NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:18 p.m.

REGULAR SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT STEWART-COUSINS: The Senate will please come to order.

I ask everyone present to rise and recite with me the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT STEWART-COUSINS: In the absence of clergy, may we all bow our heads for a moment of silence.

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

ACTING PRESIDENT STEWART-COUSINS: Thank you.

The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Friday, March 20, the Senate met pursuant to adjournment. The Journal of Thursday, March 19, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT STEWART-COUSINS: Without objection, the Journal stands approved

as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

SENATOR KLEIN: Madam President, we have a motion to amend a bill on the Third Reading Calendar. On page number 8, I offer the following amendments to Calendar Number 80, Print Number 1904, at the request of myself.

ACTING PRESIDENT STEWART-COUSINS: So ordered.

SENATOR KLEIN: We also have a motion to discharge the following bill from its committee and recommit, striking the enacting clause: Senate Bill 2875, at the request of Senator Espada.

ACTING PRESIDENT STEWART-COUSINS:

So ordered.

SENATOR KLEIN: Are there any substitutions at the desk, Madam President?

ACTING PRESIDENT STEWART-COUSINS: Yes, there are, Senator Klein.

The Secretary will read.

THE SECRETARY: On page 10, Senator Sampson moves to discharge, from the Committee on Judiciary, Assembly Bill Number 4393 and substitute it for the identical Senate Bill Number 2353, Third Reading Calendar 111.

On page 10, Senator Dilan moves to discharge, from the Committee on Transportation, Assembly Bill Number 669 and substitute it for the identical Senate Bill Number 2250, Third Reading Calendar 112.

ACTING PRESIDENT STEWART-COUSINS: Substitutions ordered.

Senator Klein.

SENATOR KLEIN: Madam President, I believe Senator Foley has a privileged resolution at the desk. I ask that the title be read and move for its immediate adoption

and give Senator Foley the opportunity to speak on the said resolution.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Foley, Legislative Resolution Number 914, recognizing the many contributions of the Pakistani-American community residing throughout the State of New York.

ACTING PRESIDENT STEWART-COUSINS: Senator Foley.

SENATOR FOLEY: Yes, Madam President, I rise on the resolution.

Today I'm very proud to sponsor a resolution honoring the vibrant Pakistani-American communities throughout our great State of New York, and specifically the growing Pakistani-American population within the Third Senatorial District.

Pakistani immigrants came to this great country in pursuit of the same goals as all immigrant groups have done over time, to seek work, education, and a better life for their children and families.

Today the Pakistani-American community is made up of citizens from all walks of life. Whether they are doctors, teachers, or small business owners, Pakistani-Americans contribute to New York's great diversity, which is a great source of pride and great strength for our state.

So on this day, March 23th, which is a day of celebration for the Pakistani-American community, I am proud to welcome a delegation from the Pakistani-American Association of North America to our chambers. I want to thank them for their service and look forward to working with them in many years ahead so that their community also realizes the Amercian dream that so many other ethnic communities have enjoyed and realized these past 200 years.

And I'd like to present our community from the Pakistani-American organizations that are here with us today.

Thank you very much, Madam President.

ACTING PRESIDENT STEWART-COUSINS:

Thank you, Senator Foley.

Senator Parker.

SENATOR PARKER: Thank you, Madam President.

I represent the 21st Senatorial District in Brooklyn, which is Flatbush and East Flatbush, Midwood, Ditmas Park, Kensington and Borough Park. And I rise to add my voice and to thank Senator Foley for his leadership on this resolution, but to also, as a cosponsor of this resolution, to talk about how important this community is.

I actually have the opportunity to represent the largest Pakistani community outside of Pakistan really in the world, and have a chance in August every year of being host to the Pakistani Independence Day parade, which is quite a feat to see.

But let me just say in the time that I've had an opportunity to serve this community and work alongside the Pakistani community that I have learned that this community, like many other communities, have come here and have been part of the American

dream, that their stories are stories very similar to many immigrants, very similar to many of us in this chamber.

Many of them left a country to come here for a better opportunity and have found opportunity in small business, in medicine, and they've developed a rich cultural and religious tradition that is part of the Brooklyn milieu.

If you have not had an opportunity to eat Pakistani food, I invite you to come and sit with us and eat, because there are lots of delicacies and a lot of sweets that I've learned to eat with my friends in the Pakistani community.

And so I want to remember this day in honor of that community and want to encourage us all to continue to lift our hands open to our neighbors as we enjoy all of our rich traditions.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Parker.

Are there any other Senators

wishing to be heard on the resolution?

Hearing none, the question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

(Applause.)

ACTING PRESIDENT STEWART-COUSINS: And of course, at the request of the sponsor, the resolution is open for multisponsorship by the entire house. Any member wishing not to be a multisponsor of the resolution should so inform the desk. Thank you.

Senator Klein.

SENATOR KLEIN: Madam President, at this time can we take up a reading of Senate Calendar Number 24.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: Calendar Number

25, by Senator Schneiderman, Senate Print 1755A, an act to amend the Civil Practice Law and Rules, in relation to restraint.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: Calendar Number 48, by Senator Stavisky --

SENATOR STAVISKY: Would you lay it aside for the day, for an amendment.

ACTING PRESIDENT STEWART-COUSINS: The bill is laid aside for the day.

SENATOR STAVISKY: A couple of days.

THE SECRETARY: Calendar Number 103, by Senator Addabbo, Senate Print 2866, an act to amend the Election Law, in relation to

watchers.

SENATOR LIBOUS: Lay it aside, please.

ACTING PRESIDENT STEWART-COUSINS: The bill is laid aside.

THE SECRETARY: Calendar Number 108, by Senator C. Johnson, Senate Print 2269, an act to amend the Town Law, in relation to volunteer members.

SENATOR LIBOUS: Lay it aside, please.

ACTING PRESIDENT STEWART-COUSINS: The bill is laid aside.

Senator Klein, that completes the noncontroversial reading of the calendar.

SENATOR KLEIN: Madam President, at this time can we go to a reading of the controversial calendar.

ACTING PRESIDENT STEWART-COUSINS: If the Secretary would please ring the bells, members are all asked to come to the chamber for the controversial reading of the calendar.

The Secretary will read.

THE SECRETARY: Calendar Number

103, by Senator Addabbo, Senate Print 2866, an act to amend the Election Law.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous.

SENATOR LIBOUS: Madam President, I believe there is an amendment at the desk from Senator Flanagan. Could I ask that we waive its reading, please, and recognize Senator Flanagan, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Flanagan, thank you, your amendment is here at the desk. And let me just complete my review of it for a second.

Senator Flanagan, I've just reviewed your amendment, and it is not germane to the bill that is before us.

SENATOR LIBOUS: Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous.

SENATOR LIBOUS: I object to the ruling of the chair.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous, the ruling is based on the fact that Calendar 103 relates to the

qualifications of poll watchers, and the amendment that Senator Flanagan is offering is relating to the qualifications of voters in general.

SENATOR LIBOUS: Madam President, I believe Senator Flanagan will speak as far as the germaneness is concerned, if he could have the floor.

ACTING PRESIDENT STEWART-COUSINS: Well, Senator Flanagan, thank you. At this point, the germaneness is not going to be debated. What can be discussed, however, is whether or not the agreement is with the ruling.

SENATOR FLANAGAN: Well, Madam President --

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Flanagan.

SENATOR FLANAGAN: -- in all due respect, several other people have spoken; I haven't even had a chance to offer the amendment. You rejected it before I even formally offered, Madam President. So at least let me have the opportunity to offer it.

SENATOR KLEIN: Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein.

SENATOR KLEIN: Madam President, point of order.

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Klein.

SENATOR KLEIN: I think Senator Flanagan should have the opportunity to speak on the germaneness of his amendment.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Flanagan, please speak on the germaneness of your bill.

SENATOR FLANAGAN: Well, Madam President, I would like clarification. Because as I just mentioned, I haven't even had a chance to formally offer the amendment, and you've already rejected it as being nongermane.

I would like to be able to offer the amendment, and much to my chagrin, you can then, of course, rule it nongermane, and then I would speak to the germaneness. Because I

don't want to set a precedent.

Senator Libous, understanding for clarification, has offered the amendment. I would like to speak on the amendment, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Flanagan, the amendment I've ruled out of order.

However, the germaneness -- and that, I believe, is what Senator Klein was discussing -- the germaneness of your bill is something that we will open the discussion for. Would you like to speak on the appeal of the ruling of the chair with regard to germaneness?

SENATOR FLANAGAN: Yes, I would like to be heard on that point, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Please.

SENATOR FLANAGAN: Thank you.

I'm looking at the bill in chief, and I know this bill had been before us last week and then was laid aside. And it's

actually relatively straightforward. It's a very short bill, Calendar 103, and it talks to the qualifications of poll watchers. My amendments talks to the qualifications of voters. And they are both part of the Election Law.

I believe they are remarkably consistent, and I believe that it is germane to the debate before us or the debate that may ensue, because if you look at what we are talking about, whether it's a poll inspector or a poll watcher or a qualified voter, what we're trying to ensure is that there is one person, one vote, and some basic integrity to our electoral process here in the State of New York.

