NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 27, 2014

11:27 a.m.

REGULAR SESSION

SENATOR DAVID CARLUCCI, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

I ask everyone present to please rise and repeat with me the Pledge of Allegiance.

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

ACTING PRESIDENT CARLUCCI: In the absence of clergy, may we please bow our heads in a moment of silence.

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

ACTING PRESIDENT CARLUCCI: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Wednesday, February 26, the Senate met pursuant to adjournment. The Journal of Tuesday, February 25, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 13, Senator Perkins moves to discharge, from the Committee on Health, Assembly Bill Number 8611 and substitute it for the identical Senate Bill Number 6470, Third Reading Calendar 103.

ACTING PRESIDENT CARLUCCI: Substitution 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 LIBOUS: Thank you, Mr. President.

At this time could we please adopt the Resolution Calendar, with the exception of Resolution Numbers 3514, 3608, 3615 and 3658.

ACTING PRESIDENT CARLUCCI: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 3514, 3608, 3615, and 3658, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed,

nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Would you call on Senator Gianaris, please, for a motion.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: On behalf of Senator Squadron, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Bill 5862.

ACTING PRESIDENT CARLUCCI: So ordered.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a resolution at the desk by Senator Klein, Number 3658. I ask that it be read in its entirety, and could you please call on Senator Klein before its adoption.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3658, by Senator Klein, commemorating the 100th Anniversary of The Manor Club in Pelham, New York.

"WHEREAS, It is the sense of this Legislative Body to recognize that the quality and character of life in the communities across New York State are reflective of the concerned and dedicated efforts of those organizations and individuals who would devote themselves to the welfare of the community and its citizenry; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to commemorate the 100th Anniversary of The Manor Club, to be celebrated at a Centennial Gala on March 1, 2014, in Pelham, New York; and

"WHEREAS, The Manor Club is a nonprofit center for cultural, educational and philanthropic events with a proud history of community service to Pelham, New York, and the surrounding areas; and

"WHEREAS, The Manor Club was

originally an all-male group incorporated in 1883; after facing declining membership and financial troubles, the all-female members of the Tuesday Afternoon Club were asked if they would be interested in taking over the club; an agreement was made in 1914, and these very capable women set the cornerstone for the ever-growing 300-member cultural venue it is today; and

"WHEREAS, Over the years, The Manor Club has raised funds for community outreach through holding fashion shows, bridge parties, dances, concerts, and white elephant sales; and

"WHEREAS, The Manor Club Scholarship Awards were established in 1944, helping numerous Pelham Memorial High School students to further their education; and

"WHEREAS, The Manor Club is actively involved in a number of charitable programs including a fall coat drive, fundraisers, and the Manor Club Shares, a program allowing other philanthropic organizations use of its clubhouse as a venue for meetings; and

"WHEREAS, The club's youth group, the Do-Its, enlists the services of members'

daughters in 5th to 10th grade to assist with projects such as the Children's Center Benefit, the Victorian Christmas Party for children, and the Mary and The Boys Concert, as well as a planned fundraiser for the New Rochelle Humane Society; and

"WHEREAS, One of the greatest assets of The Manor Club is its professional-level theater productions and concerts, which are open to the public; these productions have played a key role in enriching the life and culture of the overall community; and

"WHEREAS, To celebrate The Manor Club's centennial anniversary, playwright and club member Rosemary Foley is writing a skit about the club's early history, and director and actor Paul Romanello will present a musical production of the story of the club's 100-year journey from the Silver Age of the Flapper to the sophistication of the 21st century; and

"WHEREAS, It is the custom of this Legislative Body that when organizations of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of this great

Empire State; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the 100th Anniversary of The Manor Club, to be celebrated at a Centennial Gala on March 1, 2014, in Pelham, New York; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to The Manor Club, Pelham, New York."

ACTING PRESIDENT CARLUCCI: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

It's certainly my pleasure to present this resolution honoring the 100th anniversary of the Pelham Manor Club.

I want to acknowledge that we have with us today in our chamber the club president, Joan Cornell, as well as distinguished members of the club with us today. I thank you for joining us today here in our State Capitol.

This is something that's very important in the Pelham community because this is certainly a milestone. This Saturday the Pelham Manor Club will celebrate their Centennial Gala

and honor the cultural philosophic and educational contributions that the club has made through generations.

The Pelham Manor Club has a rich and notable history, as was outlined previously, dating back to the early 1870s. Its earliest members included Tom DeWitt and Henry Taft, the brother of President Taft.

But I think what really sets this club apart is that back in the 1870s it was founded by men. And when it went into financial hardship and potential bankruptcy, the men of Pelham turned to the women to take over the club back in 1914, and it prospered. And I think it proves the old adage that our former First Lady Eleanor Roosevelt once said, that "If you want something said, get a man. But if you want something done, get a woman to do it." So clearly that's what was accomplished. And this long history of the Pelham Manor Club is because of the great work of the great ladies of Pelham.

So I thank you. This is a very important day in our community of Pelham. And I look forward to seeing everyone this Saturday night at the gala.

Thank you all.

ACTING PRESIDENT CARLUCCI: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a resolution by Senator Peralta, Number 3608, at the desk. I ask that the title be read and then we will open it up for cosponsorship.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3608, by Senator Peralta, commemorating the 170th Anniversary of the Dominican Republic Independence, to be celebrated on February 27, 2014.

ACTING PRESIDENT CARLUCCI: All in

favor of adopting the resolution signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: We opened that up, right, to the membership? And as the policy goes, Mr. President -- I always like to repeat it just so the members are clear -- all members will be put on the resolution. If for some reason you choose not to be put on the resolution, let the desk know.

ACTING PRESIDENT CARLUCCI: The resolution is open for cosponsorship. If you do not wish to be a cosponsor, please notify the desk.

Senator Libous.

SENATOR LIBOUS: I believe Senator Kennedy has a resolution, Number 3615, at the desk. I ask that the title be read and I believe that Senator Kennedy would then like to speak on

the resolution before its adoption.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3615, by Senator Kennedy, mourning the death of business leader Lumon Ross, distinguished citizen and devoted member of his community.

ACTING PRESIDENT CARLUCCI: Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to pay tribute to the life of Lumon Ross, who passed away on January 7, 2014, at the age of 75.

Lumon dedicated his life to enhancing the quality of life in his beloved hometown of Buffalo, New York. A native of Buffalo, Lumon Ross earned a bachelor's degree from Buff State College. He went to work as a social worker and later served as a supervisor with the New York State Division of Youth before opening the Kensington Experience restaurant on Kensington Avenue in the early 1990s.

