

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 7, 2012

11 12:12 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH A. GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: For
10 today's invocation we are joined by
11 Mrs. Judith Rapley Waterman, minister of the
12 New Hope Christian Fellowship Church in
13 Queens, New York.

14 Reverend Waterman.

15 REVEREND WATERMAN: Let us join
16 together in the spirit of prayer.

17 Dear heavenly Father, almighty,
18 eternal and ever-wise God, I come to You
19 thanking You and praising You for this great
20 nation. I thank You for the plan You gave to
21 our forefathers by which to govern our nation
22 and for the division of power wherein our
23 destiny does not rest in the hands of one
24 person.

25 We come giving You thanks and

1 praise for Your awesome love and divine and
2 sovereign power. We bow our heads today to
3 praise You in humbleness and sincerity and ask
4 Your manifested presence in this place today.

5 Your word urges us to make
6 requests, prayers, intercessions and
7 thanksgiving known for all men and women,
8 including those in government and those in
9 authority. So I bring and lift up before You
10 all the State Senators and all those who work
11 alongside them before You. As they do for
12 others, God, do for them and their families
13 and their loved ones.

14 I pray that by Your power that
15 these men and women will make laws that are
16 just. I ask You to give them wisdom to make
17 decisions that will strengthen and prosper our
18 state, our nation and our people. It is our
19 desire that they make right and righteous
20 decisions concerning the politics, the social
21 welfare, and the economics of this state.

22 Help them to rule and govern with
23 a sound mind. For indeed, O God, You have not
24 given any of us a spirit of fear, but of power
25 and of love and of a sound mind.

1 I pray that they'll be motivated by
2 Your love, infused by Your passion, led by Your
3 hand. May they govern with integrity. May they
4 govern with compassion. May they govern in
5 peace. Give them, O God, the mind to work
6 together, for it is in Jesus's name that I pray.

7 And the Senate said amen.

8 ACTING PRESIDENT GRIFFO: Thank
9 you, Reverend Waterman.

10 The reading of the Journal.

11 THE SECRETARY: In Senate,
12 Tuesday, March 6th, the Senate met pursuant to
13 adjournment. The Journal of Monday, March 5th,
14 was read and approved. On motion, Senate
15 adjourned.

16 ACTING PRESIDENT GRIFFO: Without
17 objection, the Journal stands approved as read.

18 Presentation of petitions.

19 Messages from the Assembly.

20 The Secretary will read the
21 substitution.

22 THE SECRETARY: On page 16,
23 Senator Larkin moves to discharge, from the
24 Committee on Local Government, Assembly Bill
25 Number 2603B and substitute it for the identical

1 Senate Bill Number 6430, Third Reading Calendar
2 233.

3 ACTING PRESIDENT GRIFFO:

4 Substitution so ordered.

5 Messages from the Governor.

6 Reports of standing committees.

7 Reports of select committees.

8 Communications and reports from
9 state officers.

10 Motions and resolutions.

11 Senator Libous.

12 SENATOR PERKINS: Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Libous.

15 SENATOR LIBOUS: Mr. President, I
16 believe Senator Perkins has the floor.

17 SENATOR PERKINS: Thank you very
18 much.

19 ACTING PRESIDENT GRIFFO: I did
20 not recognize you yet, Senator Perkins. Why do
21 you rise?

22 SENATOR PERKINS: I want to take a
23 point of personal privilege.

24 ACTING PRESIDENT GRIFFO: State
25 your point, Senator Perkins.

1 SENATOR PERKINS: Thank you very
2 much.

3 It is with great disappointment
4 that I rise today. Senate Resolution Number --

5 SENATOR LIBOUS: Mr. President,
6 point of order.

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous, why do you rise?

9 SENATOR LIBOUS: I don't believe
10 the Resolution Calendar is before us yet.

11 ACTING PRESIDENT GRIFFO: The
12 Resolution Calendar is not before us.

13 Senator Perkins, you're out of
14 order, please.

15 Senator Libous.

16 SENATOR PERKINS: I just want to
17 make a point of --

18 ACTING PRESIDENT GRIFFO: Senator
19 Perkins, you're out of order. The Resolution
20 Calendar is not before us.

21 I recognize Senator Libous.
22 Senator Libous, please proceed.

23 SENATOR PERKINS: May I --

24 ACTING PRESIDENT GRIFFO: Senator
25 Perkins, you are out of order.

1 SENATOR PERKINS: Point of
2 personal privilege. I just --

3 ACTING PRESIDENT GRIFFO: Your
4 point of personal privilege is not accepted.
5 Senator Libous.

6 SENATOR LIBOUS: Mr. President, I
7 would move at this time that we accept the
8 Resolution Calendar.

9 ACTING PRESIDENT GRIFFO: The
10 motion is on accepting the Resolution Calendar.
11 All in favor signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT GRIFFO:
14 Opposed?

15 (No response.)

16 SENATOR PERKINS: Mr. President --

17 ACTING PRESIDENT GRIFFO: The ayes
18 have taken it. The Resolution Calendar is
19 adopted.

20 Senator Perkins, why do you rise?

21 SENATOR PERKINS: Thank you very
22 much.

23 It is with great disappointment
24 that I rise today. Senate Resolution Number
25 3513 --

1 ACTING PRESIDENT GRIFFO: Senator
2 Perkins, the Resolution Calendar has been
3 adopted. You are conducting business on
4 something that's not appropriate. You cannot
5 speak on this. The Resolution Calendar was
6 before the house. You cannot speak on that
7 particular point that you have raised.

8 SENATOR LIBOUS: Mr. President.

9 ACTING PRESIDENT GRIFFO: Senator
10 Libous.

11 SENATOR LIBOUS: In the spirit of
12 cooperation, because Senator Perkins did want to
13 stand, I would allow him to make his point on the
14 Resolution Calendar.

15 SENATOR PERKINS: Thank you very
16 much.

17 SENATOR LIBOUS: If you would,
18 please.

19 ACTING PRESIDENT GRIFFO: Senator
20 Libous --

21 SENATOR LIBOUS: Make his point on
22 the Resolution Calendar.

23 ACTING PRESIDENT GRIFFO: On the
24 Resolution Calendar?

25 SENATOR LIBOUS: That's correct.

1 ACTING PRESIDENT GRIFFO: You
2 cannot speak on a specific resolution, then,
3 Senator.

4 SENATOR PERKINS: Thank you very
5 much.

6 Again, it is with great
7 disappointment that I rise today. Senate
8 Resolution Number 3513, a resolution that urges
9 the New York State congressional delegation to
10 support passage of the federal DREAM Act, has
11 been blocked from coming to the floor for
12 consideration --

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

15 SENATOR LIBOUS: Mr. President, I
16 believe that Senator Perkins is out of order
17 because he's speaking on specific resolutions
18 that may not be before the house or were not
19 before the house this morning.

20 That does not mean that those
21 resolutions will not come before the house in the
22 future.

23 I would ask you, Mr. President, to
24 make sure that Senator Perkins's comments are
25 based on what is on the Resolution Calendar that

1 passed. Making comment about something that is
2 not before the house or was not before the house
3 is not appropriate.