I believe my amendment is incredibly germane to what we will be discussing as part of this bill offered by Senator Addabbo, because it speaks to the very core of whether or not you can even become a poll watcher. In order for someone to become a poll watcher, they have to be a qualified voter in the State of New York. I am trying

to ensure that that process will include basic points like citizenship.

This bill will allow the State Board of Elections to promulgate rules and regulations as to providing forms and proofs of citizenship. I can't think of anything more basic. Before you become the poll watcher, you have to become a qualified voter.

And in order to become a qualified voter, if you look at relevant sections of the New York State Constitution -- Article 2, Section 1, and Article 2, Section 5, they speak to the qualifications and the registrations of voters, and they both reference the fact that you have to be a citizen.

My amendment simply provides an opportunity for the Board of Elections to get that extra layer of integrity and proof to the process to make sure that someone's a qualified voter so that they can in turn be a qualified poll watcher.

Madam President, I appeal the ruling of the chair.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Flanagan.

So the question is, shall the decision of the chair stand as the judgment of the Senate?

SENATOR LIBOUS: Madam President, I ask for a fast roll call on this, please.

ACTING PRESIDENT STEWART-COUSINS: All those in favor of overruling the decision of the chair please signify by saying aye.

(Response of "Aye.")

SENATOR LIBOUS: Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous.

SENATOR LIBOUS: Thank you, Madam President. I asked for a fast roll call and a show of hands, please.

ACTING PRESIDENT STEWART-COUSINS: Then we will have a fast roll call.

So again, those in favor of overruling the decision of the chair please signify by raising your hands.

The Secretary will read the results.

THE SECRETARY: Ayes, 29. Nays, 30.

ACTING PRESIDENT STEWART-COUSINS: The nays have it. The ruling of the chair is sustained; the appeal is denied.

Returning to the bill in the main, the Secretary will read the last section, please.

SENATOR LIBOUS: Explanation on the bill, please.

SENATOR OWEN JOHNSON: Madam President, I'd like to know if the sponsor will stand for a few questions. Senator Addabbo.

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson, I think Senator Libous had asked for an explanation of the bill.

SENATOR OWEN JOHNSON: Oh, okay.

SENATOR LIBOUS: Madam President, could we please have on explanation on the bill first.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo.

SENATOR ADDABBO: Good afternoon,

Madam President.

Colleagues, this bill simply allows us to find qualified voters to serve as poll watchers throughout any county and throughout the state. It addresses the issue of a shortage of poll watchers by increasing the pool of qualified poll watchers.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Addabbo.

Senator Johnson.

SENATOR OWEN JOHNSON: Yes, this bill changes a law which --

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson, did you wish to --

SENATOR OWEN JOHNSON: Would Senator Addabbo stand for a question?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, will you yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR OWEN JOHNSON: The present bill -- I'm going to ask you a question. The present law provides you have to either live in the district or the county

where you serve as poll watcher. I think there's nothing wrong with that law, and I'd look like to know what the reason is that you think you need this bill.

SENATOR ADDABBO: Madam President, through you. You know, traditionally there has been an issue of finding poll watchers who basically help out in campaigns throughout the state. This again just allows us to rectify this issue for both sides, both parties, by again finding an increased amount of poll watchers by increasing the pool.

SENATOR OWEN JOHNSON: Now, if this is a problem --

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson, would you wish for Senator Addabbo to continue to yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR OWEN JOHNSON: All right. I get around to it.

My question to you, Senator, is has a political organization or organizations

sought to get poll watchers? They have some outreach to find enough poll watchers? Or there's nobody taking an interest in it? What's the reason why they don't exist?

SENATOR ADDABBO: Madam President, this has been an issue throughout many campaigns throughout the state. And obviously we encourage people to get active in campaigns. And poll watchers are simply there to assist.

SENATOR OWEN JOHNSON: I'd like to know if Senator Addabbo will take another question.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you continue to yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR OWEN JOHNSON: Have you thought of any other way to do it, like contacting the Board of Elections or something and ask them to get some kind of regulation, ask for some legislation which would encourage people to become poll watchers?

SENATOR ADDABBO: Madam

President, we have found that this piece of legislation addresses it in one way. There may be alternative ways, but today we are entertaining this bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson, would you like Senator Addabbo to continue to yield?

SENATOR OWEN JOHNSON: Yes, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you continue to yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR OWEN JOHNSON: Well, you know, we had a bill last week which weakened the requirements for filing absentee ballots. I argued against that because I thought it was inappropriate to approve any voting which was not in accord with the present law.

In this case, I think the same thing is happening. You're allowing the introduction of people who may not be known in the district, may not have any relationship to that district or even that campaign, and yet

you're going to bring them in and let them be watchers.

We've had trouble with watchers in the past, and I think you're going to create a problem with watchers. What do you think about that?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo.

SENATOR ADDABBO: Through you, Madam President. Simply, poll watchers where are there to help. If they don't help and they're disruptive, they're thrown out, as traditionally has been done.

So we are not, obviously, changing the face of a campaign here by asking for additional poll watchers. Poll watchers are simply there to assist.

SENATOR OWEN JOHNSON: Well, thank you for your response to my questions.

I still think it's a dangerous thing to do --

ACTING PRESIDENT STEWART-COUSINS: Senator, is this on the bill?

SENATOR OWEN JOHNSON: I'm

talking on the bill now.

ACTING PRESIDENT STEWART-COUSINS: Okay. Senator Johnson, on the bill.

SENATOR OWEN JOHNSON: -- how you and I get along. Thank you, Senator.

Anyway, I think this weakens the present system for voting in a dangerous way, and we should not permit outsiders to come and be poll watchers. We should make sure the local officials or Board of Elections, whatever, can certify them that they are proper poll watchers for that district.

That's all.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Flanagan.

SENATOR FLANAGAN: Thank you, Madam President. Would Senator Addabbo yield to some questions, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR FLANAGAN: Senator

Addabbo -- through you, Madam President -- I was listening to your comments. Where is this a problem?

SENATOR ADDABBO: Well, you know, you'll find it even in my area, where the Democrats may outweigh the Republicans in terms of voter registration, and the Republicans have had problems in the past. And you may find it throughout the -- I'll talk about my district, because I know it best, but you may find it throughout the state as well.

SENATOR FLANAGAN: But do you have -- Madam President, through you, if Senator Addabbo would continue to yield.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you continue to yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR FLANAGAN: This is a fundamental shift, because this is the type of thing that will lead to other potential changes in the Election Law.

My basic point is that yours is

sort of anecdotal. Do you have anything from the New York State Board of Elections, do you have anything from the county board of elections, do you have anything from the New York State election commissioners, do you have any studies, any background, any statistical data that could actually verify that there is a systemic problem? And if so, where is it?

SENATOR ADDABBO: Madam President, through you. Like I said, Madam President, like I mentioned, in my own district I've had issues. And simply what we are doing here is just allowing a poll watcher to work on a certain campaign.

Again, given the simplicity of the poll watcher's role, I don't think it's a big issue, but it has been an issue throughout the state.

SENATOR FLANAGAN: Madam President, through you, if Senator Addabbo would continue to yield.

ACTING PRESIDENT STEWART-COUSINS: Senator, do you continue to yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR FLANAGAN: I would just go back to the question that I had originally asked. Do you have anything from the New York State Board, do you have anything from the election commissioners? Have your own election commissioners in New York City come to you with anything and said we really need to do this? Is this part of any legislative program that you should show us that would justify that there's some need or there's some actual problem?

SENATOR ADDABBO: Madam President, through you, no.

But I do know of candidates, firsthand, whose own family members can't work on their campaign because that family member works or lives in another county. So again, how can you justify one family member not helping out on a campaign of a family member who's running?

And I think again, just for the fact that that person to be a poll watcher is

not going to change the course of the campaign. Let's face it. Let's hope that we still believe that candidates mean something and the issues that they campaign on mean something, and that the poll watcher isn't going to change the face of the outcome of a campaign.

SENATOR FLANAGAN: Madam President, on the bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Flanagan, on the bill.

SENATOR FLANAGAN: In looking at the amendment that we had originally offered and now looking at this bill, I'm troubled. Because what Senator Addabbo just said was that, you know, he has stories about family members who couldn't work on somebody's campaign because they don't live in the county. The reality is somebody can work on anybody's campaign; they just may not be able to be a poll watcher.

So no, there's no prohibition against someone who lives upstate coming down to the City of New York, working on a

relative's campaign or working on any campaign, for that matter. We do have a distinction in the law as to what you need to be or what qualifications you have to have in order to be a poll watcher.

The fact that we have a bill before us that is not part of any legislative program from either the City of New York, from the New York State election commissioners, from any county boards of elections, from any group, any organized group saying this is a problem and we need a fundamental change in election law policy in the State of New York, is something frankly we should all be looking at and paying attention to.

This, to me, is some type of solution looking for a problem. And I just don't think it's a good bill. It's a precedent that will start us down a path that's going to change the way we do elections, and I think it's a bad precedent.

ACTING PRESIDENT STEWART-COUSINS: Senator Robach.

SENATOR ROBACH: Yes, Madam

President, would Senator -- you know what, actually, skip the question. Let me just speak on the bill directly.