A long-time champion of black-owned

businesses, Lumon understood firsthand the value of small businesses in rebuilding Buffalo's East Side community and creating job opportunities for the neighborhood.

In the 1990s, Lumon Ross cofounded the Black Chamber of Commerce, serving as its president and proudly representing the organization throughout the business community. He made sure the Black Chamber of Commerce was accessible to all and was at the forefront of teaching the principles of business to members of the community.

Additionally, Mr. Ross was the chairman of the Millions More Movement's Ministry of Trade and Commerce.

Mr. Ross lived his life with dignity and grace, always demonstrating a deep and genuine concern for his fellow human beings and inspiring others around him to do the same. Polite, pleasant and always persistent, Lumon Ross was devoted to his faith, his family, and to his community. His passing leaves a void in the City of Buffalo that can never be filled.

On behalf of a grateful community that is better because of his life and his many

contributions, I rise to honor Lumon Ross, who was a true pillar in the City of Buffalo and in the State of New York. Our thoughts and prayers continue to be with the Ross family and to all who mourn him.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Kennedy.

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

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's another resolution, I believe by Senator Parker, Resolution Number 3514, at the desk. I ask that the title be read and that Senator Tkaczyk be allowed to speak on the resolution before its adoption.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3514, by Senator Parker, memorializing Governor Andrew M. Cuomo to proclaim March 2014 as Early Intervention Month in the State of New York.

ACTING PRESIDENT CARLUCCI: Senator Tkaczyk.

SENATOR TKACZYK: Thank you, Mr. President.

I rise in support of this resolution, and I want to thank Senator Parker for bringing it to the floor. This is a resolution that recognizes March as Early Intervention Month.

And as the resolution states, the early years of a child's life are critical to development. And during their infant and toddler years, children grow quickly and have much to learn. Some children and families face challenges and need extra help. And it's acknowledged that early help makes a tremendous difference.

Some children are born with

developmental delays and disabilities. It is crucial that these children receive immediate and therapeutic intervention based upon acceptable norms and proper treatment upon diagnosis.

The New York State Department of Health Bureau of Early Intervention is authorized to provide early intervention services for more than 75,000 infants and toddlers with developmental delays and disabilities, and their families, throughout the state. Research reflects that for every dollar we invest in early intervention, $7 is saved in future costs in special education. We are getting kids ready for life and ready for school.

However, because of a snafu that happened in last year's budget, we've changed how early intervention providers are paid. And it's caused tremendous difficulty to those providers in their ability to provide services to this very vulnerable population.

Early intervention providers are, frankly, not getting paid timely and they're going out of business. Why do I care? Because so many of these providers are working in my communities, in my district, and in rural areas

where I have providers who are typically one-person businesses, typically women working out of their homes providing this service. They're going out of business because they can't get paid.

We think this is an important service. We need to continue to provide it. And as we recognize this Early Intervention Program, we also have to recognize that we need a legislative fix to resolve this problem. It's been brought up in hearings. I introduced legislation last October. It was discussed a lot in the budget hearing.

I'm waiting every day for that legislative fix to come to the floor.

Please get this legislative fix to the floor so we can continue to provide early intervention services to our very vulnerable New York residents.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Tkaczyk.

Senator Stavisky.

SENATOR STAVISKY: Yes, I too thank Senator Parker for introducing this resolution,

but I particularly thank Senator Tkaczyk for her comments.

Because I have worked with many of the EI, the early intervention providers, and they are not getting paid. And they do save us so much money. It's a lot cheaper for us to provide the intervention services now than the remediation services at a later date.

There are institutions in the county where I live, Queens County, one in particular, a large hospital for chronically ill children, St. Mary's, that had to discontinue their early intervention service because of the funding or the lack of reimbursement that they have received.

This is a critical issue for young people, and I hope that as we resolve budget issues that this issue is also resolved by April 1st.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Stavisky.

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

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

At this time could we please move to the noncontroversial reading of the calendar, please.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number 103, substituted earlier by Member of the Assembly Glick, Assembly Print Number 8611, an act to amend Chapter 192 of the Laws of 2011.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI:

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 124, by Senator Martins, Senate Print 6409, an act to amend the Local Finance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the results.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Maziarz recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 132, by Senator Maziarz, Senate Print 1058, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 151, by Senator Ball, Senate Print 2801, an act to amend the Election Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT CARLUCCI: The bill is laid aside.

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

SENATOR LIBOUS: Mr. President, since we've done that, we will go to the controversial reading of the calendar.

ACTING PRESIDENT CARLUCCI: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number

151, by Senator Ball, Senate Print 2801, an act to amend the Election Law.

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT CARLUCCI: There is an explanation requested.

Senator Ball.

SENATOR BALL: So this piece of legislation will allow individuals the opportunity to register to vote --

SENATOR LIBOUS: Excuse me, Mr. President, I'm having a difficult time hearing.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: This bill will allow those the opportunity to register to vote at the same time as they apply for a hunting license, fishing license, or a combination of both.

SENATOR LIBOUS: Excuse me, Mr. President, I can't hear the Senator.

ACTING PRESIDENT CARLUCCI: Senator Libous.

SENATOR LIBOUS: If we could just, the next time the Senator speaks, check the audio. I had a very hard time. And I know that

I am getting older, and I know that the hearing isn't what it was when I was a spry 30 like yourself.

(Laughter.)

SENATOR LIBOUS: However, if they could just check that the next time Senator Ball gets up. Because I do want to hear the inspiring debate between Senator Krueger and Senator Ball.

ACTING PRESIDENT CARLUCCI: So ordered.

Senator Krueger.

SENATOR KRUEGER: If the sponsor would please yield to an inspiring question.

(Laughter.)

ACTING PRESIDENT CARLUCCI: Will the sponsor yield to questions?

SENATOR BALL: Sure.

SENATOR KRUEGER: Thank you.

In this bill it clarifies that it's expanding the offices that will be accepting voter registration with fishing and hunting licenses to private businesses. Could the sponsor please explain to me what these offices are and where they are and how many there are?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So I don't know the exact number, but DEC supplies forms to local businesses, you know, throughout the state.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: Thank you.

Would the sponsor confirm that this would include sporting good stores, gun and archery stores, fishing supply stores, bait and tackle shops?

SENATOR BALL: Yup.

SENATOR KRUEGER: If the sponsor would continue to yield.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: And would this also include things like Walmart, Dick's Sporting Goods, other big box stores?

SENATOR BALL: If they have those DEC forms, sure.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to allow me to ask inspiring questions.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: Thank you.