4 SENATOR PERKINS: It is my
5 understanding --

6 ACTING PRESIDENT GRIFFO: Senator
7 Perkins, we do not have jurisdiction over
8 something that is not before the body.

9 I have given you latitude based
10 upon the request from Senator Libous. However,
11 you are out of order. The Resolution Calendar
12 has been adopted. You cannot speak further on
13 that particular issue. So I would ask you to
14 please move on now.

15 So that is complete. The chair --
16 I will not recognize -- the point of personal
17 privilege is not well-taken.

18 Senator Duane, why do you rise?

19 SENATOR DUANE: Mr. President,
20 among many of the resolutions on the calendar
21 today is one which commends a member of the order
22 of Sons of Italy, which would indicate that the
23 Sons of Italy came from Italy, which would be an
24 immigration issue. And so the relevance of the
25 DREAM Act I believe would be appropriate to

1 discuss at this time.

2 ACTING PRESIDENT GRIFFO: Senator
3 Duane -- Senator Duane.

4 SENATOR DUANE: (Inaudible.)

5 ACTING PRESIDENT GRIFFO: With all
6 due respect, Senator Duane, the Resolution
7 Calendar has been adopted.

8 SENATOR DUANE: -- unless
9 they're -- unless they're Native American,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: You are
12 speaking beyond -- unacceptable things.

13 Senator Duane, you're out of order.

14 SENATOR DUANE: Well, I'm sorry to
15 hear that, Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 Krueger, why do you rise?

18 SENATOR KRUEGER: Point of
19 clarification of the rules, Senator. If I may
20 ask.

21 ACTING PRESIDENT GRIFFO: State
22 your point of clarification, Senator Krueger.

23 SENATOR KRUEGER: Thank you. So
24 we rapidly opened and closed for the Resolution
25 Calendar. Senator Perkins wanted to point out

1 one of his resolutions was rejected. I would
2 like to point out one of my resolutions was
3 rejected. I believe Senator Hassell-Thompson
4 also had one.

5 When should we expect a written
6 document explaining why our resolutions have been
7 rejected?

8 ACTING PRESIDENT GRIFFO: The
9 Resolution Calendar, Senator Krueger, cannot be
10 debated independently. You have that opportunity
11 at the table at the appropriate committee to
12 debate that particular resolution. If you are
13 presenting a resolution --

14 SENATOR KRUEGER: I'm sorry, I
15 don't understand. My question wasn't about a
16 committee.

17 SENATOR LIBOUS: Mr. President,
18 could you create some order. I believe Senator
19 Krueger has the floor, and I'm hearing a lot of
20 voices.

21 ACTING PRESIDENT GRIFFO: First of
22 all, let me have order in the chamber.

23 Let us continue the question that
24 Senator Krueger raised. Excuse me, Senator
25 Krueger.

1 There are two issues, Senator
2 Krueger. First, under Article III --
3 Rule III-9e, the Temporary President of the
4 Senate has the authority to set the Resolution
5 Calendar and has followed consistent practice in
6 that regard.

7 Secondly, relative to a debate on
8 the calendar before us today, you do not have the
9 opportunity -- if a resolution is on the
10 calendar, a member can then take that particular
11 resolution off if they so inquire or suggest.
12 However, if a resolution is not before the body,
13 you cannot discuss a resolution that you have an
14 idea for if it's not before this legislative
15 body.

16 So you're attempting to discuss a
17 resolution that you may be preparing or proposing
18 but is not before this body for deliberation at
19 this point in time. And that is not appropriate,
20 in accordance with our rules.

21 SENATOR KRUEGER: Actually,
22 Mr. President, if we would ask for a reading of
23 the transcript, I did not ask any of that. I
24 asked --

25 ACTING PRESIDENT GRIFFO: I'm

1 sorry. I'm sorry, Senator Krueger, I thought
2 that's what you had asked, but I apologize.

3 SENATOR KRUEGER: So let me try
4 again.

5 I attempted to ask when members
6 whose resolutions have been rejected can expect a
7 written answer as to the basis by which their
8 resolutions were rejected. You said something
9 about at the proper committee table.

10 I'm not aware what committee
11 resolutions go through. So I'm asking a question
12 about the process of the floor of the Senate.

13 ACTING PRESIDENT GRIFFO: Thank
14 you, Senator Krueger.

15 Senator Libous.

16 SENATOR LIBOUS: Mr. President, I
17 think I can help Senator Krueger with an answer
18 to her question.

19 Because a resolution is not on a
20 Resolution Calendar, it doesn't mean that that
21 resolution is rejected. Resolutions are
22 submitted to the floor by issue of the Temporary
23 President. He has or she has responsibility of
24 putting resolutions on a calendar.

25 It is for whatever reason

1 misunderstood today that because there are
2 certain resolutions that are not on the calendar,
3 that they're not coming before the house. And I
4 don't know if they are or they're not. But just
5 because the resolution is not on today's calendar
6 and has been submitted, it could come before the
7 house at any time between now and the end of
8 session. But that is the sole discretion of the
9 Temporary President and Majority Leader.

10 ACTING PRESIDENT GRIFFO: There is
11 no jurisdiction to debate something that is not
12 before the body. I think that is clear.

13 I think the point I was making --
14 and I'm not sure, because I don't want to
15 speculate here, but many resolutions do come
16 through Finance and have been put forward through
17 Finance.

18 SENATOR KRUEGER: Mr. President,
19 if through you I may continue my question.

20 ACTING PRESIDENT GRIFFO: You may.

21 SENATOR KRUEGER: Thank you.

22 So I'm hearing from --

23 SENATOR LIBOUS: Mr. President.

24 Senator Krueger -- and I'm sorry, I
25 don't mean to be disrespectful, but I just need

1 to make a statement on what he said because I
2 think it has to do with the answer to your
3 question.

4 SENATOR KRUEGER: I yield.

5 SENATOR LIBOUS: It is not custom
6 and practice for any resolutions to go through
7 any particular committee.

8 ACTING PRESIDENT GRIFFO: Thank
9 you very much for that clarification,
10 Senator Libous.

11 SENATOR KRUEGER: So again,
12 Mr. President, just so -- because there's been
13 some confusion, it is -- what I am being told
14 today is resolutions don't go through a committee
15 process so we can't appeal through a committee.

16 They are at the discretion of the
17 President Pro Tem of the Senate. That
18 resolutions can be considered at any time during
19 session but may not show up on any particular
20 calendar.

21 And yet if we end session and we
22 have not seen our resolutions, what is the
23 procedure for finding out the basis by which a
24 resolution has not been taken up by this house?
25 I am suggesting a correct protocol would be to

1 put in writing the basis for a rejection of a
2 resolution so that we can have a discussion.

3 I do have a concern that,
4 disproportionately, resolutions impacting women
5 of the State of New York do not get through the
6 Resolution Calendar.

7 ACTING PRESIDENT GRIFFO: Senator
8 Krueger, we have had the -- again, we're
9 deliberating over something that has gone beyond
10 the point of consideration.

11 So your points are taken into
12 consideration. I will reiterate again that these
13 are rules that have been established and followed
14 in the last term of the Legislature as well as
15 this term of the Legislature, and I quoted you
16 Rule III-9e.