You know, we all want to have integrity and make sure elections are good. But I do really think, while this isn't earth-shattering, this is not the right way to go.

As a matter of fact, the example you used, we voted on a bill several years ago that we said family members couldn't be election inspectors of people running, and play official roles, to try and put integrity in the system. This seems to me to be some convoluted way, ill-advised, almost going in the opposite direction.

And I want to say my opposition to this bill, I didn't really think about them as campaign workers, but it's been my experience, whether they've been Democrats or Republicans, there's an adage that says all politics are local. It's often used, and it's a good one. They should be local. Most of the time when there is disruption in campaigns or at polls,

99 percent of the time it's people from out of town, who don't live there, who come in, who are disruptive.

While we should encourage people to be poll watchers, I think there's a much, much better way. And while this may not be earth-shattering, it is fundamentally important. And I think once you open up that door, it would not be good.

So I would encourage people to vote no. There's got to be a better way, some way we can incentivize poll watchers that may be affiliated with the party but live in that area. They're going to be a little bit more official, nonpartisan, if you will, much like an election inspector. I really, really do think this is the way to go.

Many of us have been here for a while. I can't remember what year it was when we did those reforms. I know that because I put my own mother out of business, who had been an election inspector for 30 years, who could no longer do that in the years I was running. And while I didn't like that for

her, it made sense.

I think this is similar. We want to have people involved, but we should make sure there's all the integrity in the world. I don't see how this goes to that. To encourage people to come in who don't live there to be influential in the process in any way I just don't think is beneficial.

I'll be voting in the negative, and I'd encourage all my colleagues to vote no as well.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Foley.

SENATOR FOLEY: On the bill in chief.

This particular proposal is going to help the election process. I can say, whether in my own campaign or in other campaigns that I've been involved in and have heard about, it's been very, very difficult to find poll watchers to cover every election district, much less every polling place.

This will enable the State of New York to have, say, some symmetry between the fact that you can be from anywhere in the State of New York and carry petitions; now the same can hold true of poll watchers.

The fact of the matter is if there was more than enough local registered voters to be poll watchers, this bill would not be necessary. However, the reality of current and future elections and campaigns are such that there are not enough poll watchers in any given campaign from the local level.

This will enable campaigns, whether they be Democrat, Republican, or elsewhere, to bring in enough poll watchers to ensure that the process is legitimate. That's the role of a poll watcher, to watch those particular polls. Without this resolution, we're going to have the current practice continue where election districts and polling places will be vacant of poll watchers. And that, to me, is small-D antidemocratic.

So similar to a string of reforms that have come from Senator Addabbo and the

Elections Committee, this is another resolution that will in fact empower the voting process in this state and help to bring poll watchers where they need to come, which is to those polling places that heretofore have had no poll watchers.

That's why I'm going to vote in the affirmative. Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Foley.

Senator Savino.

SENATOR SAVINO: Thank you, Madam President.

First let me say thank you to Senator Addabbo for bringing this issue forward. And while I am sensitive to the concerns that have been raised by people who think that this particular piece of legislation would set a precedent, in fact what it is is it's continuing a precedent that we began when we lifted the requirement that petition gatherers had to be residents of the county in which they collected petitions.

Now, there's been -- and I think

Senator Addabbo raised the issue about family members, and I used that earlier today when I spoke to someone. I have a brother who I probably trust with my life, and certainly nobody is more concerned about his sister than my brother. But he doesn't live in my Senate district. And it's a fact he could not even stand there in a poll site just to make sure that his sister's interests were protected or anybody's interests were protected.

In addition, I represent a bi-borough district, like many of the members here do. And when we get to redistricting, all of our districts are going to change somewhat. And when I ran for office the first time, I lived in Staten Island. The district I represent is half Brooklyn, half Staten Island.

I didn't have the relationships in Brooklyn that I needed, that I had to build during the campaign process, and all of my volunteers came from Staten Island. Those people were prohibited from going across the bridge to Brooklyn to be poll watchers for me

on Election Day. It was a hindrance to my campaign, and it's something I think we should lift for other candidates as well as other members in this room who could conceivably see their districts change somewhat at the next redistricting period. Like Senator Thompson here. Like Senator Hassell-Thompson, who represents two counties. Like several of you who represent multiple counties.

So all we're doing, we're not creating a new precedent, we're continuing a precedent that was begun when we lifted the requirement that petition gatherers had to be residents of the county and expanded them to be registered in the state. And that is all this bill will do.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Padavan.

SENATOR PADAVAN: Would Senator Addabbo yield to a question, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you yield?

SENATOR ADDABBO: Yes.

SENATOR PADAVAN: Is it not true, Senator, that any person in the City of New York can be a poll watcher in any county in the City of New York?

SENATOR ADDABBO: I believe so.

SENATOR PADAVAN: Correct. So therefore the argument presented by yourself anecdotally in your district where you cited a need, and the one we just heard from Senator Savino, is totally irrelevant to the issue.

SENATOR ADDABBO: Madam President --

SENATOR PADAVAN: Is that correct?

SENATOR ADDABBO: Madam President, if somebody from another, say, upstate area wants to work as a poll watcher in my campaign, they cannot.

SENATOR PADAVAN: That's true. So that's why --

ACTING PRESIDENT STEWART-COUSINS: Senator -- Senator --

SENATOR PADAVAN: Will you yield

again, please?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you continue to yield?

SENATOR ADDABBO: Yes, sure.

SENATOR PADAVAN: We have a city of 8 million people. Senator Foley has a county of 1.5 million, or roughly. And there are 2 million people in Brooklyn. You trying to tell me that you're going to find more people from outside those regions with less population to fill the void that you've identified?

SENATOR ADDABBO: Madam President, why would I want to deny someone who wants to help out in my campaign but may not come from within the five boroughs and I've got to tell that person "no, you can't"?

All we're looking to do is have people become involved in the campaign, and their role, their mere role is to observe and maybe inform and assist a campaign. So why would I want to deny someone who may be a close friend of mine or a family member who does not live within the five boroughs, and

I've got to tell them, no, they can't be a poll watcher?

Again, this is a bill that seeks to just have an increased amount of opportunity for those who want to be poll watchers, and this bill does helps both sides of the aisle.

SENATOR PADAVAN: Madam President, on the bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Padavan, on the bill.

SENATOR PADAVAN: Initially, in response to Senator Flanagan's question when he asked was there any request from anybody relevant, any entity relevant to this issue as a need -- and of course the answer was no, but the answer also was anecdotally, in my district. And I just pointed out to the good Senator that his district is in the City of New York, with a pool of 8 million people on upon which he could draw.

And then Senator Savino talks to us about a difference between Staten Island and Brooklyn. And anybody from Staten Island can come over to Brooklyn and vice versa, under

the current law. So therefore, that argument doesn't hold any water.

But let's get to the fundamental issue here and cut to the chase. What this is all about is to have the ability to focus on specific races, which may be one way or the other in sway, and to bring people in from all over to zero in on that seat. That's what it's all about. It's not because there are not enough people to deal with the issue of poll watchers. It's a political manipulation.

And I don't think the Election Law should be used for that purpose.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein.

SENATOR KLEIN: Thank you, Madam President. On the bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, on the bill.

SENATOR KLEIN: I want to commend Senator Addabbo for this legislation because I think it's a very practical piece of legislation. I've heard some debate on both sides of the aisle, and let's face it,

volunteers on Election Day are at a premium. And it's much more difficult to get volunteers.

But I think one of the things that I think we have to get across is there's a difference between a volunteer who we would get to give out palm cards or literature in front of a polling place and a poll watcher, whose sole job is to make sure that voters aren't disenfranchised and, quite frankly, there's no illegality at the polling place.

Many of us in this conference have traveled far and wide to make sure that elections in other localities and other countries take place fairly. As a matter of fact, I know -- he's not in the chamber, but I know Senator Schneiderman has been to the Dominican Republic during their presidential races to make sure, again, the voters got to vote at the specific polling place and no voters were disenfranchised.

So I think this is a practical solution. I myself, who represents a district which is in Bronx County and Westchester

County, let's say my next-door neighbor wanted to be a poll watcher in the far end of my district in Eastchester in another county, outside of New York City. My next-door neighbor couldn't be a poll watcher on Election Day during my race.

So I think this is just going to open up the number of people that we can send to make sure that elections across our state are aboveboard and honest.

I vote yes. And I think this is a very good piece of legislation, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Little.

SENATOR LITTLE: Thank you, Madam Speaker. Would the sponsor yield for a question?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you yield?

SENATOR ADDABBO: Yes, Madam President.

SENATOR LITTLE: Thank you. Just one question, if you would.

You talk about rural areas and that the reason to bring a carload or busload or whatever, group of people in from downstate up to the rural areas. And just by way of facts, I represent six counties, 306,000 people who occupy 7800 square miles. So I qualify as rural, believe me.

These people coming into this area would have no knowledge of the area or the people or the voters or anyone coming in or any of the things going on there. Why do you in your memo believe that the justification for this bill is that in a rural area people have so far to go to the polling places? They go there because they go there to vote as well, and they have just as far to go in that respect.

I have never had a problem with poll watchers in the six counties, and I daresay there are several hundred election districts.