So I believe I already asked if we knew how many new locations this would expand accepting voter registration through DEC licensing. Would the sponsor be surprised if I told him it appears to be 1500 additional locations, mostly in private stores?

ACTING PRESIDENT CARLUCCI: And will the sponsor direct the answers to the chair.

Continue.

SENATOR KRUEGER: I'm sorry, I didn't hear the answer.

ACTING PRESIDENT CARLUCCI: Will the sponsor direct the answers to the chair.

SENATOR BALL: Whether it be 1500 new opportunities to register to vote or whether it be 2,000 or 3,000, it's allowing every

opportunity for citizens to register to vote and engage in civic discourse and their civic duty. These are all great opportunities. The more people that register to vote would be our goal. And I would hope it's yours.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: Would the up-to-1500 potential stores have the right to say "No, we don't want to do this, we just want to do the hunting and fishing licenses, we don't want to get involved with handling voter registration"?

SENATOR BALL: So these forms that are provided, this would actually be part of that form. So, you know, it's up to the individual who wants the right to vote -- who has the right to vote to exercise that right to fill out that form.

I think you're making it a little more complicated than it is. Which isn't surprising.

ACTING PRESIDENT CARLUCCI: Will the sponsor please direct the answers to the chair.

SENATOR KRUEGER: Through you, Mr. President, just to clarify my question.

So right now I am a store and I have an arrangement with DEC that I'm assuming I voluntarily went into, as opposed to being mandated to accept the paperwork for hunting and fishing licenses. I believe that's the current law. If Senator Ball's bill were to become law, then those license documents would also include voter registration material.

So my question was, would these private stores have to agree to handle the voter registration documents as well as the hunting or fishing license?

SENATOR BALL: So the form right now, if you go and you're going to get a fishing or hunting license, what we're saying is that on that form you can check a box that you also want to register to vote. And it's that simple.

SENATOR KRUEGER: Through you, Mr. President.

ACTING PRESIDENT CARLUCCI: Does the sponsor continue to yield?

SENATOR BALL: I will.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Thank you.

So if I understand correctly, the stores, having accepted taking hunting and fishing licenses, would have to now also agree to handle voter registration forms or get out of the business of handling any licenses. It would be all or nothing; is that correct?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: That is not correct --

ACTING PRESIDENT CARLUCCI: Hold on. Can we get Senator Ball's mic on?

SENATOR BALL: -- shutting mine off.

(Laughter.)

SENATOR KRUEGER: I certainly didn't.

ACTING PRESIDENT CARLUCCI: Senator Ball, if you continue, your mic is on.

SENATOR BALL: Okay. No, that's not the purpose of the bill. This is to simply allow on the form for fishing and hunting licenses for you to check off and say that you'd also like to register to vote.

So this doesn't create an undue burden upon businesses in any way. We're just allowing, at the time of registration, for a fishing or a hunting license or a combination thereof to also exercise your right as a citizen to register to vote. It's that simple.

This is not complicated. And it's simply allowing people another opportunity to register to vote, which I think everybody can agree is a good thing and is not dissimilar to efforts instituted by President Bill Clinton in 1993 as part of the National Voter Registration Act, the Motor Voter Act that we all know about. So pretty simple stuff.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, I love helping people register to

vote. That's not the reason for my questions on this bill.

ACTING PRESIDENT CARLUCCI: Does the sponsor continue to yield?

SENATOR BALL: Yes.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: So again, if this bill became law, if you were a private store that was handling the licenses for hunting and fishing, you must also handle the voter registration documents, as I read the bill.

The law existing says that you are supposed to help people with their voter registration if they have any questions or confusion. So under this bill, would we be requiring private stores to assist people with the filling out of their voter registration forms?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So all this does is right now these same businesses, entities, have these license forms. All this is doing is

changing that license form so you can also register to vote. That's what this does.

And I understand that it's suggested that we all support allowing for greater voter registration, and that's what this does. And I hope that there isn't a concern that hunters and fishermen and sportsmen would be registering to vote. I hope that that's not the basis of any concern here.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, that's not my concern at all. I'm perfectly delighted to have sportsmen register --

ACTING PRESIDENT CARLUCCI: Does the sponsor continue to yield?

SENATOR KRUEGER: Well, I haven't gotten to the question yet. I'm sorry, I was just clarifying that no, I am not opposed to hunters or fishermen voting. I think everybody should register to vote.

My questions are more in the path of the new responsibilities being applied, perhaps for the first time in state law, to private entities to handle voter registration. And the

fact that we do have a precedent in law of things you must do if you're handling voter registration, including assist people in the process.

The next question, if the sponsor will yield.

ACTING PRESIDENT CARLUCCI: Will the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Krueger.

SENATOR KRUEGER: Thank you.

Will the store understand the responsibilities -- and how will we make sure they do -- to in a timely fashion move the voter registration applications to the correct location?

Because there's a time limit of how long you have to move a voter registration form to the Board of Election. Will that all be -- it's not clear it's in the law. But will that all be laid out and ensure that private companies, perhaps up to 1500 sites, will understand there's new protocols that may require

training to make sure they meet the obligations under our Election Law to assist people with their voter registration and ensure the proper transfer of the papers in a timely manner to the Board of Election?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: One of my greatest attributes, I believe, is that I'm not an attorney. And this conversation reminds me of why I didn't become an attorney.

This is very simple. These forms right now, these businesses right now allow men and women to register for a fishing or hunting license. We are going to change that application so you can also register to vote. Those forms then go to the DEC. And the DEC, according to Subdivision 7, states "The completed application forms received by the DEC are then transmitted by such department to the appropriate Board of Elections."

So it's the DEC, in coordination with the State Board of Elections. And then Subdivision 9 states: "The Board of Elections processes the application and sends appropriate

notice of approval or rejection."

So there seems to be a clear misunderstanding and trying to create a debate where there is no debate. The State Board of Elections will do their job. The DEC will process and do their job. And there will be forms at these entities, as there are now. The only difference is that the forms will also allow somebody the right to register to vote.

The very concept of trying to create the illusion that this somehow ensnares these entities into a role of the State Board of Elections is not only spurious, it's absolutely incorrect and, in my opinion, is being portrayed here today for no other reason than to throw an illusion and to thwart efforts to allow sportsmen the right to register to vote. And that's what's really happening today.

So unless there's a deeper question, I think it's time now to let this debate rest. Unless there's a deeper question there.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, I don't think anything spurious is

happening. I didn't go to law school either, but I have figured out we're in the business of making laws, making sure people can follow the laws, and we need to understand the laws we pass.