17 So I would ask that we now move on.

18 SENATOR KRUEGER: I'm sorry,
19 Mr. President, just -- I have asked a question
20 about whether there is a procedure or protocol
21 for explaining to a Senator --

22 ACTING PRESIDENT GRIFFO: Senator
23 Libous, why do you rise?

24 SENATOR KRUEGER: -- why a
25 resolution has not moved.

1 SENATOR LIBOUS: I'd like to help
2 Senator Krueger, if I may.

3 SENATOR KRUEGER: Thank you.
4 Please.

5 SENATOR LIBOUS: I mean, she asked
6 a question, Mr. President; I'd be more than
7 happy.

8 And I don't want to just repeat
9 what the President said, but this is the same
10 protocol that, when you were in the majority,
11 that you followed. They were up to the
12 discretion of the Temporary President and the
13 Majority Leader. I believe at one time it was
14 Senator Smith, at another time Senator Sampson.

15 That has not changed. That was
16 what it was then and it is what it is now.
17 Nobody is stating here that resolutions that have
18 been submitted will not be looked at at a future
19 time. But the protocol for resolutions has not
20 changed in decades. Decades.

21 ACTING PRESIDENT GRIFFO: Senator
22 Libous and Senator Krueger, I'm going to tell you
23 both now, I've used great leniency and discretion
24 here. We have already passed a Resolution
25 Calendar. We are discussing a matter that has

1 passed this body that is not in conjunction with
2 our rules of procedure here, so I'm going to move
3 on now. I'm going to ask Senator Libous if we
4 can move on with the reading of the calendar.

5 Senator Espaillat, why do you rise?

6 SENATOR ESPAILLAT: Mr. President,
7 I would like to address one of the resolutions in
8 the calendar.

9 ACTING PRESIDENT GRIFFO: Senator
10 Espaillat, I'm going to say it one more time.
11 The Resolution Calendar has been adopted. We
12 cannot go back now. We're moving on to the next
13 portion of business before this body.

14 SENATOR ESPAILLAT: Point of
15 personal privilege, Mr. President.

16 ACTING PRESIDENT GRIFFO: I will
17 listen to your point of --

18 SENATOR ESPAILLAT: There is a
19 resolution in the calendar, Resolution 3464, that
20 I would like to speak to.

21 SENATOR LIBOUS: Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator
23 Libous.

24 SENATOR LIBOUS: In all due
25 respect to Senator Espaillat, the Resolution

1 Calendar has been passed, and we're beyond that.

2 ACTING PRESIDENT GRIFFO: Well, we
3 would require unanimous consent to do that,
4 Senator Libous, anyway. So is there any
5 objection to moving back?

6 SENATOR LIBOUS: Yes.

7 ACTING PRESIDENT GRIFFO: Yes, I
8 hear an objection. Therefore, we will not be
9 able to move back.

10 So, Senator Espaillat, thank you
11 very much.

12 Senator Libous, can we move on with
13 the agenda now.

14 SENATOR LIBOUS: Can we now have
15 the reading of the noncontroversial calendar,
16 please.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will read.

19 THE SECRETARY: Calendar Number
20 213, by Senator Carlucci, Senate Print --

21 SENATOR PARKER: Lay it aside.

22 ACTING PRESIDENT GRIFFO: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 214, by Senator Carlucci --

1 SENATOR PARKER: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay it
3 aside.

4 THE SECRETARY: Calendar Number
5 215, by Senator Zeldin --

6 SENATOR PARKER: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 217, by Senator Zeldin --

11 SENATOR PARKER: Lay it aside.

12 ACTING PRESIDENT GRIFFO: Lay it
13 aside.

14 THE SECRETARY: Calendar Number
15 219, by Senator Breslin --

16 SENATOR HUNTLEY: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 221, by Senator Skelos --

21 SENATOR PARKER: Lay it aside.

22 ACTING PRESIDENT GRIFFO: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 222, by Senator Skelos --

1 SENATOR PARKER: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay it
3 aside.

4 THE SECRETARY: Calendar Number
5 223, by Senator Skelos --

6 SENATOR PARKER: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 225, by Senator Skelos --

11 SENATOR PARKER: Lay it aside.

12 ACTING PRESIDENT GRIFFO: Lay it
13 aside.

14 THE SECRETARY: Calendar Number
15 226, by Senator Skelos --

16 SENATOR PARKER: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay it
18 aside.

19 SENATOR LIBOUS: Mr. President,
20 can we have some order in the chamber. I'm
21 having an awful time hearing the Journal Clerk.

22 I know there seems to be high
23 emotion today, and that's fine, but there still
24 is decorum and order that we need to have while
25 the bills are being read.

1 ACTING PRESIDENT GRIFFO: I would
2 ask all members and staff to keep conversations
3 outside the chamber, if at all possible.

4 And the Secretary will continue to
5 read.

6 THE SECRETARY: Calendar Number
7 227, by Senator Oppenheimer, Senate Print 6301,
8 an act to authorize the Beth El Synagogue.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section --

12 SENATOR LIBOUS: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 228, by Senator Carlucci --

17 SENATOR PARKER: Lay it aside.

18 ACTING PRESIDENT GRIFFO: Lay it
19 aside.

20 THE SECRETARY: Calendar Number
21 229, by Senator Carlucci --

22 SENATOR PARKER: Lay it aside.

23 ACTING PRESIDENT GRIFFO: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 230, by Senator Carlucci --

2 SENATOR HUNTLEY: Lay it aside.

3 ACTING PRESIDENT GRIFFO: Lay it
4 aside.

5 THE SECRETARY: Calendar Number

6 231, by Senator Carlucci --

7 SENATOR PARKER: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay it
9 aside.

10 THE SECRETARY: Calendar Number

11 232, by Senator Johnson --

12 SENATOR HUNTLEY: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside.

15 THE SECRETARY: Calendar Number

16 233, by Member of the Assembly Rabbitt --

17 SENATOR HUNTLEY: Lay it aside.

18 ACTING PRESIDENT GRIFFO: Lay it
19 aside.

20 Senator Libous, that completes the
21 noncontroversial reading of the calendar.

22 SENATOR LIBOUS: Mr. President,
23 can we now have the controversial reading of the
24 calendar.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will ring the bell.

2 SENATOR LIBOUS: Can we move on
3 with the noncontroversial calendar.

4 ACTING PRESIDENT GRIFFO: The
5 Senate will come to order.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 213, by Senator Carlucci --

9 SENATOR PARKER: Explanation.

10 ACTING PRESIDENT GRIFFO:

11 Explanation requested.

12 Senator Carlucci.

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

15 This bill authorizes the St. James
16 Mar Thoma Church in the Village of Hillburn to
17 file an application for exemption from real
18 property taxes.

19 ACTING PRESIDENT GRIFFO: Senator
20 Parker.

21 SENATOR PARKER: May I ask a
22 question of the bill sponsor.

23 ACTING PRESIDENT GRIFFO: Senator
24 Carlucci, do you yield?

25 SENATOR CARLUCCI: Yes.

1 ACTING PRESIDENT GRIFFO: Senator
2 Parker.

3 SENATOR PARKER: Through you,
4 Mr. President. What's the address of the
5 St. James Mar Thoma Church of Rockland, Inc.?