SENATOR ADDABBO: Madam President.

ACTING PRESIDENT STEWART-COUSINS:

Senator Addabbo.

SENATOR ADDABBO: I think what we're looking at here is how we can involve people in campaigns. And I think we've all on this floor, in one form or another or at some point or another, have encouraged people to get involved in either our own campaign or somebody else's campaign. And that is exactly what this bill is doing, asking people to get involved in a campaign, legally.

And what we're doing here is looking at the role of a poll watcher. A poll watcher gets a certain amount of training, a poll watcher gets a certain amount of instruction, and they are there to observe and possibly assist, but for the most part to observe. I don't think they need to have an institutional book knowledge of the district as much, but to know the candidate.

And let me stress the candidate, because I think that's sometimes what gets lost around here, the fact that a candidate is a good candidate regardless of how many poll watchers they have, and they can really only

have a maximum of three, I understand, at a certain polling place. Okay? So it's not that we're flooding the polling site with poll watchers; a maximum of three.

And that the candidate is a good candidate, and the issues that the candidate campaigned on is one of merit as well. So let's not think that the poll watcher is going to be so disruptive to a campaign and turn the campaign on its heels and have an outcome decision based on the amount of poll watchers. But that the campaign, the issues, and the poll watcher role has to be considered strongly as well.

SENATOR LITTLE: Thank you, Madam Speaker. On the bill, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Little, on the bill.

SENATOR LITTLE: Thank you.

When we talk about the issue of poll watchers, I think the sponsor continues to talk about campaigns and the campaign workers. Certainly you can have a campaign worker from anyplace -- this state, another

state, another country, whatever -- and those people are involved in getting the vote out and working for their candidate throughout the campaign.

The fact that they cannot be a poll watcher I think is immaterial, because there are so many other things that are done on Election Day, and usually those people are pretty exhausted by Election Day. So the fact that this is one thing they can't do does not justify opening up the door and saying that you could have poll watchers who did not live in the area, did not know the area, just came in from anywhere and are there, whether it could even be thought of as intimidation to some people in a rural area to have unknown people standing around and watching them vote.

So for those reasons and for many other reasons, I vote no on this bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President. I rise just to make a couple of comments on the bill.

In my election in 2000, I also ran in two counties, and I happen to live in the County of Westchester, which represents only 16 percent of the entire district. In going to the Bronx, which even though I had relationships, going there as a person seeking election was a very different set of circumstances.

It would have been extremely helpful to me and it would have boosted my confidence in the ability to ensure that in every election district that I was going to get a fair opportunity.

I see this bill as an opportunity for those who really care about fairness and to ensure that every person who's running for election gets a fair opportunity and to make sure, number one, that the machines are properly operating. They do a variety of things that are of assistance to the campaign. And it's more than just to the candidate that they may be there to support.

But also, we sat here for I think three hours a couple of weeks ago debating

whether or not people were voting in the right polls, the right pew -- right church, wrong pew, and a variety of issues. And these are things that poll watchers are able to do. They're able to assist people with the address sheets that many -- that many times no one else has the opportunity to do.

I don't see this as a bill that threatens anyone but, rather, gives an opportunity for everyone to have good poll watchers, people that are watching their back, watching to make sure that the election process is fair. This bill is about fairness and nothing else.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Larkin.

SENATOR LARKIN: Thank you, Madam President. On the bill.

ACTING PRESIDENT STEWART-COUSINS: Senator Larkin, on the bill.

SENATOR LARKIN: I've been in politics 30 some years. I've ran in 20

campaigns as a candidate. I've run in two counties, I've run in three counties, I've run in four counties. I never had a problem with poll watchers from my own district, and I don't believe that there's a problem here.

You know, I think we're also talking about campaigns and poll watchers as if the poll watcher was there to make sure that your party doesn't get in. I think if you're a candidate and you've got a committee and you don't get out and make sure that there's enough poll watchers, shame on you.

This is a nice piece of PR if you're in New York City, maybe. But those of us who live upstate live in a multitude of areas. And what we have to be responsible for is to see that we get people who know the community. Because when someone says they live in Wallkill -- well, Wallkill, John Bonacic, is that Wallkill yours or is it the Wallkill that I have?

But somebody coming in from Oshkosh isn't going to know -- well, you know what I'm talking about, you Lebanese.

(Laughter.)

SENATOR LARKIN: I've got to be careful; that could be a faux pas.

But what we really need to say is are we making a mistake here? Are we opening up a can of worms here? I mean, if -- you know, and I understand what Senator Addabbo is trying to do. He went through a tough campaign, he said, and he thinks that this is important that they do. But then it's your responsibility, your committee's responsibility to go out and get the poll watchers. And if you can't get the poll watchers, maybe you shouldn't be in the race.

I mean, you know, and we talk about fairness here, we talk about -- you know what this is? This is something that makes you feel good.

I asked 10 town chairpeople over this weekend, because of what we did with this last week, and they said: No, no, no, no, no, no, nobody is coming into this town and be a poll watcher, we go and get our own.

That's the way it should be

handled. You come up to my area, I'll take you into Newburgh, which is a highly Democrat district, where -- you know First Street, where Mabel's Diner was before? They won't know that. But Craig Johnson's lived there half his life. He wouldn't know where it's at.

I think what you're really doing here is putting a bill on the calendar, it sounds nice, it's going to pass both houses and the Governor is going to sign it. But I think you're doing a distrust of your local people. You're saying, you know, Senator, I don't trust you, I'm going to get my own from -- we're going to go call Dale Volker and bring him in from Western New York, or we're going to call Bill Stachowski and bring him in there from there.

This bill is not needed. What's needed is for candidates and committees to do their homework. I vote no.

ACTING PRESIDENT STEWART-COUSINS: Senator Perkins.

SENATOR PERKINS: Thank you,

Madam President.

I want to commend first my colleague, Councilmember turned Senator Addabbo, for this legislation.

You know, the operative word in poll watcher is "watcher." Which suggests that it's a relatively passive thing. It's not like an inspector that actually touches the equipment and manipulates different aspects of the equipment to make sure that it's running properly.

They just watch and they, at worst, contact their campaign and inform them of what is or is not happening. And very often, if it's something bad, it alerts the campaign to come in and do due diligence about making sure that things are right.

But really, it's a very passive type of an operation. They don't get paid. And the more poll watchers, the better. We don't have too many poll watchers. And they're really not necessarily under the jurisdiction of the county leader or the bosses. They're really opportunities for the

campaigns, the candidates to have someone at the polling site to ensure that the equipment or the process is going forward smoothly and to report if there are any problems.

Sometimes, if there are, they'll make a record of it, and the Department of Justice may get involved. But more often than not, they don't really do much more than that.

And so I don't see this as being intrusive. I don't think any county leader or boss would really have any problems in terms of their leadership as far as that happening. It just gives the candidate some folks at the polling site that enables them to know what's more or less going on. And it's essentially about watching.

And from that point of view, I think it's a fairly passive thing, and we need more of them and we don't have enough as it is.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Madam President. Would Senator Addabbo yield for a question?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo, do you yield he for question?

SENATOR ADDABBO: Yes, Madam President.

SENATOR STAVISKY: Will the Senator explain why I can go anywhere in the State of New York to obtain signatures for a candidate -- first according to a court ruling, and now I believe legislative action guaranteed this right -- and yet I can't go next door to Brooklyn to act as a poll watcher?

ACTING PRESIDENT STEWART-COUSINS: Senator Addabbo.

SENATOR ADDABBO: Madam President, I think Senator Stavisky is correct. A person -- I'm in jeopardy of comparing apples and oranges, but it is true, a person can carry a petition to get a candidate on the ballot and work weeks upon weeks, days upon days, and long days at that.

And that same person, if they live outside of the five boroughs of the city, currently they cannot be a poll watcher on the particular campaign that they were a petition carrier for.

So we have here, with this bill, a side benefit of having continuity between a petition carrier and a poll watcher.

SENATOR STAVISKY: Thank you, Madam President. Senator Addabbo has answered my question, and I appreciate his response.

I vote aye.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Stavisky.

Senator LaValle.

SENATOR LaVALLE: Thank you, Madam President.

I was not going to speak on this bill until Senator Padavan spoke. And in his inimitable fashion, he cuts right to the chase.

I have learned, being in this chamber for a while, whenever certain words are used like "empowerment" and "fairness,"

that means that someone's going to win in the fairness argument and someone is going to lose, someone's going to be more empowered and someone's going to be less empowered.

This is the second bill in two weeks that, in my humble judgment, weakens the Election Law.

I have also learned in my tenure here that if there is one committee in this Legislature that is the most political committee, it's the Elections Committee. Because nothing comes out unless it's going to benefit your point of view or your political party.

So I think we need to call it what it is. We are lessening the requirements, we are making it easier for the Democrat Party to participate in certain races. And I say that because out in Suffolk County over the last couple of years, there have been busloads of people coming from the west to the east, participating in various forums.

If you, Senator Addabbo, had in your bill that individuals could participate

as a poll watcher but not be paid, you know, maybe I would feel a little better. Not a lot, but a little better. I don't know whether there will be, as poll watchers, people from ACORN or people from another part of the state that have no interest really in the communities that we live in, whether it be in Senator Little's district up in the North Country or in eastern Long Island.