Paragraph 8 of the Senator's bill affirms that "Disclosure of voter registration information by the DEC, its agent or employees for other than voter registration purposes shall be deemed an unwarranted invasion of personal privacy under the Public Officers Law."

Can the Public Officers Law apply to employees of private businesses in this manner? Because in fact in this bill we would be applying those requirements to private company employees. And there's a whole chain of command -- excuse me, chain of custody issue in privacy rights with voter registration.

So the Senator does seem to recognize that in paragraph 8 of his bill. But I just don't know whether it actually does apply to private businesses and private employees of private businesses, so I'm not sure our laws would jibe would each other.

Can the Senator answer that, please?

ACTING PRESIDENT CARLUCCI: Does

the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: The Senator yields.

SENATOR BALL: Subdivision 8 specifically applies to employees and the DEC, and it prohibits the disclosure of voter registration information for any other purpose than voter registration by DEC or its employees.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

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

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR KRUEGER: Thank you.

Yes, I understand that part. But the Public Officers Law, I don't know if that applies to a Walmart clerk. But this law appears that it would require it of the Walmart clerk, so I'm trying to get a clarification. Have we

figured out whether the standards and laws that apply under the Public Officers Law would apply now, if this became law, to all employees who might be handling voter registration in any one of these 1500 stores?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: Okay, so to say this once again on this point. Subdivision 8 specifically applies to the DEC or its employees. It prohibits the disclosure of voter registration information for any other purpose than voter registration by the DEC and its employees.

Walmart is not listed in there, Dick's Sporting Goods is not listed in there, my uncle's Shot Shop in Dutchess County is not listed there. It's the DEC or its employees.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President. If the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: Yes, the sponsor yields.

Senator Krueger.

SENATOR KRUEGER: So the sponsor and I have both agreed we are big supporters of expanded voter registration. If I'm a customer at any of these stores but I don't wish a hunting/fishing license but I would like to register to vote, will his bill require they assist me to register to vote even if I'm not looking for the hunting or fishing license?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: These separate questions you are reading and trying to create a problem where there is none. This is a piece of legislation that will allow those individuals who are registering to get a fishing or hunting license or a combination to also register to vote. That's specifically what it does. It's simply what it does. And it will simply allow more people the right to register to vote and to engage in the civic process.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR KRUEGER: So the sponsor has argued he wants to make sure that people who are registering for hunting and fishing licenses to be able to register to vote at the same time. I have told him I agree, everybody who's a hunter or fisherman should be encouraged and supported to register to vote.

I don't understand why all the other clients of these 1500 stores shouldn't have equal rights to take advantage of the right to register to vote at these locations. Is the sponsor actually opposed to non-hunters-and-fishermen being able to register to vote?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So I guess by that suggestion we could say that the Motor Voter Act of 1993, that those people that did not have a driver's license or do not go to the Motor Vehicles, that in some way that we tried to infringe upon their rights.

So that's not -- that's not the intent in any way. And I can continue to repeat myself, but I'm not going to. I think my previous points stand.

ACTING PRESIDENT CARLUCCI: Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, I will speak on the bill because my colleague doesn't wish to answer more questions.

ACTING PRESIDENT CARLUCCI: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

I want people to be able to register to vote. I want them to get help where they register to vote when they need it; it can be confusing. I would like more access to voter registration. I think that's a good thing for every citizen of the state to be able to easily register to vote.

I am fundamentally concerned with our mandating this activity onto private businesses without requiring training or even specific criteria of making sure they understand what new legal obligations they would be taking

on upon themselves if they handled voter registration.

I in fact don't know, if we were to ask any of these 1500 stores if they want to be responsible for the voter registration of the citizens of New York, whether they would say "Yes, I want to do that."

I still don't have an answer that I understand to the question of if I'm a store that currently handles DEC licenses, can I say "No, thank you, I think it's a step too far to handle the voter registration"? So why would I actually have to give up my right to handle hunting and fish license because I don't want to take on the responsibility, under Public Officers Law, and the liability of handling voter registration?

I am concerned that an unintended consequence of this bill could be hundreds of stores saying "No, we're not in the voter registration business, I guess we just won't be able to do hunting and fishing licenses." I don't think that is the sponsor's intent, but I think that is open to debate as to whether that would happen.

I also feel fundamentally that if

you're going to agree to take on the responsibility of voter registration, you shouldn't be able to say no to someone because they don't wish a hunting and fishing license.

Right now other places where voter registration forms are attached to other kinds of applications for other activities -- and it's absolutely true, there's lots of models like that. If you apply for social services, if you go to DMV, if you go online with DMV. But there's nothing that says unless you are going to also do this you can't voter register.

And so I'm very concerned that there's not a clarification that if I'm just the mom going to Walmart to buy my groceries, that I might not have the right to register to vote in this store, even though other people have the right because they choose to get a hunting/fishing license -- which has a cost, as I believe. They're not free.

So I am very concerned that we would be setting up a two-tiered model not discouraging hunting/fishing licenses from those people from voting -- excuse me, not trying to discourage people who hunt and fish from registering to

vote, but rather putting up a new wall preventing people who don't hunt and fish from being able to register to vote at the same locations as their neighbors.

So I have many concerns about this bill that have not been answered today. I don't think this is something we should be rushing through. I think we should be having discussions with the stores, in particular, because they're the ones being handed all this new responsibility, and I haven't heard from any of them they're rushing to take on this responsibility.

I know that DEC is in the process of computerizing many of their licenses, I believe including hunting/fishing. I don't know what the impact would be on that program if we were to open up paper registration in 1500 nongovernmental facilities.

I'm actually not convinced that this bill wouldn't have the reverse outcome of what I believe the sponsor and I both want: more ability to register to vote in more locations in an easier, fair way throughout the state.

I urge my colleagues to vote no.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Krueger.

Senator Gianaris.

SENATOR GIANARIS: Would the sponsor yield for a few questions, Mr. President?

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes. How are you?

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I'm curious if the sponsor thinks that hunters and fishermen in particular have been disenfranchised in this state as a group, as opposed to other residents or the state.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So 1993, that ultraconservative Bill Clinton passed the Motor Voter Act allowing more people to engage in the process. This simply follows up on that. And we have 700,000 folks, sportsmen, fishing licenses,

hunting licenses, and we want to provide them the opportunity to also register to vote similar to what was done at the federal level in 1993 by President Clinton. So that's what we're doing here.