6 SENATOR CARLUCCI: Thank you,
7 Senator Parker. It's located in the Village of
8 Hillburn. I don't have the exact address in
9 front of me.

10 SENATOR PARKER: Mr. President,
11 will the sponsor continue to yield.

12 ACTING PRESIDENT GRIFFO: Will the
13 sponsor continue to yield?

14 SENATOR CARLUCCI: Yes.

15 SENATOR PARKER: Through you,
16 Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 Parker.

19 SENATOR PARKER: Thank you,
20 Senator Carlucci. Senator Carlucci -- through
21 you, Mr. President -- who is the pastor of the
22 St. James Mar Thoma Church of Rockland?

23 SENATOR CARLUCCI: I don't have
24 that information in front of me.

25 ACTING PRESIDENT GRIFFO: Senator

1 Parker.

2 SENATOR PARKER: Through you,
3 Mr. President, will the sponsor continue to
4 yield.

5 ACTING PRESIDENT GRIFFO: Sponsor,
6 do you continue to yield?

7 SENATOR CARLUCCI: Yes.

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR PARKER: Thank you,
11 Senator Carlucci.

12 Through you, Mr. President. Do we
13 know how many members of the congregation there
14 are at the St. James Mar Thoma Church of
15 Rockland?

16 SENATOR CARLUCCI: Thank you for
17 the question.

18 I don't have the exact numbers, but
19 it's a wonderful church in the Village of
20 Hillburn. They do a lot of good work for the
21 community and members and serve the entire
22 community of Rockland County.

23 ACTING PRESIDENT GRIFFO: Senator
24 Parker.

25 SENATOR PARKER: Yes,

1 Mr. President. Will the sponsor continue to
2 yield.

3 ACTING PRESIDENT GRIFFO: Does the
4 sponsor yield?

5 SENATOR CARLUCCI: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor continues to yield.

8 SENATOR PARKER: Thank you,
9 Senator Carlucci, for yielding.

10 Could you please tell me -- through
11 you, Mr. President. Senator Carlucci, can you
12 tell me when the church was established?

13 SENATOR CARLUCCI: When the church
14 was established?

15 SENATOR PARKER: Yes.

16 SENATOR CARLUCCI: I cannot tell
17 you that.

18 SENATOR PARKER: On the bill.

19 ACTING PRESIDENT GRIFFO: Senator
20 Parker on the bill.

21 SENATOR PARKER: First, thank you,
22 Senator Carlucci, for yielding to my questions.
23 I appreciate it.

24 And I'm not familiar with the
25 St. James Mar Thoma Church of Rockland County.

1 I'm sure it's a fine institution. I actually
2 expect to be voting aye on this great bill.

3 And I understand certainly that
4 this is a very important thing for the church,
5 and the tax-exempt status and those things are
6 important not just for the church but also for
7 the congregation.

8 Churches are really important
9 institutions in almost every district -- I'm sure
10 actually in literally every district in our
11 state. The history of the church is critical.
12 Right? We actually know that the church actually
13 begins, from the Christian perspective, from the
14 disciples. And with the disciples you had
15 Peter. Right? Peter, whose name literally means
16 "the rock." And which Christ established his
17 church on, right? And it's Peter who actually
18 becomes one of the first disciples to go out and
19 establish churches.

20 Similarly, although not called the
21 church, in the Jewish tradition you have
22 synagogues, which are actually Greek-created,
23 after schools.

24 Now, and so there's a -- you know,
25 in almost every tradition that we find in our

1 community, these notions of worship, of
2 education, of community and finding a way to
3 build community is critical.

4 I stand with Senator Carlucci in
5 trying to help this institution in the way we
6 ought to be finding ways to help all of these
7 institutions in every single community in our
8 districts. I'd like to find ways in our budget
9 that we can help churches, particularly because
10 they not only have a function that is a spiritual
11 function, but there's also a social function,
12 there's an economic development function, right,
13 many of them involved in health fairs and getting
14 out information around health fairs. And so
15 these institutions are really critical for us to
16 help.

17 So let's talk about the social
18 function of churches. Churches are places where
19 people gather in good times and they gather in
20 bad times. Sometimes, when they're all alone,
21 many people have no other place to go but
22 church.

23 I remember my grandmother, Fannie
24 Gallaway Olds, who was gone way before her
25 time -- and in fact, she died on March 1, 1984.

1 And it was actually good -- you know, as I'm
2 talking about that, I'm remembering that she
3 actually was buried on my birthday. Which
4 typically had made my birthday a sad time for me,
5 but that turned around this year when the members
6 of this body acknowledged my birthday for the
7 first time. So I wanted to thank everybody for
8 acknowledging my birthday yesterday.

9 But back to my grandmother, that in
10 her waning years, although she had 10 children
11 and she was one of 12 children herself, she spent
12 a great deal of her time at church. Not just in
13 the physical building -- she actually belonged to
14 Cornerstone Baptist Church in Senator Velmanette
15 Montgomery's district, where Sandy F. Ray was the
16 pastor. In fact, Lewis Avenue in Brooklyn, for
17 those who are familiar with Brooklyn, know that
18 Lewis Avenue is also Sandy F. Ray Boulevard.

19 ACTING PRESIDENT GRIFFO: Senator
20 Parker. Senator Parker.

21 SENATOR PARKER: Yes.

22 ACTING PRESIDENT GRIFFO: I'm
23 going to ask you, under the authority vested in
24 me here under Rule III, Section 1, to ensure
25 germaneness to the subject. While I appreciate

1 the story -- it is a very moving story, and I
2 wish you belated birthday greetings -- I would
3 ask you to speak to the issue of the exemption on
4 real property taxes and its relationship to the
5 church, please.

6 SENATOR PARKER: Okay. So I was
7 talking about Cornerstone. Cornerstone has a tax
8 exception. And in fact Cornerstone got its tax
9 exemption actually when it moved. It actually
10 used to be part of a different church. Right?
11 And in fact, Cornerstone is a sister church --
12 and people don't know this -- to Concord Baptist
13 Church in Brooklyn.

14 Now, people always wonder why
15 Concord Baptist Church is called Concord Baptist
16 Church. It actually used to be on Concord Street
17 downtown. But when they moved and they
18 marched -- you know, some people have done
19 this -- when the church moved, they marched the
20 church. Right? It moved. And so it had to
21 apply for a second exemption. Right?

22 As you know, these exemptions are
23 not easy things to get. Right? There's a whole
24 process in state law for getting an exemption.
25 So first you have to apply through the state --

1 the Secretary of the Senate -- sorry, not
2 Secretary of the Senate. Sorry, the Secretary of
3 State. You have to apply for an application to
4 do business. Right? And then so you have to
5 apply for a certificate of incorporation through
6 the Secretary of the Senate {sic}.

7 Once you get the certificate of
8 incorporation, sometimes you might need a lawyer
9 to get the exemption, because it's not a lot of
10 paperwork but it frankly is a little bit more
11 technical than it probably needs to be.

12 Actually, we should recommend that the SAGE
13 Commission do a look at the documents and our
14 paperwork usage in the state in order to deal
15 with that, particularly as it relates to that,
16 because we want people who are doing good work,
17 like churches, to get their exemptions.