So this is a political bill. It was a political bill a week ago. And I don't know -- this is early on in the session -- what other bills that we're going to have that will reduce the standards for voting.

And we've all made speeches that being enfranchised to vote is very, very precious in being an American, and I think we want to safeguard that. We want to have good standards, not less standards. As someone said but a week ago, what does it take to write your whole name out, "Kenneth P. LaValle"? What does it take, rather than just putting "K.P. LaValle"?

So this is a bill that at some

point in time people are going to in our respective districts, as this aggregates, bill after bill, week after week, to say why are you lessening the standards? Why are you lessening the standards?

So when we have a roll call vote on this, I'm going to vote in the negative on this, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Liz Krueger.

SENATOR LIZ KRUEGER: Thank you, Madam President.

Egads, democracy has broken out in the New York State Senate. I appreciate my colleagues' comments. Why would Senator Addabbo as the chair of the Election Committee week after week bring bills to the floor to ensure that people have the right to vote?

Thank you, Senator Addabbo. We want people to have the right to vote. We want to have elections where everyone can watch each other and make sure that the law is followed and that every voter, regardless of

party, is protected in their fundamental right to vote.

Why would Senator Addabbo want to increase opportunities for participation and democracy? Because he believes in the democratic process. And both parties believe in the democratic process.

So I'm delighted you have brought this bill to the floor, Senator Addabbo, and I was delighted that you brought other bills so far. And I expect that you will continue to bring bills to the floor of the Senate to make sure that we protect every single American's right to the vote.

Because we know that the turnout rate is too low. We know that the voter registration rate is too low. We know that the future of democracy -- small D -- is fundamentally in our hands to make sure that every person knows they have the right to vote, every person gets assistance if they need it to vote, and every American is confident that every election is run such that your vote counts.

So thank you very much, Senator Addabbo. I'll vote yes.

ACTING PRESIDENT STEWART-COUSINS: Senator Oppenheimer.

SENATOR OPPENHEIMER: Thank you.

I also want to thank Senator Addabbo. Because, you know, this is America, and we should try and encourage people to get involved in the process, in the election process, in voting.

But my question was answered. I was about to ask the question. I think it passed almost unanimously about a year or two ago that we permitted people to carry petitions who were from all over the place. It didn't have to be your county; far from it.

I know that in the case of my opponent in the last election, we looked at all the people who were carrying the petitions and we only found one from Westchester and we found about 80 from everywhere else in the state.

So I was about to ask, well, then, how come you all voted on the other side for

petition gatherers to be able to come from any county in the State of New York? And I got my answer, so I don't have to question. I was going to question Senator LaValle, but I got the answer, and it really had to do with the federal court.

So that's the answer. You don't have to give it to me.

ACTING PRESIDENT STEWART-COUSINS: Are there any other Senators wishing to be heard on the bill?

Hearing none, the debate is closed.

Secretary, will you please ring the bells.

SENATOR LIBOUS: Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous.

SENATOR LIBOUS: Could we have a slow roll call on this, please.

Is it granted, Madam President?

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Libous.

SENATOR LIBOUS: Thank you.

ACTING PRESIDENT STEWART-COUSINS:

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll slowly.

THE SECRETARY: Senator Adams.

ACTING PRESIDENT STEWART-COUSINS: Senator Adams, to explain his vote.

SENATOR ADAMS: Thank you, Madam President.

Of course I want to thank Senator Addabbo for his bill. But I think something else came out today that I find alarming to hear, that anyone would believe that the party in charge will use the Election Committee for their own purpose.

That's a sad commentary, figuring this is the first year we're in charge for almost 60 years, to hear that our colleagues was using the Election Committee for their own purpose. I don't want to believe that.

I believe the Election Committee and the chair of that committee understand the importance of using that committee to ensure

inclusion in voting. I believe that's what Senator Addabbo is doing.

And I think that if my colleagues used it for the last 60 almost years for their own purpose, then shame on them. We want to do something else with that committee. We want to use that committee to make sure --

ACTING PRESIDENT STEWART-COUSINS: Can we have order in the chamber, please.

SENATOR ADAMS: We want to use that committee to make sure that we do not deny access to vote.

And I've said it over and over again from this floor, we have to stop embracing the arrogance. Just because we're not intimidated with the election process, countless number of New Yorkers all across the state are intimidated with the process. Poll watchers, as Senator Perkins stated, is merely there to watch. And the only time you're afraid of someone watching is if you have your hands in the cookie jar when you're not supposed to have it in there.

I vote aye.

ACTING PRESIDENT STEWART-COUSINS: Senator Adams to be recorded in the affirmative.

The Secretary will continue to call the roll.

THE SECRETARY: Senator Addabbo.

SENATOR ADDABBO: Aye.

THE SECRETARY: Senator Alesi.

SENATOR ALESI: No.

THE SECRETARY: Senator Aubertine.

SENATOR AUBERTINE: Aye.

THE SECRETARY: Senator Bonacic.

SENATOR BONACIC: No.

THE SECRETARY: Senator Breslin.

SENATOR BRESLIN: Aye.

THE SECRETARY: Senator DeFrancisco.

SENATOR DeFRANCISCO: To explain my vote.

ACTING PRESIDENT STEWART-COUSINS: Senator DeFrancisco, to explain his vote.

SENATOR DeFRANCISCO: Yes, it's -- you know, I guess the art of politics

includes the ability to be able to make anything sound good and to be in a position to try to hide the real reason for a bill in the interests of the voters of the State of New York and the protection of those voters.

Well, I think the general public clearly understands that at each polling booth there are inspectors, both Republicans and Democrats, to make sure that the process is orderly. And in each district, individuals can become poll watchers if they, under current law, happen to live in that particular district or in the county. And in the City of New York, the 8 million voters can be poll watchers anywhere within the City of New York.

To suggest that the current system doesn't protect voters is nonsensical, to say the least.

What this bill is really about is that people can have all of their volunteers campaign all over this state for any candidate they want, but they're stuck 100 feet outside of the polls unless they're a poll watcher.

So this basically gives campaign

workers the ability to come from New York City or highly populated areas, to go to Senator Little's district and to be there to interject themselves in the elections of that particular community. Not simply by campaigning a hundred feet outside of the polling booth, but being in the polling areas, right in the room where the polling is taking place. That's campaigning.

And if you want to protect somebody and you think there's protection that's needed, you simply get someone from your own locality watching over their own people that are making sure the elections are going to be fair.

You know, people all over the world emulate our system, and our system works. And we shouldn't dilute it week after week in the process that's appearing to happen right now.

And lastly, I just want --

ACTING PRESIDENT STEWART-COUSINS: Senator DeFrancisco, how do you vote?

SENATOR DeFRANCISCO: I vote no.

And I just want to again

congratulate the Majority, another banner day. I think we've passed two bills today. Three, I'm sorry. Three. And we're still waiting for the budget bills to come forward.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Senator DeFrancisco to be recorded in the negative.

Let me remind Senators that there is a two-minute timeline to explain your vote.

The Secretary will continue to read the roll, please.

THE SECRETARY: Senator Diaz.

SENATOR DIAZ: Aye.

ACTING PRESIDENT STEWART-COUSINS: Senator Dilan.

(Response of "Aye.")

THE SECRETARY: Senator Duane.

SENATOR DUANE: Yes.

THE SECRETARY: Senator Espada.

SENATOR ESPADA: Aye.

THE SECRETARY: Senator Farley.

SENATOR FARLEY: No.

THE SECRETARY: Senator Flanagan.

SENATOR FLANAGAN: No.

THE SECRETARY: Senator Foley.

SENATOR FOLEY: Aye.

ACTING PRESIDENT STEWART-COUSINS: Senator Fuschillo.

SENATOR FUSCHILLO: No.

THE SECRETARY: Senator Golden.

SENATOR GOLDEN: No.

THE SECRETARY: Senator Griffo.

SENATOR GRIFFO: No.

THE SECRETARY: Senator Hannon.

(No response.)

THE SECRETARY: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Aye.

THE SECRETARY: Senator Huntley.

SENATOR HUNTLEY: Yes.

THE SECRETARY: Senator C. Johnson.

SENATOR CRAIG JOHNSON: Yes.

THE SECRETARY: Senator O. Johnson.

SENATOR OWEN JOHNSON: To explain my vote.

ACTING PRESIDENT STEWART-COUSINS: Senator O. Johnson, to explain his vote.

SENATOR OWEN JOHNSON: Our democracy and the validity of our elections are guaranteed by the present law which is now on the books. This law should not be changed or diminish in any way the protections of the sacred secret ballot.

And therefore, I vote no.

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson to be recorded in the negative.

The Secretary will continue calling the roll.

THE SECRETARY: Senator Klein.

SENATOR KLEIN: Yes.

THE SECRETARY: Senator L. Krueger.

SENATOR LIZ KRUEGER: Aye.

THE SECRETARY: Senator C. Kruger.

SENATOR CARL KRUGER: Yes.

THE SECRETARY: Senator Lanza.

SENATOR LANZA: No.