SENATOR GIANARIS: Would the sponsor continue to yield, Mr. President.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: I think there's a distinction between the Motor Voter Law, which applied to millions of people and dealt with people applying for driver's licenses, or even non-driver IDs, which covers millions and millions of people throughout this state, and what might be called a niche group in terms of hunters and fishermen -- that's not my term, that's Citizens Union's term. And I'm curious why the sponsor is focused on hunters and fishermen only among the many people that interact with state agencies that might benefit from the ability to register to vote.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So what I think should happen is some of the members that have concerns on the piece of legislation but suggest that they also support enhanced voter registration, they should join me, cosponsor the bill, and let's expand the categories in the future. I don't see any problem with having input into this to even expand the efforts.

But this is a very specific piece of legislation. We have people that are currently filling out hunting and fishing licenses, and it's an easy way, a quick way to allow those same people the right to register to vote.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: Would the sponsor yield, Mr. President?

ACTING PRESIDENT CARLUCCI: The sponsor yields, Senator Gianaris.

SENATOR GIANARIS: I think the sponsor pointed out correctly this is a very specific piece of legislation and it applies to a very specific group of people. And I'll ask my original question again. Is it his position that the universe of people addressed in this

legislation is particularly disenfranchised, as opposed to people who don't fall within that category?

SENATOR BALL: I answered that question previously.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: Would the sponsor continue to yield?

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: Senator Gianaris, the sponsor yields.

SENATOR GIANARIS: Does the sponsor agree with Citizens Union, which in their memo on this very bill said that "To ensure that laws are actually enacted removing barriers to voter registration, it will require that Democrats and Republicans put aside efforts to gain electoral advantage and instead agree to combine proposals or pass multiple bills that enable New Yorkers to more easily register regardless of which party they are more likely to vote for"?

And I think the point Citizens Union

is trying to make is that arguably the intent of this legislation is to get people who are more likely to skew towards a certain political persuasion more ability to register to vote. And why would we not do something, such as a bill that I have proposed, which is open up all state agencies and all interactions with state agencies to the same benefit, as opposed to picking just one category of people?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: And I applaud those efforts and wish you the best of luck with that piece of legislation, but that's not the piece of legislation before us today.

The one before us today is a simple piece of legislation, and sportsmen are not Democrat, Republican, independent, vegetarian, vegan. They're sportsmen. That there's no way to figure out how they're going to vote or what their inclination is, and that's not what this legislation is about.

This legislation says that out of the 700,000 people that have fishing licenses and hunting licenses, that we also offer them the

opportunity to register at the same time to vote. It does not put an undue burden on the businesses. The process is in place, and the coordination is between DEC and the State Board of Elections. And it's clear.

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: On the bill, Mr. President.

ACTING PRESIDENT CARLUCCI: Senator Gianaris on the bill.

SENATOR GIANARIS: I think the sponsor's last point was well-taken. There are in fact people who are hunters and fishermen who fall under any political persuasion.

And in fact when we dealt with an important piece of legislation last year that regulated firearms, we did have bipartisan support. And I want to thank Senator Skelos and the Republicans for allowing us to vote on the SAFE Act last year, because it was in fact an important accomplishment for our state.

But nonetheless, I agree with Citizens Union's point, which is if we're going to open up pathways to voter registration, which

I wholeheartedly support and have for my entire career, it's important that we do so in a uniform fashion so that not only people who are interacting with one particular agency get this benefit, but people that interact with all the state agencies get this benefit, whether they're seeking a hunting license or housing assistance or social services or any of a variety of opportunities that the state provides.

And so for that reason, I will vote no on this legislation, as I have in the past, but will continue working with the sponsor to broaden the approach.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So would -- is it true at this point in time that those registering --

SENATOR GIANARIS: Mr. President, point of order.

ACTING PRESIDENT CARLUCCI: Point of order, Senator Gianaris.

SENATOR GIANARIS: Is Senator Ball speaking on the bill? Or I don't know what status he has right now.

SENATOR BALL: Do you yield for a question?

ACTING PRESIDENT CARLUCCI: Does Senator Gianaris yield for a question?

SENATOR GIANARIS: Yes, Mr. President.

ACTING PRESIDENT CARLUCCI: He yields.

Senator Ball.

SENATOR BALL: I promise this won't be as heated as Sean Hannity's show.

(Laughter.)

SENATOR BALL: So is it true that right now those registering for social services are offered the opportunity to register to vote?

SENATOR GIANARIS: I'm sorry, I couldn't hear the question.

ACTING PRESIDENT CARLUCCI: Senator Ball, will you please repeat the question.

SENATOR BALL: Those folks who are registering for social services, are they afforded the opportunity to register to vote?

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: Mr. President, I

believe in certain instances they are, yes.

SENATOR BALL: And does the speaker support those efforts?

ACTING PRESIDENT CARLUCCI: Senator Gianaris, do you continue to yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: Does the Senator support those efforts?

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: Mr. President, my point of view is that anyone that interacts with a state agency should have the opportunity to register to vote, whether it's opportunities that are already afforded or opportunities that we're proposing.

And I don't think -- let me answer the question, please, Senator Ball. I believe that we shouldn't try and balance the playing field or level things out by picking one -- what is called by Citizens Union a niche group, as opposed to another that might be viewed by others as another niche group.

Let's just open it to everyone at every state agency and make sure that all people in this state -- upstate, downstate, suburban, Republican, Democrat and everything in between -- has the same opportunity to register to vote, which is what the goal should be.

SENATOR BALL: Well, if --

ACTING PRESIDENT CARLUCCI: And I'd just ask the Senators to address all their questions and comments to the chair.

Senator Ball.

SENATOR BALL: Will the speaker continue to yield.

ACTING PRESIDENT CARLUCCI: Does the speaker yield?

SENATOR GIANARIS: Yes, sir.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So to the extent that you support everybody interacting with a state agency to register to vote, I just have one final question. Is the DEC a state agency?

ACTING PRESIDENT CARLUCCI: Senator Gianaris.

SENATOR GIANARIS: I would think

the sponsor would know the answer to that, since he's a state legislator. But yes, the DEC is a state agency.

And if I can continue speaking on the bill.

ACTING PRESIDENT CARLUCCI: Senator Gianaris on the bill.

SENATOR GIANARIS: I think what's clear is that DEC is one state agency, one of dozens of state agencies. And why would we single out a particular one in which to incur this benefit, as opposed to broadening it to apply to all state agencies with which people interact?

And for the reasons I indicated, I'll be voting no at this time, even though I do support the goal of greater voter registration.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Gianaris.

Senator Sanders.

SENATOR SANDERS: On the bill.