18 And so first you have to apply for
19 the certificate of incorporation. Once you get
20 the certificate of incorporation, you then have
21 to fill out the certificate of incorporation and
22 kind of line by line. It's standard: Name,
23 address, you know, the address that -- the
24 mailing address. You know, you need to have a
25 tax ID number. And kind of go through that whole

1 process.

2 Once you receive the certificate of
3 incorporation back, you then have to apply to the
4 federal government to get a 501(c)(3) or
5 501(c)(4) or something that is a tax-exempt
6 status -- I'm told a 501(c)(6) for churches or
7 religious organizations. Not just churches, but
8 religious organizations. So even if you're doing
9 a synagogue, right, which is not a church, it's a
10 synagogue, you still have to have an exemption.
11 Right?

12 If you're Muslim, right -- because
13 some of you may know I represent the largest
14 Pakistani community outside of Pakistan in the
15 world, many of which are Muslims. And they have
16 mosques. Right? And then the mosques, same
17 thing, you have to apply for a 501(c)(6).

18 And so even if you have a mosque or
19 a synagogue or a church, the first thing you have
20 to do is go to the Secretary of State, get a
21 certificate of incorporation. Then you have to
22 apply to the federal government to get tax-exempt
23 status, which is again, typically, for a
24 religious institution, a 501(c)(6). You have to
25 fill that out.

1 But it's not just filling out the
2 paperwork. You have to have a listing of your
3 board members, you have to have, you know,
4 minutes from the board meetings, you have to show
5 your budget. Right? You have to establish that
6 you are actually a real organization.

7 And so, again, you know, I'm sure
8 the St. James Mar Thoma Church of Rockland, Inc.,
9 has done all of those things. Right? And
10 apparently haven't done them in a fashion timely
11 with the county, because the county was billing
12 their property taxes. Right?

13 I mean -- and so, you know, they
14 have to go through these process after process
15 after process getting these exemptions so that
16 they won't be charged taxes so that the money
17 that they're collecting can actually be used for
18 the good of the church and thus the good of the
19 community. Right?

20 And so it's important that bills
21 such as this one have an opportunity to come to
22 the floor of the Senate and that we vote on them
23 in order to help these communities.

24 In the particular case of property
25 taxes, there's an interesting history,

1 particularly in how property taxes have been
2 created. There weren't always taxes. Right?
3 Again, as we talk about the church, we begin in
4 Genesis and we read the story of Adam and Eve,
5 and they lived in the Garden of Eden. There were
6 no tax collectors there. Right? So eventually
7 there had to be a place where they decided, you
8 know, as they got thrown out of there, right --
9 because there's no rent regulation, either, you
10 know. So they get thrown out of the Garden of
11 Eden, right, and now they're out in the world.

12 As you know, you begin in feudal
13 times in Europe where essentially all the land
14 belonged to the king. So even if you bought
15 land, technically it was yours, but it really
16 wasn't yours. And so the king wanted his piece,
17 so you had to pay taxes on the land. Right?

18 And that has been kind of a way
19 that government has done this -- its way of
20 funding itself so it can provide other things for
21 its citizenry. Right? Whether it was a vassal
22 citizenry in feudal England or feudal France or
23 Germany, right -- a lot of countries had feudal
24 systems. Sweden had a small feudal system.

25 But if you had a feudal system you

1 had to figure out, you know, how do you pay these
2 taxes. Right? We're all familiar with Robin
3 Hood, for instance, who, you know, used to stop
4 the tax collectors and give the money back to the
5 poor. So it was important that taxes be
6 collected.

7 And I am all for taxes being
8 collected. Taxes are important for state
9 government, for city government. Right? Taxes
10 are important for federal government. In fact,
11 I've argued even on this floor that we should in
12 fact collect taxes as a patriotic act. It's
13 patriotic to pay your taxes. So, you know --
14 because, again, what does government do? It does
15 the things that the market won't pay for, almost
16 by definition. Right? It does the things that
17 the market won't pay for.

18 Yeah, there might be eventually a
19 market to build a road, and so maybe you would
20 get a bond issue from Wall Street. But, you
21 know, Fulton Street would have never got built
22 if, you know, the companies had to build it.
23 Right? You needed the government to build Fulton
24 Street. Or to build Washington Avenue or Central
25 Avenue here in Albany or Old Loudon Road, you

1 know, out in Latham. Right? Loudon, that's how
2 you pronounce it? Yeah, Loudon.

3 You know, and there's a lot of
4 roads here, you know, in the greater Albany area,
5 many of which have churches on them. And it's
6 these roads that are paid for by taxes that
7 connect these churches to their peoples and their
8 homes. Right?

9 And so this notion of paying taxes
10 is a critical one. Right? Because, again, it
11 provides things like transportation. You have
12 roads. You have a public transportation system.
13 You have housing, public housing that the
14 government provides. Police services, where
15 would we be without police services. Right?
16 Maybe better places, right. But we need police
17 services. We all want to be protected. Right?

18 We have lots of police here in the
19 State of New York. We have the New York City
20 Police, the great, you know, force of the
21 New York City Police. We have the State Police,
22 right, who do a fantastic job protecting us on
23 the roads --

24 ACTING PRESIDENT GRIFFO: Senator
25 Parker.

1 SENATOR PARKER: Yes.

2 ACTING PRESIDENT GRIFFO: Senator
3 Parker, I'm going to remind you again to confine
4 your comments specifically to this issue of the
5 St. James Mar Thoma Church and real property tax
6 exemption request, please.

7 I gave you an opportunity to have a
8 swig of water.

9 SENATOR PARKER: Thank you very
10 much. I appreciate it.

11 Yes, I was really trying to connect
12 this notion of the fact that taxes were
13 important. And although we were asking for a tax
14 exemption for this particular church -- that is
15 well-deserved, because churches do such great
16 work in our communities and we certainly want to
17 support them. We particularly want to support
18 the St. James Mar Thoma Church in Rockland
19 County.

20 But we also want to make sure that
21 we pay our taxes. As we come quickly upon
22 April 15th, you know, taxes are important. Tax
23 exemptions are important, but taxes are important
24 as well. Right? And we want people to, you
25 know, pay their taxes. But we don't want this

1 church to have to have a burden that takes away
2 from serving the community that it serves.

3 Right?

4 And I'm not, you know, totally
5 familiar with that community. But I'm sure if
6 it's very much like the working-class communities
7 that we find throughout New York State that those
8 folks are dealing with a lot of issues, you know,
9 in the middle of this recession.

10 So finding a tax exemption for
11 St. James Mar Thoma church of Rockland, Inc., is
12 critical because that tax exemption frees the
13 church up to have, you know, food, you know, in
14 it -- like sometimes many churches have, you
15 know, food banks. Right? And that's critical,
16 again, when there's a recession. People don't
17 have jobs, you know, they're not going to work,
18 right, they don't have healthcare. And the
19 church is filling the gap for each one of those
20 issues. Right? The church is doing the things
21 that, frankly, government ought to be doing.

22 So that's why we're giving this tax
23 exemption to this church today, because it's
24 critical that these tax exemptions are available
25 for each one of the churches that need them so

1 that they can do all of the things that need to
2 be done in our communities.