THE SECRETARY: Senator Larkin.
SENATOR LARKIN: No.
THE SECRETARY: Senator LaValle.
SENATOR LaVALLE: No.
THE SECRETARY: Senator Leibell.
SENATOR LEIBELL: No.
THE SECRETARY: Senator Libous.
SENATOR LIBOUS: No.
THE SECRETARY: Senator Little.
SENATOR LITTLE: No.
THE SECRETARY: Senator Marcellino.
SENATOR MARCELLINO: No.
THE SECRETARY: Senator Maziarz.
SENATOR MAZIARZ: No.
THE SECRETARY: Senator McDonald.
SENATOR McDONALD: No.
THE SECRETARY: Senator Monserrate.
SENATOR MONSERRATE: Aye.
THE SECRETARY: Senator Montgomery.
SENATOR MONTGOMERY: Yes.
THE SECRETARY: Senator Morahan.

SENATOR MORAHAN: No.
THE SECRETARY: Senator Nozzolio.
SENATOR NOZZOLIO: No.
THE SECRETARY: Senator Onorato.
SENATOR ONORATO: Yes.
THE SECRETARY: Senator Oppenheimer.
SENATOR OPPENHEIMER: Aye.
THE SECRETARY: Senator Padavan.
SENATOR PADAVAN: No.
THE SECRETARY: Senator Parker.
SENATOR PARKER: Yes.
THE SECRETARY: Senator Perkins.
SENATOR PERKINS: To explain my vote.
ACTING PRESIDENT STEWART-COUSINS: Senator Perkins, to explain his vote.
SENATOR PERKINS: Again, I want to compliment my colleague on this very, very important piece of legislation.
You know, this democracy's greatness is the opportunities that it provides for empowerment. You know, opening up the opportunity for people to have a say

about their community, about their lives. It's a great tribute.

This bill is not about empowerment any more than this bill is about being paid for being a poll watcher, because poll watchers technically don't get paid. It's inspectors that get paid. Poll watchers are volunteers in campaigns that are basically there to watch the operation and possibly report to the respective candidates about what is or is not going on.

And it is not intrusive, and it doesn't matter where they come from, frankly, because all they're doing is watching. And if there is a need to bring them someplace by any particular candidate, regardless of where they come from, there's nothing wrong with that. And I don't think our democracy, our efforts towards fair elections is in any compromised or inhibited by that.

I think quite the opposite, that our democracy is enhanced by the opportunity we provide candidates to provide watchers for elections.

So I vote aye on this and again want to compliment my colleague for putting it forward.

ACTING PRESIDENT STEWART-COUSINS: Senator Perkins to be recorded in the affirmative.

The Secretary will continue to call the roll.

THE SECRETARY: Senator Ranzenhofer.

SENATOR RANZENHOFER: No.

THE SECRETARY: Senator Robach.

SENATOR ROBACH: No.

THE SECRETARY: Senator Saland.

SENATOR SALAND: To explain my vote, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Saland, to explain his vote.

SENATOR SALAND: Thank you, Madam President.

Madam President, I heard a number of reasons why this was a good bill. I heard reference to enabling friends to work on my campaign. I heard reference to this being a

passive operation.

I heard Senator Stavisky ask Senator Addabbo whether she would be able to serve as a poll watcher in Brooklyn. I believe she resides in Queens. I heard Senator Addabbo earlier, in response to another question, say that anybody in the city can work at a polling place in any other of the boroughs. So there's nothing that prevents Senator Stavisky, under current law, from serving as a poll watcher in Queens.

My concern is much like the concern that I expressed during a debate we had on another supposed empowerment bill within the past week or two. What I see again is the reach of the clubhouse. I see the reach of organized groups. I see the reach of people with little or no interest in a community in effect trying to impose their will on a community.

This is not a petitioning process, which is in fact a far more passive process. Someone -- you don't have to open your door, you don't have to sign the petition when

you're walking in the street. You don't have to be in the shop -- if you're in a shopping center, you can just shrug them off. You can look at the petition and say "No, I don't want to do it."

Putting people from outside of a community -- and incidentally, I'm not aware, in my 29 years in both houses of this Legislature, several years in local government, of ever experiencing a problem getting poll watchers.

This is a very aggressive act, as I said, to extend the reach of clubhouse politics and organize the groups that contribute to parties by moving into districts en masse, busloads, aggressively, pay workers to do it. And the victims certainly will be the areas that will be looked upon as fertile ground, areas such as the areas that I represent.

ACTING PRESIDENT STEWART-COUSINS: Senator Saland, how do you vote?

SENATOR SALAND: Madam President, once again, I find myself voting in opposition

to a bill that's intended not to enhance the franchise but really to engage in chicanery with respect to the franchise.

ACTING PRESIDENT STEWART-COUSINS: Senator Saland to be recorded in the negative.

SENATOR SALAND: Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

The Secretary will continue calling the roll.

THE SECRETARY: Senator Sampson.

SENATOR SAMPSON: Yes.

ACTING PRESIDENT STEWART-COUSINS: Senator Savino.

SENATOR SAVINO: Yes.

THE SECRETARY: Senator Schneiderman.

ACTING PRESIDENT STEWART-COUSINS: Senator Schneiderman, to explain his vote.

SENATOR SCHNEIDERMAN: Yes, thank you, Madam President.

I don't want to take more time, but I must say I am amazed at the hyperbole we're

hearing here today. This is a very simple bill that says if you're in a Senate district and you happen to live on other side of one county line, you can serve as a poll watcher.

There are places in the state, I don't think there's any dispute, there are places in my district where we have trouble getting poll watchers. This is something that just opens things up. I don't understand all these references to chicanery. Maybe you live in a much more sinister universe than the voters and the people of the State of New York live in.

I live in the universe with the voters and the people of the State of New York. We want more poll watchers. We want more participation in our electoral process.

And I have to say, I have a special place in my heart for this bill. Because when I did, on one campaign I volunteered for, travel from New York City just across the county line into Nassau County in a special election -- where it's very hard to get poll

watchers -- because I wasn't from Nassau County, I was greeted with actually quite a bit of disdain by a member of the Republican county organization in Nassau County who, when discovering I was not from that county, instead of providing me with the information -- because I was there just closing the poll, the campaign was over -- she asked the police to escort me from the premises.

Senator Johnson won that election anyway, but I'm very proud that Senator Addabbo is righting that wrong and passing this bill today.

ACTING PRESIDENT STEWART-COUSINS: Senator Schneiderman to be recorded in the affirmative.

The Secretary will continue calling the roll.

THE SECRETARY: Senator Serrano.

SENATOR SERRANO: Yes.

THE SECRETARY: Senator Seward.

SENATOR SEWARD: No.

THE SECRETARY: Senator Skelos.

(Senator Skelos was recorded as voting in the negative.)

THE SECRETARY: Senator Smith.

SENATOR SMITH: Yes.

THE SECRETARY: Senator Squadron.

SENATOR SQUADRON: Yes.

THE SECRETARY: Senator Stachowski.

SENATOR STACHOWSKI: Yes.

THE SECRETARY: Senator Stavisky.

SENATOR STAVISKY: Yes.

THE SECRETARY: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Yes.

THE SECRETARY: Senator Thompson.

SENATOR THOMPSON: Yes.

THE SECRETARY: Senator Valesky.

SENATOR VALESKY: Aye.

THE SECRETARY: Senator Volker.

SENATOR VOLKER: No.

THE SECRETARY: Senator Winner.

SENATOR WINNER: No.

THE SECRETARY: Senator Young.

SENATOR YOUNG: No.

ACTING PRESIDENT STEWART-COUSINS: Secretary, would you please call the absentees.

THE SECRETARY: Senator Hannon.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 32. Nays, 29.

Absent from voting: Senator Hannon.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

SENATOR SMITH: Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Can we return to motions and resolutions.

I believe I have a resolution at the desk, and I ask that the title be read.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senators Smith and Montgomery, Legislative Resolution Number

942, honoring Susan L. Taylor upon the occasion of her designation for special recognition.

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Thank you, Madam President.

As you know, this is Women's History Month, and I am more than honored and pleased to stand here and join my colleague Senator Velmanette Montgomery to honor a distinguished woman, a young lady that I know has been escorted around with the Deputy Speaker of the Assembly. I saw her here a little while ago; she may have stepped out.

But as you know, Susan Taylor, she is known to millions of people around the world. She has been a creative force and the heart and soul of Essence Magazine for nearly four decades. In 2007, she made the choice to devote the fullness of her energies to the "National Cares Mentoring Movement," a nonprofit group that was created to transform young people's lives.

She holds a dozen honorary degrees from a number of distinguished universities -- Lincoln University, Spellman, Dillard University, Bennett College, and, most notably, from my alma mater, Fordham University, one of the most distinguished universities, Senator Breslin, that she holds an honorary degree from.

She has been the heart and soul of Essence Magazine. And I tell you, as a young man growing up, I used to have the opportunity to look at that magazine because my sisters would all buy it. And never did I think I would stand here on the floor of a Senate that is one of the most distinguished bodies in this country to honor someone that I would read about in a magazine. I just remember looking at her picture in the corner of the magazine saying "Editor in Chief," and I used to always say, "Well, who is this young lady?"