ACTING PRESIDENT CARLUCCI: Senator Sanders on the bill.

SENATOR SANDERS: I'm going to take up my colleague's offer later to work with him on

it. I do have some concerns on the bill itself. It strikes me as an unfunded mandate on business that we should really watch doing.

And I personally favor registration upon demand. I favor same-day registration where, if a person comes and if they're an American citizen 364 days out of the year, on the 365th day they should be able to register and vote.

So I think that I like the direction that the sponsor is going. I think that we need to go even further. So I have every intention of working with him, and perhaps we can figure a way that we can write it in a way that it is not an unfunded mandate on business.

Thank you very much.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Sanders.

Senator Squadron.

SENATOR SQUADRON: Thank you. If the sponsor would yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: The

sponsor yields.

Senator Squadron.

SENATOR SQUADRON: Thank you very much.

And I want to thank my colleagues for the debate here. This is -- I've really got to tell you, my initial instinct was exactly what I think many of ours are, which are let's expand the ability to register to vote and participate in the process. And thank goodness finally on the Senate floor we have that opportunity after so many bills that do that have not made it here and not allowed this kind of conversation.

This is a little bit of a strange one, though, and the debate has shown that, what I've heard of the debate. As an inveterate mumbler, I also appreciate the extent to which this debate has been followed up through mumbles. And so forgive me if the sponsor has answered any of these questions before.

But I just want to really fully understand, because I think the sponsor may have said something that is different than my understanding of the bill when I supported it in the past.

The sponsor's view is that you should not be allowed to register to vote at a DEC-approved hunting/fishing license location unless you are also getting a license?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: Well, I think back to the misconception by -- back to some of the previous misconceptions, this does not turn the business in any way into an extended arm of the State Board of Elections. The DEC will coordinate specifically with the State Board of Elections, and they will both contemporaneously do their duties.

So all we're saying is right now if you apply for a fishing license, you apply for a hunting license or a combination, that on that form you will also have the opportunity to register to vote.

SENATOR SQUADRON: If the sponsor will yield.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Squadron.

SENATOR SQUADRON: And I know there's a prohibition on using props on the Senate floor, so I will not take out of my wallet my fishing license. But I do have one in my wallet because on my birthday I took my son to go fishing for the first time, in Brooklyn. Went down to Sheepshead Bay and got a little fishing rod and had a fishing license. I got a fishing license; my wife did not. And we are both registered to vote, I know you'll be pleased to hear.

But under this bill, if neither of us were registered to vote, if we were new citizens who had come to this country and just gotten our citizenship, taking our son to fish for the first time in the neighborhood -- we caught nothing, as I'm sure you can imagine -- I would be a registered voter at this point but my wife wouldn't have had the same opportunity to register to vote at that point that I got the fishing license.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: There are probably a myriad of different examples searching for a

problem that doesn't exist. If you get a fishing license or a hunting license, under this legislation you will also be afforded the opportunity to register to vote. As we know, there are many other ways that -- most people probably in this chamber registered to vote and didn't do so through a hunting and fishing license. So there are many other ways.

In fact, just in the floor debate we just heard that those that are registering for social services are not only afforded the opportunity but guided to register to vote. That's a different state agency.

This is the DEC. It will expand upon previous work, including the 1993 legislation and previous work in other chambers. That's all it does. It continues to allow those who want the right to vote to register and vote, as other agencies do in this great state. That's it.

SENATOR SQUADRON: If the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: And I'm glad you brought up the ability to register when you apply for certain social services. Was that model the one that was used in drafting this bill? In that case, as in this bill, is there a -- is it on the same form? Is there the prohibition, as there is on this bill, in repeating information? Is that how it works when you apply for social services? Is that how this bill was formulated?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: This is based on the DMV model.

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: Just a clarification of the question I asked. So if the sponsor would continue to yield to clarify.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Squadron.

SENATOR SQUADRON: This model is

not based on the model of what happens when you apply for social services.

ACTING PRESIDENT CARLUCCI: I'll just remind the Senators to address all their comments through the chair.

SENATOR SQUADRON: Through you, Mr. President. Forgive me.

This is not based on the model of what happens when you apply for social services, just to clarify?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: That fact came out in this debate. This is very specific legislation, so . . .

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR BALL: Yeah.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Squadron.

SENATOR SQUADRON: We do have a certain way in which you are offered a voter registration form, I believe, when you apply for social services that exists in the state. Why

not match this with the way that we ask people applying for social services to register? And why not align those two things so that they're identical?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: You know, if you look at the sections where it talks about the DEC and the State Board of Elections, they will still, within their confines and within their regulations, do their job. And this will be executed to the same level of excellency of any other program, so . . .

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: If the sponsor would continue to yield. Again, to clarify, because --

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

SENATOR SQUADRON: I know there's a relationship with the DMV that is the affirmative relationship that was being considered here, President Clinton's Motor Voter.

We've also had some talk, and in fact the sponsor raised before I did the issue of applying to register to vote when you apply for social services. And I'm really curious here whether we should align this registration with that registration that already exists that's one of the sponsor's examples of why this is important.

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: I just feel you're trying to draw a connection. So if you want to just state your point, flesh it out, and if you want my opinion on that.

But you're searching for a windmill in these conversations. There really isn't a debate to be had here. I mean, this is simply allowing for greater voter registration.

It's not an unfunded mandate in any way. These businesses are already doing this. They're going to work with the DEC, the DEC is going to work with the State Board of Elections. And this will allow people the opportunity to exercise their right to vote.

If the fact is that some in this

chamber do not want to allow hunters, fishermen and sportsmen in this state to have greater access and to have the right to vote, just be honest about that, state that on the floor, vote no on the bill and collect a check.

But to try to create a false debate and to try to create a thousand different windmills of problems to hide the fact that maybe at the end of the day you just don't want sportsmen to have the right to register to vote when they get their hunting and fishing license, just be honest about it. No need to be disingenuous and just spend 45 minutes creating false illusions.

ACTING PRESIDENT CARLUCCI: Senator Squadron.

SENATOR SQUADRON: Well, I don't think I was asked to yield to a question there, but there seemed to be a question about my motives contained, so I will yield to the question and respond to it.

ACTING PRESIDENT CARLUCCI: Senator Squadron on the bill.

SENATOR SQUADRON: Thank you.

I think it's pretty clear to the

sponsor, or it should be, what we're trying to do here. I actually am really concerned about opening up access to register to vote. This is the first bill that I recall that I've seen that actually does that on the floor of this house, though there are dozens, literally, that would open up access to register to vote in a whole lot of ways.