3 And I want to really see -- I
4 really want to see more of us make sure that our
5 churches are being taken care of. Right? And
6 I'm hoping that by supporting Senator Carlucci's
7 bill today that we will find other churches that
8 are in need and that we will make the churches
9 partners in the kinds of things that we're
10 doing.

11 And by helping them with their tax
12 exemptions, that's a way that we can make sure
13 that resources in that community are being used,
14 you know, for that community, that we make sure
15 that, you know, the tax exemptions are going
16 towards, you know, doing some of the really
17 marvelous work that I see churches doing.

18 You know, for instance, the money
19 from a tax exemption can go towards the health
20 ministry. The health ministry may use the
21 tax-exemption money to do HIV and AIDS ministry
22 in which they're reaching out to people in the
23 community with that tax-exemption money, right,
24 using that, right, to, you know, do needle
25 exchanges, maybe hand out condoms, maybe talk

1 about abstinence, maybe counsel people who have
2 HIV or AIDS. Right? A really serious pandemic
3 that we have really stopped talking about to a
4 large degree in this community.

5 And although I can't talk about it
6 now because it's not germane to the tax exemption
7 for the St. James Mar Thoma Church of Rockland,
8 Inc., but this application for a tax exemption is
9 going to be important, again, to do that kind of
10 work.

11 But then also this same, you know,
12 St. James Mar Thoma Church of Rockland County may
13 also have a housing program, right, where they
14 are trying to help people either stay in their
15 houses, right, dealing with foreclosure -- we
16 have a large foreclosure problem in this state.
17 And although we're asking for a tax exemption
18 here, we really also ought to be in this body
19 talking about making sure that there's somewhere,
20 you know, upwards of \$25 million in this year's
21 budget to make sure that we have foreclosure
22 prevention.

23 ACTING PRESIDENT GRIFFO: Senator
24 Parker. Senator Parker.

25 SENATOR PARKER: Yes.

1 ACTING PRESIDENT GRIFFO: I've
2 given you great leniency.

3 SENATOR PARKER: And I appreciate
4 it, Mr. President.

5 ACTING PRESIDENT GRIFFO: And I've
6 even allowed you the opportunity to drink as I've
7 been talking to you.

8 SENATOR PARKER: Yes, I appreciate
9 that.

10 ACTING PRESIDENT GRIFFO: I would
11 ask you please to now, in accordance with
12 Rule III, Section 1, which gives me the authority
13 and responsibility to ensure germaneness to the
14 subject, to please specifically address the
15 exemption and the church specific.

16 SENATOR PARKER: Right. I thought
17 specifically I talked about this church and the
18 fact that this exemption freed up money for the
19 church to do other things like housing. Right?

20 ACTING PRESIDENT GRIFFO: But this
21 legislation is dealing specifically with the
22 exemption, so I would ask you again --

23 SENATOR PARKER: Right. Right. I
24 was speaking about --

25 ACTING PRESIDENT GRIFFO: Out of

1 respect, I would ask you to please confine it.
2 If not, please relinquish the floor to another
3 speaker.

4 SENATOR PARKER: Right. But I'm
5 also trying to talk, Mr. President, about how the
6 exemption is used. Right? Which is the impact.
7 Right? I mean, it's directly like -- the
8 question is, why give a church a tax exemption?
9 Right? That's the real question here.

10 Why are we voting yes on Senator
11 Carlucci's bill to give it to St. James Mar Thoma
12 Church of Rockland? Because churches do good
13 work. And what happens with that exemption
14 money? That's the real question. I mean, we do
15 anything, we talk about the budget and we say
16 we're going to give money to transportation, the
17 question is not whether we put money in
18 transportation but what does money in
19 transportation mean.

20 Here, what does extra money in the
21 coffers of the St. James Mar Thoma Church of
22 Rockland, Inc., what does that mean for that
23 congregation, what does that mean for the
24 community of Rockland County, what does that mean
25 for needy people who are served by the St. James

1 Mar Thoma Church of Rockland who we're giving
2 this exemption for?

3 And the notion of exemptions is
4 important because there weren't always
5 exemptions. You know, as I mentioned, in the
6 feudal period there were no exemptions from the
7 king's taxes. When the king wanted his taxes, he
8 got his taxes. Right? Senator Bloomberg {sic},
9 when he got first got into office, he raised
10 everybody's taxes 25 percent because the king has
11 to get his taxes. Right?

12 And so, you know, here we're
13 exempting property taxes from the St. James Mar
14 Thoma Church of Rockland, Inc. And the question,
15 Mr. President, is what happens with all of those
16 taxes and what do we do with them. And I'm
17 saying that I am clear, having worked with
18 several churches -- in fact, I was very happy
19 today that you had Reverend Judith Rapley
20 Waterman from my district come up and give the
21 invocation today, because she's from a great
22 church.

23 And hopefully they have a tax
24 exemption. If they don't, we'll be working on
25 one. And hopefully Senator Carlucci will

1 cosponsor my legislation that asks for an
2 exemption for the New Hope Christian Fellowship
3 Church so that they can have a tax exemption to
4 do the same kind of great work in Brooklyn that
5 they're doing in Rockland at the St. James Mar
6 Thoma Church of Rockland, Inc., with their
7 exemption.

8 And they're taking that exemption
9 and I know that they're using that exemption in
10 great ways. And the question is how are they
11 using that great work. Because I've had
12 opportunities to work with New Hope Christian
13 Fellowship in Brooklyn, and I have not
14 unfortunately had a chance yet to work with the
15 St. James Mar Thoma Church of Rockland County.
16 But the day is early, and hopefully I will get
17 that opportunity.

18 But I'm sure that, like the
19 churches in Brooklyn, the churches in Rockland
20 are doing great work not just in the pulpit but
21 doing things around housing and health. Right?
22 I'm sure many have a credit union. Right? You
23 know, I know many of the churches in Brooklyn, we
24 have credit unions in them. Right? Because
25 banking is hard to get sometimes in our

1 communities.

2 And so this exemption that we're
3 giving today by voting on this bill, this
4 exemption frees up money in the coffers of the
5 St. James Mar Thoma Church of Rockland in order
6 to have enough resources to do the great things
7 that need to be done in our communities. Right?

8 And some of these great things, you
9 know -- Senator Carlucci, you know, I didn't ask
10 when I had him on the witness stand, I didn't ask
11 him questions about this. But I'm sure that they
12 do a number of great things with their tax
13 exemption specifically. Right? And I know a
14 church like this, you know, probably works in a
15 lot of areas. And the use of their tax exemption
16 is one of the things that we ought to be talking
17 about.

18 In fact, I want to suggest to
19 Senator Skelos and Senator Libous that we do a
20 public hearing on tax exemptions for churches so
21 that we can hear all of the great work and get on
22 the Senate public record the issue of tax
23 exemptions and what we're using those tax
24 exemptions for.

25 Because we're giving out literally

1 hundreds of millions of dollars in tax exemptions
2 each year in this state to churches and mosques
3 and synagogues and temples; we ought to know what
4 that work is being done for. It may also help us
5 build a relationship with our churches so that
6 when, in fact, an exemption does come up, we
7 understand why we are voting for that exemption.