And here I am now, had the opportunity to meet with her for about 15 or 20 minutes, talk to her about some of the wonderful things she's doing for people with

housing and those who are in need of workforce housing.

And, Madam President and my distinguished colleagues, this is good day for the State of New York when we can honor such a distinguished woman who has made so many of us proud. It just gives me great pleasure to stand on the floor of the Senate to speak on her behalf, and it gives me even a greater honor to now turn it over to my colleague Senator Velmanette Montgomery, who will provide the remainder of the distinguished comments about such a wonderful young lady.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Majority Leader Senator Smith.

Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Madam President.

And thank you, Mr. Majority Leader, for honoring such a distinguished woman. It's always wonderful to have powerful men honoring powerful women.

It's my pleasure to be part of this, because Susan Taylor I've known up close

and far away. And I know her up close because of the magazine that comes in with a special note to women who receive that magazine, and it's a message from Susan Taylor. And I want to tell you, I've read it many, many times and received from you a feeling that you were talking to me personally. So I thank you for that.

And the fact that this is the magazine that helped to shape how African-American women feel about themselves, and also provide information to women in a very unique and special way. And now, with all of that, Susan Taylor has always found time to go out in communities across the country and speak to women everywhere, of all walks of life. I've seen her at high-level political meetings, but I've also seen her speak to young college women and women in churches and women everywhere. And it's always to bring information that we can use, and inspiration. And I certainly appreciate her.

She has been designated one of the

most powerful African-American women. And that's certainly true, because there is nothing more powerful than when you can put pen to paper and bring message to so many millions of people, especially women.

And now I want to say a very personal thank you to what you're doing for mentoring in this country and bringing all of those high-level organizations, men and women, together to get them involved and to show all of us how we can utilize ourselves in a movement to open up opportunities for young people across the nation.

So we have a lot to be thankful to Susan Taylor for. But today it's just an opportunity to honor her and thank her for all that she's done. And in the name of Women's History Month, we've honored lot of important women, and so today you're at the top. So we thank you, Susan.

And thank you, Madam President, for recognizing Susan.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Montgomery.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President.

As someone who is so pleased and honored to cosponsor this resolution along with Senator Montgomery, let me say to you, Susan Taylor, we can't say enough about the imagery of African-Americans that you brought through your magazine. You awakened -- we talked about black power ten years before, but you showed us what black power really was. You helped us to shape our thoughts about ourselves as people in this country.

And you went on to make sure that young women of every color could look at themselves and say, I am beautiful no matter what the standard is. I am beautiful inside of me. And that's an extremely -- just a wonderful gift that you have. And through your writings you have used it to create the most positive image across this country.

And as Senator Montgomery says, your work with at-risk youngsters, your mentoring to ensure that we break the pipeline

from school to prison means so very much to us when we know that our young people, by fourth grade, are already being earmarked to go to prison because they cannot read and they are not developing as well as they need to be doing. So your role in mentoring and using your voice to help people to understand the plight of our young children at risk will go a long way.

But I also want to commend you also, as someone who has done work in Africa, for the work that you do there and for what you do to enlighten the world about who Africa is and the things that we must do to bring the qualities of both countries together around the issues facing poverty, facing miseducation of children everywhere in the world.

And so I thank you personally, Susan Taylor, and I thank you on behalf of this Senate for single-handedly giving a vision of people of African ancestry that no one else has been as accomplished as you have done.

And I just -- I can't personally

tell you what it's done for each of my daughters, who are 40 and 42, and for the years that they have read your magazine from their girlhood through today. And they thank you too for helping them to walk tall, be tall and be beautiful as women with African descent.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Huntley.

SENATOR HUNTLEY: Yes, Madam President. I rise to salute Susan Taylor. And it's so great for me, because I actually know her, which gives me a whole different feeling.

I just called my daughter to tell her that Susan Taylor was here in the chamber, and she said: "Mommy, is she still beautiful?" I said, "Yes, Pam, she's gorgeous."

Susan Taylor is a person who has a warm heart. People love her. People generate to her because she's a true person. She means what she says and she says what she does. And

to think, she was in my district, South Ozone Park, 143rd Street. And that was before all this other -- the travel and the whatever. And people in that borough, in that community, they knew that Susan Taylor cared about everyone.

She was always involved with young people, trying to find better ways, involved with families. And she was just a very -- not a motherly but a kind of person who was going to do it no matter what. And people were so fond of her because they knew they could go to her for whatever.

And when I saw her today and I looked at her, it's the same Susan Taylor, but now -- Susan Taylor has always been Essence, we know that. I used to purchase the magazine and look at it and Susan Taylor, and sometimes I wouldn't even fully read it, but it was because of Susan Taylor that we did that.

And I just want to thank you, Susan, for doing all the things that you have done and continue to do them, I know you will. And I wish you good health and all the love

that I have to give you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Adams.

SENATOR ADAMS: Thank you, Madam President.

I think that there's a mistake in the chamber when the women believe that they only read the magazine, because I got my beauty tips from there as well --

(Laughter.)

SENATOR ADAMS: -- and loved her.

But I remember one funny story in Essence Magazine two years ago when there was an interview being conducted of men that made a difference in the community, and I was one of the men that was selected. And it turned out they changed the article. They made the article to 50 eligible bachelors. And so the number of emails that came through, it was very fascinating.

(Laughter.)

SENATOR ADAMS: Let me say this. You know, this is not a mere insignificant

moment taking place on the stage of our state legislative environment. To some, it means that we just have a woman who has adorned the presence of our chamber and it's just another day. But it means so much more for a countless number of little girls who were trying to find themselves, who were trying to figure out where do they fit in, who are they. And when they turned on the TVs or watched the movies, they saw nowhere to identify themselves. They didn't have someone to duplicate or to believe they could be greatness.

And somewhere, somewhere out of your vision, your third eye, in the essence of your being, you created an Essence Magazine.

And I know that many people may be saying in their own way, well, you know, what's the big deal? But it's a big deal to the first African-American woman that is standing in front as the president of the Senate. It's important to her, because she remembers that magazine. And to Senator Huntley and Velmanette Montgomery and Ruth

Hassell-Thompson.

And not only those who are Senators, but just everyday little girls. They used to sleep with the magazine and they used to imagine themselves to be models. They actually believed that, you know, yes, they can. And they knew that skin pigmentation did not decide who and what you could become.

You redefined, single-handedly, the term of beauty. And we can't ignore that and what it meant for so many of us. And when you turned the pages of the Essence Magazine, it woke up your spirit. And then a countless number of children were able to turn the pages of their lives, from going from being the ugly duckling to the beauty of what it means of diversity.

And although people don't understand that, I do, having two sisters and stacks and stacks of Essence magazines. I know what it meant to them, that all of a sudden that their hair was not just nappy, it was beautiful. That their skin was not dark, it was precious. They all of a sudden stopped

calling themselves names and started walking different and acting like queens. You gave that to them. And we cannot thank you enough for what you have done.

And we all understand that you have turned the page in your life and started a new chapter in this book of your existence, constantly redefining yourself, showing that no matter where you go or what you have done, there is more to do. Because there is a whole new leadership of young girls that are waiting for you. They now are abused daily by their boyfriends and their mates, believing being called names and being attacked and abused is a way of saying I love you. And that's why Ruth Hassell-Thompson chairs the Domestic Violence Task Force, because she knows the importance.

Right now we all wish we could give you some peaceful place where you could lay on the beach and just relax, but we need you more than ever now. There's a whole new generation that have become physically, verbally abusive to themselves. And we need the style of the

Susan Taylors. We need the style of what you do and your grace and your presence. We need for you to return back to the communities throughout this state, the mere essence of your existence.

We thank you, we thank you, Queen, for what you are.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Adams.

Are there any other Senators that wish to be heard on the resolution?

MS. TAYLOR: I'm overwhelmed.

ACTING PRESIDENT STEWART-COUSINS: Well, before you are overwhelmed, I will take the privilege just to say how incredibly impressed, heartened, and really honored we are to have you here in our chambers. This is a magnificent place to be, just as is the Assembly. And I see that we have our Deputy Speaker Earlene Hooper, who's standing next to our Majority Leader.

But the reality is is that many times here we speak of those people who have already gone, who have made amazing

impressions, but they're no longer here. So it is indeed an honor to be able to give you your recognition and your flowers while you're here, still an icon in this state and in this nation and around the world.

So on behalf of me, certainly, presiding, but me who grew up knowing who I was because of the essence of Essence, I thank you.

(Standing ovation.)

ACTING PRESIDENT STEWART-COUSINS: Now for the business.

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

At the request of the sponsors, the resolution is open for multisponsorship by the entire house. Any member wishing to not be a

multisponsor of the resolution should so inform the desk.

Senator Klein.

SENATOR KLEIN: Madam President, can we return to the controversial calendar. We have one more bill to take up.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: Calendar Number 108, by Senator C. Johnson, Senate Print 2269, an act to amend the Town Law.

SENATOR LIBOUS: Explanation, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson.

SENATOR C. JOHNSON: Thank you, Madam President.

