NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 7, 2012

12:12 p.m.

REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

Reverend Waterman.

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

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

We come giving You thanks and

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

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

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

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

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

And the Senate said amen.

ACTING PRESIDENT GRIFFO: Thank you, Reverend Waterman.

The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read the substitution.

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

Senate Bill Number 6430, Third Reading Calendar 233.

ACTING PRESIDENT GRIFFO: Substitution so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR PERKINS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

SENATOR PERKINS: Thank you very much.

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

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

ACTING PRESIDENT GRIFFO: State your point, Senator Perkins.

SENATOR PERKINS: Thank you very much.

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

SENATOR LIBOUS: Mr. President, point of order.

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

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

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

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

Senator Libous.

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

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

I recognize Senator Libous. Senator Libous, please proceed.

SENATOR PERKINS: May I --

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

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

ACTING PRESIDENT GRIFFO: Your point of personal privilege is not accepted.

Senator Libous.

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

SENATOR PERKINS: Mr. President --

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

Senator Perkins, why do you rise?

SENATOR PERKINS: Thank you very much.

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

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

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

SENATOR PERKINS: Thank you very much.

SENATOR LIBOUS: If you would, please.

ACTING PRESIDENT GRIFFO: Senator Libous --

SENATOR LIBOUS: Make his point on the Resolution Calendar.

ACTING PRESIDENT GRIFFO: On the Resolution Calendar?

SENATOR LIBOUS: That's correct.

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

SENATOR PERKINS: Thank you very much.

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

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

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

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

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

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

SENATOR PERKINS: It is my understanding --

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

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

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

Senator Duane, why do you rise?

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

discuss at this time.

ACTING PRESIDENT GRIFFO: Senator Duane -- Senator Duane.

SENATOR DUANE: (Inaudible.)

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

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

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

Senator Duane, you're out of order.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: I'm

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

SENATOR KRUEGER: So let me try again.

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

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

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger.

Senator Libous.

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

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

It is for whatever reason

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

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

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

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

ACTING PRESIDENT GRIFFO: You may.

SENATOR KRUEGER: Thank you.

So I'm hearing from --

SENATOR LIBOUS: Mr. President.

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

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

SENATOR KRUEGER: I yield.

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

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

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

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

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

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

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

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

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

So I would ask that we now move on.

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

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

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

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

SENATOR KRUEGER: Thank you. Please.

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

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

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

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

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

Senator Espaillat, why do you rise?

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

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

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

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

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

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

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

SENATOR LIBOUS: Yes.

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

So, Senator Espaillat, thank you very much.

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

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

SENATOR PARKER: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

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

SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 215, by Senator Zeldin --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 217, by Senator Zeldin --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 219, by Senator Breslin --
SENATOR HUNTLEY: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 221, by Senator Skelos --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 222, by Senator Skelos --

SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 223, by Senator Skelos --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 225, by Senator Skelos --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
THE SECRETARY: Calendar Number 226, by Senator Skelos --
SENATOR PARKER: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.
SENATOR LIBOUS: Mr. President, can we have some order in the chamber. I'm having an awful time hearing the Journal Clerk.
I know there seems to be high emotion today, and that's fine, but there still is decorum and order that we need to have while the bills are being read.

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

And the Secretary will continue to read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

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

SENATOR PARKER: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

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

SENATOR PARKER: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number

230, by Senator Carlucci --

SENATOR HUNTLEY: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 231, by Senator Carlucci --

SENATOR PARKER: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 232, by Senator Johnson --

SENATOR HUNTLEY: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 233, by Member of the Assembly Rabbitt --

SENATOR HUNTLEY: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

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

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

ACTING PRESIDENT GRIFFO: The

Secretary will ring the bell.

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

The Secretary will read.

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

SENATOR PARKER: Explanation.

ACTING PRESIDENT GRIFFO: Explanation requested.

Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: Senator Parker.

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

ACTING PRESIDENT GRIFFO: Senator Carlucci, do you yield?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: Senator Parker.

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

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

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

ACTING PRESIDENT GRIFFO: Will the sponsor continue to yield?

SENATOR CARLUCCI: Yes.

SENATOR PARKER: Through you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Parker.

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

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

ACTING PRESIDENT GRIFFO: Senator

Parker.

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

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR PARKER: Thank you, Senator Carlucci.

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

SENATOR CARLUCCI: Thank you for the question.

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

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: Yes,

Mr. President. Will the sponsor continue to yield.

ACTING PRESIDENT GRIFFO: Does the sponsor yield?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The sponsor continues to yield.

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

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

SENATOR CARLUCCI: When the church was established?

SENATOR PARKER: Yes.

SENATOR CARLUCCI: I cannot tell you that.

SENATOR PARKER: On the bill.

ACTING PRESIDENT GRIFFO: Senator Parker on the bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Parker. Senator Parker.

SENATOR PARKER: Yes.

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

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

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

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

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

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

Once you get the certificate of incorporation, sometimes you might need a lawyer to get the exemption, because it's not a lot of paperwork but it frankly is a little bit more technical than it probably needs to be. Actually, we should recommend that the SAGE Commission do a look at the documents and our paperwork usage in the state in order to deal with that, particularly as it relates to that, because we want people who are doing good work, like churches, to get their exemptions.

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

process.

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

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

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

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

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

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

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

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

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

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

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

But if you had a feudal system you

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: Yes.

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

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

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

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

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

church to have to have a burden that takes away from serving the community that it serves. Right?

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Parker. Senator Parker.

SENATOR PARKER: Yes.

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

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

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

SENATOR PARKER: Yes, I appreciate that.

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

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

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

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

ACTING PRESIDENT GRIFFO: Out of

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

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

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

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

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

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

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

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

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

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

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

communities.

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

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

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

Because we're giving out literally

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

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

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

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

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

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

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

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

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

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

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

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

ACTING PRESIDENT GRIFFO: Does the sponsor continue to yield?

SENATOR CARLUCCI: Yes.

ACTING PRESIDENT GRIFFO: Senator Parker.

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

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

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

SENATOR PARKER: Thank you, Senator Carlucci.

Mr. President, on the bill.

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

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

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

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

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

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

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

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

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

SENATOR LIBOUS: Thank you, Mr. President.

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

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

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

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

ACTING PRESIDENT GRIFFO: Thank

you, Senator Parker.

Any other further discussion?

Debate is closed. The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

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

Ayes, 51. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous.

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

ACTING PRESIDENT GRIFFO: Senator

Hassell-Thompson.

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

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

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

The Senate stands at ease.

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

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

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

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

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

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

Islip.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53. Nays,

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

Nassau.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 53. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bonacic to explain his vote.

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

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

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

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

So when we want to do favors for a

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

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

Thank you, Mr. President.

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

Announce the results.

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

O'Mara.

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

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

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

Ayes, 55. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous.

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

ACTING PRESIDENT GRIFFO: There is no further business.

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

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

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

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

Senate adjourned.

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