8 Because the exemption for the
9 St. James Mar Thoma Church of Rockland, Inc.,
10 right, is going to be an exemption that is used,
11 you know, in great ways, I'm sure, for that
12 constituency, right, and for that congregation.
13 Right?

14 I was hoping to be able to get a
15 number of the congregation, know, you know, when
16 the church was established, know a little bit
17 about the church. But hopefully when we have the
18 public hearing that I'm calling for, that the
19 head pastor or the priest at the St. James Mar
20 Thoma Church of Rockland, Inc., will be present,
21 will talk about the church, will give us more
22 information on this great thing that we voted on
23 today so that we have a more informed dialogue as
24 it relates to the issues of, you know, tax
25 exemptions for churches.

1 And there's a number of churches
2 that are asking for tax exemptions. You know,
3 when you look at today's active list, right, you
4 have townships asking for them, you have churches
5 asking. Right? There's a number of bills in
6 which we're asking for tax exemptions for
7 institutions. And I think it's going to be
8 really important for us to make sure that we are
9 finding the right information so that we can vote
10 on these bills in an informed way, you know, on
11 these issues.

12 The St. James Mar Thoma Church of
13 Rockland County, Inc., has filed its application
14 through Senator Carlucci's office. I was hoping
15 to see a bill analysis on this. Mr. President, I
16 don't know, is there a bill analysis or a fiscal
17 impact statement available by the sponsor?

18 ACTING PRESIDENT GRIFFO: Are you
19 asking the sponsor to yield, Senator Parker?

20 SENATOR PARKER: Yes, could I ask
21 the sponsor to yield for a question.

22 ACTING PRESIDENT GRIFFO: Does the
23 sponsor yield for an additional question?

24 SENATOR CARLUCCI: Yes.

25 ACTING PRESIDENT GRIFFO: The

1 sponsor yields.

2 SENATOR PARKER: Senator Carlucci,
3 was there a fiscal note for this bill?

4 SENATOR CARLUCCI: This bill, what
5 it does is it allows for the town, the
6 municipality, to actually accept this
7 application.

8 SENATOR PARKER: So there's no --
9 I'm sorry, will the sponsor continue to yield.

10 ACTING PRESIDENT GRIFFO: Does the
11 sponsor continue to yield?

12 SENATOR CARLUCCI: Yes.

13 ACTING PRESIDENT GRIFFO: Senator
14 Parker.

15 SENATOR PARKER: Through you,
16 Mr. President. Senator Carlucci, so do we know
17 how much this particular exemption is going to
18 cost the State of New York by granting an
19 exemption to the St. James Mar Thoma Church of
20 Rockland, Inc.?

21 SENATOR CARLUCCI: This is a
22 standard practice where we're allowing this
23 organization to file a tax exemption. And they
24 missed the deadline, so we're allowing them that
25 opportunity so they can do the good work in the

1 community and continue to serve the many families
2 that they have throughout the years and continue
3 to live in that tradition, and try to make sure
4 that they have more money in the bank so they can
5 take care of their members.

6 SENATOR PARKER: Thank you,
7 Senator Carlucci.

8 Mr. President, on the bill.

9 ACTING PRESIDENT GRIFFO: Senator
10 Parker will continue on the bill.

11 SENATOR PARKER: Thank you again,
12 Senator Carlucci, for your patience with my
13 questions.

14 And this actually is Calendar
15 Number 213, Senate Bill 4326A. And it's actually
16 cosponsored in the Assembly, so this is a
17 two-house bill. So this bill is eligible to be
18 law. And it's A08590, and it's sponsored by
19 Assemblymember -- is that Rabbitt? Annie
20 Rabbitt.

21 And this authorizes the St. James
22 Mar Thoma Church of Rockland, Inc., to file an
23 application for exemption from real property
24 taxes for a certain parcel of land located in the
25 Town of Ramapo.

1 The title of this bill is "an act
2 to authorize the St. James Mar Thoma church of
3 Rockland, Inc., to file an application for
4 exemption from real property taxes for a certain
5 parcel of land located in the Town of Ramapo."

6 The blurb -- now, the blurb
7 typically is like the title, but shorter. And
8 this allows the St. James Mar Thoma Church to
9 file an application for exemption from real
10 property taxes in connection with the 2009
11 assessment rolls.

12 The analysis of this bill is that
13 it authorizes the St. James Mar Thoma Church of
14 Rockland, Inc., to file an application for
15 exemption from real property taxes for certain
16 parcels of land located in the Town of Ramapo.

17 St. James Mar Thoma Church is a
18 non-for-profit organization that would be
19 entitled such an exemption had the organization
20 filed an application for exemption by the
21 appropriate taxable status date, according to the
22 bill sponsor. No significant change in A print.

23 SENATOR LIBOUS: Mr. President.

24 ACTING PRESIDENT GRIFFO: Senator
25 Libous.

1 SENATOR LIBOUS: Senator Parker
2 has been sharing with us information that
3 obviously is very important to him, and we
4 appreciate it. But I know that we have some
5 rules on time. Could you share with the body how
6 much time Senator Parker has left?

7 ACTING PRESIDENT GRIFFO: Under
8 Rule IX, under rules of debate, Senator Libous,
9 we have been monitoring the debate, and I believe
10 we have approximately 10 seconds left.

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

13 ACTING PRESIDENT GRIFFO: So,
14 Senator Parker, if you would conclude, I would
15 appreciate that.

16 SENATOR PARKER: So thank you,
17 Senator Libous, for giving me the heads up.

18 And thank you, Mr. President, for
19 your leniency and listening.

20 This is a bill that I'm going to be
21 supporting. I want to thank Senator Carlucci for
22 bringing up this bill that authorizes the
23 St. James Mar Thoma Church of Rockland, Inc., for
24 a tax exemption. And I will be voting aye.

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Parker.

2 Any other further discussion?

3 Debate is closed. The Secretary
4 will ring the bell.

5 Read the last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Those recorded in
12 the negative are Senators Bonacic, Dilan,
13 Krueger, Larkin, and O'Mara.

14 Absent from voting: Senators Diaz,
15 Hannon, and Squadron.

16 Ayes, 51. Nays, 5.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 Senator Libous.

20 SENATOR LIBOUS: Mr. President,
21 before we continue, we're going to stand at ease
22 for a few moments. But before we stand at ease,
23 would you call on Senator Hassell-Thompson for an
24 announcement, please.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hassell-Thompson.

2 SENATOR HASSELL-THOMPSON: Thank
3 you, Mr. President.

4 There will be an immediate meeting
5 of the Democratic Conference in the Democratic
6 Conference Room.

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous.

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

11 I would ask members to stay close
12 to the chamber. I'm told by Senator Sampson that
13 the meeting will be a brief meeting, and we'll be
14 reconvening shortly.

15 ACTING PRESIDENT GRIFFO: There
16 will be an immediate meeting of the Democrat
17 Conference in the Democrat Conference Room.

18 The Senate stands at ease.

19 (Whereupon, the Senate stood at ease
20 at 1:15 p.m.)

21 (Whereupon, the Senate reconvened at
22 1:54 p.m.)

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

25 Senator Libous.

1 SENATOR LIBOUS: Mr. President, at
2 this time could I have unanimous consent to
3 restore the calendar back to the noncontroversial
4 reading.