As I mentioned to the sponsor, I am certainly not a serious fisherman by any stretch of the imagination, but I do hold a fishing license. And I do hold my right to vote and my voter registration dear, simultaneously.

And it's strange that the sponsor, rather than answer a simple question about the mechanics of this bill, instead chooses to go on the offensive, build up a straw man and not explain why it is that we would create an entirely new registration form in this context when we haven't done it in the social services context.

The truth is I've supported this bill in the past because I want to open up registration to vote in every way we possibly can.

Here are the problems with this bill, as it turns out, thanks to -- as has come out during this debate. The first is you cannot register to vote if you are not paying to apply for a license.

That is completely different than what happens when you apply for social services. You have a tear-off, you can apply to register to vote even if you don't apply for the social services. That's about what happens when you go to the DMV. If you go to the DMV and you don't want to get a driver's license or you don't want to get a nondriver ID, you can register to vote at the DMV without paying the state money.

This would be, as far as I know -- I'm sure the sponsor would jump up if he knew of a different example -- this is the first example I know of where you had to purchase the product in order to register to vote. That's problem one. In the case of my wife, she wouldn't be able to register.

The second is we're creating an entirely new registration form here. Which is an interesting concept, but which I worry about doing it for one agency only, as opposed to for

all of the state agencies where you can register to vote. Because if this is the way that we can really ensure people interacting with state agencies are more likely to register, we should do it beyond this one.

And forgive me for being skeptical of the fact that we're going to see another bill on this floor that makes it more easy to vote when over the last three years or so they have been few and far between.

So there's a real concern here that this bill is doing what it says it's doing -- which I do support -- and what the sponsor claims is the goal here, which is to make it easier for more people to register to vote when they interact with state agencies, whether they're getting hunting licenses, fishing licenses, food stamps, public assistance or a driver's license. Or become citizens. At any one of those points, we want people to register to vote.

I want to be clear, I want every one of those folks to register. I wish we had a hundred percent registration among all of those groups and many others. I wish we had a hundred percent participation in actually voting. The

fact that we don't has been one of the major issues that I've taken on in my time in the Legislature.

This bill is designed to tighten it and make it more difficult, not make it easier, despite its stated aims. And I've in fact been convinced of that despite the fact that -- and I want to say very clear I support the mission. Get people -- make it more easy to register to vote when you get your hunting license. Make it more easy to register to vote when you get your food stamps. Make it more easy to register to vote when my son and I go for a little fishing license so that we can go fish off the pier in Bay Ridge.

I support every one of those things. I don't think this bill does that, as it turns out. I would be happy to work with the sponsor on a bill that did all of those things.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Squadron.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President. Will the sponsor yield for a

couple of questions?

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Stavisky.

SENATOR STAVISKY: Mr. President, through you. If a student turns 18 and is about to graduate from high school, would you extend your legislation to include, as a state agency, the State Education Department, requiring them to provide every student graduating from a high school, public or private, in New York State with a voter registration form?

SENATOR BALL: So the legislation before us is specific to hunting and fishing licenses. And that's a hypothetical question.

But I'm happy offline to meet and to talk about any future legislation that you intend to introduce or want to partner on.

But today we have a piece of legislation that would allow those applying for hunting and fishing licenses to register to vote, so -- and I hope to have your support.

ACTING PRESIDENT CARLUCCI: Senator Stavisky.

SENATOR STAVISKY: Let me rephrase

the question, if the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor continue to yield?

SENATOR BALL: Yes.

SENATOR STAVISKY: Then the only way an 18-year-old graduating can receive a voter registration form is if they get a hunting and fishing license? You would not extend it to the State Education Department under -- in the purview of this bill?

SENATOR BALL: This legislation is not restrictive. This legislation expands upon current efforts to have greater voter registration. To the extent that you want to see it expanded even to more state agencies or beyond, then that should be a legislative effort that you take part in.

But this legislation, we've already gone through some of the agencies, including Social Services, that currently facilitate voter registration. This simply allows a checkoff on a document to register to vote.

SENATOR STAVISKY: If the sponsor would --

ACTING PRESIDENT CARLUCCI: Senator Stavisky.

SENATOR STAVISKY: -- continue to yield.

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Stavisky.

SENATOR STAVISKY: Wouldn't you agree that one of the largest groups, one of the largest cohorts of unregistered voters are people from the age of 18 to 21?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: I certainly don't have the numbers before me. But we have to do everything we possibly can to engage all elements of the populace, including the youngest, to register to vote and engage in the democracy that some of my friends are fighting and dying for right now.

And to the extent that we do that, those efforts are well-suited and well-placed. And this is just one example, not dissimilar to what has happened in other states that would

allow those that are applying for these licenses the right to register to vote.

ACTING PRESIDENT CARLUCCI: Senator Stavisky.

SENATOR STAVISKY: On a different front --

ACTING PRESIDENT CARLUCCI: Senator Stavisky on the bill?

SENATOR STAVISKY: All right, on the bill.

On the bill, it seems to me that one of our missions must be to encourage people to register to vote. And there are so many areas where to me the fertile field is not necessarily in the hunting and fishing license area, but in areas such as students graduating from high school, certainly from college. We ought to encourage SUNY and CUNY to provide voter registration applications. I believe they do for those students who are enrolled and not registered to vote.

But there are so many other areas at the county level. I know that the Senator is interested in animal rights. And when an individual registers a dog or a cat with the

county to obtain a license for that animal, they too should be given the opportunity to register to vote if they are not already doing so.

So I am going to vote no, very reluctantly vote no on this bill because of everything that has been expressed earlier. But at the same time, we've got to do our best to encourage people to register to vote. So unfortunately, I will vote no.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Stavisky.

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. On the bill.

My concern, Mr. President, is that this bill will be seen by the public as really a cynical attempt at good government when in fact it's partisan politics. We know, Mr. President, that this bill, from the sponsor's questions -- and I want to thank him for that discussion that he's had with my colleagues -- this bill is directed toward gun owners, pure and simple. And gun owners of course represent a certain politic, partisanship, in our state, and this bill is

tailored toward their needs.

My concern is that in fact we should be looking at the universality of voting. We should be looking at issues like same-day voter registration, vote by mail, early voting, no-fault absentee voting.

But in fact this bill is creating an "us" and "them." In fact, it was described as people who received social services had the opportunity to vote, why not people who own guns. And they do, they just shouldn't have a special privilege when they apply for a license. You might as well call this, Mr. President, the NRA Voter Assistance Act, because I believe it is targeted, it is tailored toward a certain electorate. And it has the danger of imbuing the public with the cynicism that I think so many of us fight within our districts and here in this chamber.