This bill is very simple bill, and it addresses a situation that many of us who represent the suburbs -- whether in Long Island, Westchester, Rockland, or upstate New York -- are facing with respect to their volunteer fire companies, volunteer fire districts, volunteer fire departments.

In this specific instance the bill simply requests that an exemption be provided to the Roslyn Rescue Fire Department from the restriction that is placed upon volunteer fire companies which restricts nonresidents to 45 percent of membership. Roslyn, which is a area within my community, is suffering a crisis when it comes to young people -- and "young" is a relative age -- but younger people who can't afford to necessarily live in an area where they may have grown up, yet want to continue to serve their community because their parents or their grandparents live there.

And as a result, they may want to join the fire department and serve as a volunteer firefighter or as an EMS worker. But right now, in Roslyn, there's a restriction on allowing the number of nonresidents -- residents being those who cover the particular area -- and to limit the number.

The Roslyn Rescue Fire Department has reached out and said that they've hit

their mark and they want to have an exemption to add nonresidents. Maybe a daughter who can no longer afford to live in Roslyn or East Hills or Roslyn Heights but yet come back and serve the community where they grew up. Or maybe a son who wants to be a volunteer firefighter like his mother and yet can't do so because he or she is restricted based on the percentage.

And so this bill simply does something that has been done in numerous instances. In fact, in 2008, four times this legislation was amended to allow volunteer companies or districts to amend and extend the nonresidency requirement.

So I believe it's a simple bill, it's a bill that is urged by my district in particular, the Roslyn Rescue Fire Department, and it will help those residents who are served by the Roslyn Rescue Fire Department so they know they can go to sleep at night and not have to worry about whether or not there are enough men and women who can come and battle fire or provide emergency services.

Thank you.

ACTING PRESIDENT BRESLIN: Senator Saland, why do you rise?

SENATOR SALAND: Would Senator Johnson yield to a question?

ACTING PRESIDENT BRESLIN: Senator Johnson, will you yield to a question from Senator Saland?

SENATOR C. JOHNSON: I will, Senator Breslin. But before you do, if we can just have some order just so I can hear.

ACTING PRESIDENT BRESLIN: Can we just have a little quiet.

Thank you very much.

SENATOR C. JOHNSON: And of course.

SENATOR SALAND: Thank you, Senator Johnson.

Senator Johnson, I didn't request an explanation; I know what your bill proposes to do. And I'm also familiar with the fact that we've done this on a number of prior occasions.

The question which I have for you

is whether you have attempted to or whether you have requested of the Roslyn Rescue Fire Department to make any effort to check with adjoining districts as to whether they too agree with this proposal. And I ask that because I've seen similar requests in my own district, and that has been an issue.

ACTING PRESIDENT BRESLIN: Yes, through the chair, you may answer, Senator Johnson.

SENATOR CRAIG JOHNSON: Of course. Through you, Mr. President.

And Senator Saland, I know you didn't request it, actually the request came from your floor leader, and I felt that it was important to accommodate the request.

This was a request that actually came from the Roslyn Rescue Fire Department themselves. And obviously, when the president and the chief reach out and say that they have a problem and they need to have it addressed, I felt it was important to take that under incredible importance and advisement.

But to answer your question, no, I

have not, because this was a request that came from them.

And I think it's very important, especially with this department, it's got a long-standing history. It was founded in, I believe, 1852, and it was granted its charter in 1866, one of the older fire companies we have in New York State. It's got a proud tradition in New York State.

And I happened to really get to know it when I attended, unfortunately -- and I know many of us did this -- in 2001, when they lost two members, brothers, Tom and Peter Langone, who were killed in the 9/11 attacks, and really getting to know the chief and the president.

When they reached out, I trusted their judgment, and I believe that this is an important bill.

SENATOR SALAND: Thank you, Senator Johnson.

On the bill, Mr. President.

ACTING PRESIDENT BRESLIN: Senator Saland, on the bill.

SENATOR SALAND: Certainly the problems that all of our volunteer fire companies are having, virtually universally -- I doubt if there are many if any that are not in terms of recruitment and retention -- in many instances threaten the fabric of the communities they serve. So this legislation is certainly laudably intended and will help the Roslyn Rescue Fire Department.

My concern -- and as I mentioned, I've had a similar situation in my own district -- is what impact will it have on the adjoining districts. And I don't know how many districts may adjoin this district, but in the case that came most recently in mine, I have I believe either five or six districts that adjoin or abut this district.

And what I requested of this equally laudable fire company that I have worked with on prior occasions was that they obtain some waiver or some agreement from each of the adjoining districts that in fact they are okay with it. Simply because I didn't want them raiding the adjoining districts that

might well be experiencing the same personnel problem.

So there's certainly no requirement, there's no protocol. But I would hate like heck in the case of providing support for fire companies to take from Peter to pay Paul.

ACTING PRESIDENT BRESLIN: Senator Johnson.

SENATOR CRAIG JOHNSON: Mr. President, maybe -- I'll speak on the bill, but I think I'll bring clarity. Because one of the great things about modern technology is my office did receive contact from two districts in proximity, Senator Saland, Manhasset Lakeville District and the Great Neck Vigilant Fire Company. And they reached out to our office and said they had no problem.

It's in proximity, maybe provides some clarification. I was clarified. So maybe that gives you a better answer to your question.

ACTING PRESIDENT BRESLIN: Thank

you, Senator Johnson.

Senator Bonacic.

SENATOR BONACIC: On the bill.

ACTING PRESIDENT BRESLIN: Senator Bonacic, on the bill.

SENATOR BONACIC: First of all, I think this is a very worthy bill. It should be supported by all of us.

All of our volunteer firefighters in the State of New York are suffering the problem of retention and recruitment. All of us have put sweeteners in -- legislation for some of our high school kids to give them a scholarship to college if they live within certain miles of volunteer fire companies.

I had a similar situation to Senator Johnson; it was the Mechanicstown Fire Company. And it's a state law that if a volunteer fire company does not meet a threshold of 45 percent of their membership that live in their district, they get dissolved. They go away, they're gone.

And I appreciate the concerns of Senator Saland making sure there's not raids

on other fire companies. But they are like brothers. The fire companies all around the one that has a membership problem, they want that fire company to survive and not get dissolved.

So this is a good bill. We have to do everything we can to help our volunteer firefighters, really the heart and soul of our communities. And I support this bill a hundred percent.

Thank you, Senator Johnson.

ACTING PRESIDENT BRESLIN: Thank you, Senator Bonacic.

Are there any other Senators wishing to be heard?

The Secretary will ring the bell.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

SENATOR FUSCHILLO: To explain my

vote.

ACTING PRESIDENT STEWART-COUSINS: Senator Fuschillo, to explain his vote.

SENATOR FUSCHILLO: Madam President, just to explain my vote. Let me thank Senator Johnson for bringing this bill to the floor.

ACTING PRESIDENT STEWART-COUSINS: Can we have some order in the chamber, please.

SENATOR FUSCHILLO: You know, the volunteer firefighters in this state save our state billions of dollars in economic costs that it would cost if we had to pay them. There is such a need for volunteer firefighters throughout Nassau County and Long Island and throughout this state.

And in this economy, when individuals are working two, three jobs, all fire districts and fire departments are facing the same situation as in Senator Craig Johnson's district.

As Senator Bonacic noted, they're a band of brothers. They're not going to start poaching from one district to the other.

There is so much respect for the individuals that do volunteer in the district I represent, and they're our everyday heroes. They're the ones that go, without notice. They don't know an individual, they don't know a family. They jump on the truck when they get that call anytime, 24 hours a day, and go to the house to save a life. They should be commended for their heroism.

I'll be voting aye. Thank you.

ACTING PRESIDENT STEWART-COUSINS: Senator Fuschillo to be recorded in the affirmative.

There any other Senators wishing to explain his or her vote?

Senator Johnson.

SENATOR C. JOHNSON: Thank you.

And first I want to thank my colleagues on both sides of the aisle -- Senator Bonacic, Senator Fuschillo, Senator Saland, for raising an important question. And I understand it. You know, we welcome you to come down anytime to see the Roslyn Rescue Fire Department.

And I want to thank my colleagues on this side of the aisle, particularly Senator Valesky, who has been working very closely with me on this issue affecting our two districts when it comes to volunteer firefighters.

But it is an important issue. And, Senator Fuschillo, you know, when we attend those dinners together in Nassau County with Senator Marcellino and others, Senator Hannon, it is -- we need to give back more to our volunteer firefighters and make it easier to help them serve, especially in these difficult economic times.

So I thank the support of the Senate that will help the Roslyn Rescue Fire Department expand its membership. Thank you very much.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Any other Senator wishing to be heard?

Announce the results.

THE SECRETARY: Ayes, 61. Nays,

0.

Absent from voting: Senator Hannon.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

Senator Klein.

SENATOR KLEIN: Madam President, is there any further business at the desk?

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, the desk is clear.

SENATOR KLEIN: There being none, Madam President, I move that we adjourn until Tuesday, March 24th, at 3:00 p.m.

ACTING PRESIDENT STEWART-COUSINS: There being no further business to come before the Senate, on motion, the Senate stands adjourned until Tuesday, March 24th, at 3:00 p.m.

(Whereupon, at 5:06 p.m., the Senate adjourned.)