5 ACTING PRESIDENT GRIFFO: Without
6 objection, the calendar will be restored to
7 noncontroversial reading and the lay-asides will
8 be restored to the active list.

9 SENATOR LIBOUS: Could we have the
10 reading of the noncontroversial calendar at this
11 time.

12 ACTING PRESIDENT GRIFFO: There
13 being no objection, we will now go on with the
14 reading of the noncontroversial calendar.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 214, by Senator Carlucci, Senate Print 4328, an
18 act to authorize Iglesia Segunda Nueva.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Announce
2 the results.

3 THE SECRETARY: Ayes, 54. Nays,
4 4. Senators Bonacic, Dilan, Larkin and O'Mara
5 recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 215, by Senator Zeldin, Senate Print 4442A, an
10 act to authorize Victims Information Bureau.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 56. Nays,
19 3. Senators Bonacic, Larkin and O'Mara recorded
20 in the negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 217, by Senator Zeldin, Senate Print 4722A, an
25 act authorizing the assessor of the Town of

1 Islip.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 54. Nays,
10 5. Those recorded in the negative are
11 Senators Bonacic, Dilan, Krueger, Larkin and
12 O'Mara.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 219, by Senator Breslin, Senate Print 6162, an
17 act authorizing Holding Our Own, Inc.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 53. Nays,

1 6. Those recorded in the negative are Senators
2 Bonacic, Dilan, Krueger, Larkin, O'Mara and
3 Robach.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 221, by Senator Skelos, Senate Print 6162, an act
8 to authorize the assessor of the County of
9 Nassau.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Those recorded in
18 the negative are Senators Bonacic, Dilan,
19 Krueger, Larkin and O'Mara.

20 Ayes, 54. Nays 5.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 222, by Senator Skelos, Senate Print 6185, an act
25 to authorize the assessor of the County of

1 Nassau.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Those recorded in
10 the negative on Senate 6185 are Senators Bonacic,
11 Dilan, Krueger, Larkin, and O'Mara.

12 Ayes, 54. Nays, 5.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 223, by Senator Skelos, Senate Print 6186, an act
17 to authorize the assessor of the County of
18 Nassau.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Those recorded in
2 the negative are Senators Bonacic, Dilan,
3 Krueger, Larkin and O'Mara. Also Senator
4 Hassell-Thompson.

5 Ayes, 53. Nays, 6.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 225, by Senator Skelos, Senate Print 6297, an act
10 to authorize the assessor of the County of
11 Nassau.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Those recorded in
20 the negative are Senators Bonacic, Dilan,
21 Krueger, Larkin and O'Mara.

22 Ayes, 54. Nays, 5.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 226, by Senator Skelos, Senate Print 6298A, an
2 act to authorize the Barry and Florence Friedberg
3 Jewish Community Center.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Those recorded in
12 the negative are Senators Bonacic, Dilan,
13 Krueger, Larkin and O'Mara.

14 Ayes, 54. Nays, 5.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 227, by Senator Oppenheimer, Senate Print 6301,
19 an act to authorize the Beth El Synagogue.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator
3 Bonacic to explain his vote.

4 SENATOR BONACIC: Real briefly, we
5 will be voting on 17 bills today for
6 tax-exempts. In those areas where those
7 facilities are located, real property taxes will
8 go up on your residential homeowners and your
9 small businesses.

10 Just now, we have the Department of
11 Taxation and Finance has given us the assessment
12 roll for 2010. For religious exemptions we are
13 now up to almost \$25 billion.

14 Back in 2003, Senator Little and I
15 wanted to attack this problem and we went across
16 the state, Senator Parker, when you were talking,
17 and we had hearings throughout the state. And at
18 that time the amount of tax exemptions were
19 \$441 billion on all lands in the State of
20 New York. Roughly one out of three parcels were
21 tax-exempt back in 2003.

22 This report now, based on the 2010
23 assessment, slightly under \$800 billion of
24 tax-exempt land.

25 So when we want to do favors for a

1 constituent to please them and we keep taking
2 these tax-exempt parcels and we make them exempt,
3 keep in mind the taxes don't go away, it's a
4 shifting.

5 This is unsustainable. It's one of
6 the reasons property taxes in this state are
7 going through the roof and why many people are
8 looking to move outside the State of New York
9 because of these unsustainable property taxes and
10 tax exemptions. I vote no.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Bonacic to be recorded in the negative.

14 Announce the results.

15 THE SECRETARY: Those recorded in
16 the negative on Calendar Number 227 are Senators
17 Bonacic, Dilan, Krueger, Larkin and O'Mara.

18 Ayes, 54. Nays, 5.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 228, by Senator Carlucci, Senate Print Number
23 6376, an act to authorize.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Those recorded in
7 the negative on Calendar Number 228 are
8 Senators Bonacic, Dilan, Krueger, Larkin and
9 O'Mara.

10 Ayes, 54. Nays, 5.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 229, by Senator Carlucci, Senate Print 6377, an
15 act to authorize the Village of Airmont.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Those recorded in
24 the negative on Calendar Number 229 are
25 Senators Bonacic, Dilan, Krueger, Larkin and

1 O'Mara.

2 Ayes, 54. Nays, 5.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 230, by Senator Carlucci, Senate Print 6378, an
7 act to authorize the assessor.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Those recorded in
16 the negative on Calendar Number 230 are
17 Senators Bonacic, Dilan, Krueger, Larkin and
18 O'Mara.

19 Ayes, 54. Nays, 5.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 231, by Senator Carlucci, Senate Print 6379, an
24 act to authorize.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Those recorded in
8 the negative on Calendar Number 231 are
9 Senators Bonacic, Dilan, Krueger, Larkin and
10 O'Mara.

11 Ayes, 54. Nays, 5.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 232, by Senator Johnson, Senate Print 6422, an
16 act to authorize.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Those recorded in
25 the negative on Calendar Number 232 are

1 Senators Bonacic, Dilan, Krueger, Larkin and
2 O'Mara.

3 Ayes, 54. Nays, 5.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 233, substituted earlier today by Member of the
8 Assembly Rabbitt, Assembly Print Number 2603B, an
9 act to authorize Occupations, Inc.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Those recorded in
18 the negative on Calendar Number 233 are
19 Senators Bonacic, Dilan, Krueger and O'Mara.

20 Ayes, 55. Nays, 4.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 Senator Libous.

24 SENATOR LIBOUS: Mr. President, is
25 there any further business at the desk?

1 ACTING PRESIDENT GRIFFO: There is
2 no further business.

3 SENATOR LIBOUS: There will be an
4 immediate meeting of the Crime and Corrections
5 Committee in Room 332, an immediate meeting of
6 Crime and Corrections in Room 332.

7 And there being no further business
8 before the Senate, I move that we adjourn until
9 Monday, March 12th, at 3:00 p.m., intervening
10 days being legislative days.

11 ACTING PRESIDENT GRIFFO: There
12 will be an immediate meeting of the Senate Crime
13 and Corrections Committee in Room 332.

14 On motion, the Senate stands
15 adjourned until Monday, March 12th, at 3:00 p.m.,
16 intervening days being legislative days.

17 Senate adjourned.

18 (Whereupon, at 2:09 p.m., the Senate
19 adjourned.)

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