on domestic violence in the transgender community.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator

Helming to explain her vote.

SENATOR HELMING: Thank you, Mr. President.

I am supporting this bill, but I'd just like to bring to this chamber's attention that it still is shocking to me that here in New York State we do not have domestic violence shelters located within each county. We still have several counties that don't have a safe place for women and their children who are being abused to go to.

I think that should be a definite priority that this body looks into when we look at the budget next year.

I am voting in favor of this bill.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Helming to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 890, Senate Print 2695B, by Senator Harckham, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 890, voting in the negative:

Senator Brisport.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 916, Senate Print 4743, by Senator Webb, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Mr. President.

I want to again extend my appreciation with regards to this legislation to our Majority Leader and of course my Assembly sponsor, Assemblymember Kimberly Jean-Pierre. This has been an initiative coming from higher ed with the goal to increase representation throughout SUNY, more diverse representation, to grow folks at the most senior level across our SUNY campuses.

We allocated last year, and also in the budget we just passed, money to implement this program. And so there are seven members who are part of the cohort from all across the state, and it is a great leadership initiative through SUNY.

As a SUNY alum and also a former educator at SUNY, I appreciate the work that SUNY is doing to make strides when it comes to this important issue of inclusion and equity within our SUNY university system underneath the leadership of Dr. King.

And so with the launch of this institute, we are continuing to make important investments in the success of future leaders. I vote aye and encourage my colleagues to do the same.

Thank you.

ACTING PRESIDENT BAILEY: Senator Webb to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 937, Senate Print 160A, by Senator Hoylman-Sigal, an act to amend the Judiciary Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 937, voting in the negative: Senator Martinez.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 942, Senate Print 7001, by Senator Borrello, an act to amend the Uniform City Court Act.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 980, Senate Print 3552, by Senator Breslin, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 4. This act shall take effect two years after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1004, Senate Print 1901A, by Senator Stavisky, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 1004, voting in the negative:

Senator O'Mara. Ayes, 58 -- excuse me. Senator O'Mara in the affirmative.

Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1015, Senate Print 333, by Senator Jackson, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1015, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 39. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1040, Senate Print 4742A, by Senator Cooney, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1103, Assembly Bill Number 3865A, by Assemblymember Gunther, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1104, Senate Print 2266, by Senator Krueger, an act to amend the Penal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of November.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1132, Assembly Bill Number 4853, by Assemblymember Ramos, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1132, voting in the negative:

Senator Oberacker.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of today's calendar.

SENATOR GIANARIS: Returning to motions for a moment.

On behalf of Senator Comrie, I wish to call up Senate Print 1087, recalled from the

Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 432, Senate Print 1087, by Senator Comrie, an act to amend the Public Authorities Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT BAILEY: The amendments are received.

SENATOR GIANARIS: On behalf of myself, on page 18 I offer the following amendments to Calendar 421, Senate Print 150, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT BAILEY: The

amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Gianaris.

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, May 21st, at 3:00 p.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, May 21st, at 3:00 p.m.

(Whereupon, at 4:26 p.m., the Senate adjourned.)