So I'll be voting no, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Hoylman.

Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President. Through you, if the sponsor would

yield for a few questions.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Sure.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President. Through you.

I am not an attorney either. But there are a couple of tenderness that have been thrown around that I think would be important to clarify. One of them is "chain of custody."

So through you, Mr. President, I wanted to know if, in putting together this bill, whether the idea of chain of custody of that particular bit of information -- or I shouldn't say particular bit of information, but the voter registration information itself, whether there was some thought given as to the process that would happen with the chain of custody of that particular information from the moment that the individual signs up for voter registration and it getting to the Board of Elections.

ACTING PRESIDENT CARLUCCI: Senator

Ball.

SENATOR BALL: So it's the same process as now in returning the form. The form will be sent to the DEC, and then the DEC will send that form to the State Board of Elections that will adhere to all the same standards and practices that they do currently. And not dissimilar to the return of forms every day that happens in this state probably thousands and thousands of times.

ACTING PRESIDENT CARLUCCI: Senator Rivera.

SENATOR RIVERA: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President. I actually want to drill down a little bit further.

Because under normal circumstances -- again, through you, Mr. President -- I would say, for example, when we're talking about the DMV, we're certainly

talking about a government employee, so a state employee in the case of New York State DMV, who not only would be trained in the managing of this information, but it would be probably just one individual. Or, if there's various individuals, they would be trained in making sure that they protect this information.

Through you, Mr. President, in the case of a hypothetical -- as Senator Ball stated earlier about Dick's Sporting Goods or Walmart, is there a sense of how many individuals would be handling this information and whether they -- let's answer that question first because I have another follow-up, Mr. President. But for now, does the sponsor have any idea how many folks would be responsible for this information?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: The same employees that work with the state every day to handle the hunting and fishing licenses and are qualified to do so would be handling these forms. And Subdivision 9 states: "The Board of Elections will process the application and send appropriate notice of approval or rejection." It's not

dissimilar in any way to what happens currently.

I mean, say that you have voter registration forms in a guidance office at a local school or you have voter registration forms -- I've seen them at many different places, including businesses. And those forms are filled out and sent to a state agency. This process, these forms that are now being administered are sent to the DEC. They will continue to be sent to the DEC. And the DEC will then send those forms to the State Board of Elections.

You know, these initial applications -- today, yesterday, months ago -- voter information forms are filled out in any number of places currently. That's not going to change. What this will allow is when somebody applies for that hunting and fishing license, they'll also be able to register to vote, and then those forms will be appropriately sent to the DEC, who will forward them to the State Board of Elections. It's a streamlined process, and there's not an issue with it.

SENATOR RIVERA: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President.

I certainly don't disagree with the sponsor's idea that once it has been sent to the Department of Environmental Conservation and then to be handled by the Board of Elections, I don't doubt that there will be a streamlined process, as he describes it. There are thousands of people that do it probably across our state every day. If you go to a post office and pick up a registration card, as an individual you'd pick it up and fill it out.

But see, this is where the question really -- we want to dig deeper, through you, Mr. President. In the case of an individual going into a post office, grabbing a voter registration card and filling it out, it is him or her that seals it, puts it in the mail, and then it is out of their hands.

In the case of, say, John Smith

going to a Walmart in Putnam County and saying "I want to register for a fishing license," and then if the form is contemporaneous -- so if you have the fishing license on the top portion and the voting part on the bottom portion, as I believe part of the bill would be that that's the way it would be organized, then before the DEC gets that, there would be an employee who is a private employee, not a government employee, but a private employee who is a Walmart employee, for example, in this hypothetical, who would be responsible for receiving that information and then responsible for processing that information before it gets to the Department of Environmental Conservation.

So my question, through you, Mr. President, to the sponsor is have we thought about before it gets to the DEC, of the individuals that might be handling it before and the issues of chains of custody or chain of custody at that level?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So right now these forms are being filled out and sent into the DEC.

Anything that's done illegally, whether it be a year ago, today, or a year from now, if this legislation were to pass --

SENATOR RIVERA: Mr. President, I can't hear the sponsor, I apologize.

SENATOR BALL: So it would be dealt with the same way it is now. And right now these forms are being sent to the DEC. And the changes that the DEC -- which will be, according to this legislation, instructed and trained and informed, thank you, by the State Board of Elections, they will then send those forms over to the State Board of Elections.

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

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: Senator Rivera.

SENATOR RIVERA: Mr. President, I still find myself -- first of all, I'm finding it difficult to hear myself, that's one thing. As Senator Libous says --

ACTING PRESIDENT CARLUCCI: Can we have some order in the chamber, just keep conversations to a minimum. Thank you.

Senator Rivera.

SENATOR RIVERA: I find myself, Mr. President, quoting Senator Libous, who sometimes can't hear himself. Now I couldn't hear myself.

But I continue to be confused, because if we're talking -- we have no disagreement that once it gets to the DEC, it will be processed in the same way that these are processed now. But if we're talking about the process by which John Smith, walking into a Walmart and signing up for a fishing license, that individual who we're talking to, let's say it's Jane Smith -- not his sister or his cousin, but another Smith -- Jane Smith is actually taking the thing in hand, and they're responsible for it at that level to a different level of responsibility, it seems to me, than just a fishing license.

We're talking about other types of sensitive information that would be on there. And that individual, who is an employee of a

private business, has not been trained in any way to handle that information, does not know how -- now they're responsible for doing that, for carrying this information.

So my question still remains for the sponsor -- through you, Mr. President -- has there been any thought to that process when we're talking about an individual in a private business and the responsibility that now they're going to have, which will be compounded, to borrow my colleague's phrase, as an unfunded mandate on this business, to be responsible for this information which under normal circumstances we would have with trained individuals as at the DEC or the department -- I'm sorry, the voter -- voter -- help me out here. The voter department. Why am I blanking out on something as simple -- thank you, the Board of Elections. Sometimes, see, when I can't hear myself, sometimes my brain kind of disconnects.

So to finish that question again, it is very different from saying--

SENATOR LIBOUS: Is the Senator talking to himself?

(Laughter.)

SENATOR RIVERA: Through you, Mr. President, it seems at times that I am. At this particular moment, through you, Mr. President, I will finish the question, again, just stating it clearly.

A Board of Elections employee or a DEC employee is trained to handle this information. My question to the sponsor is, has there been thought put to the individual who is a private citizen working for a private business and is now responsible for this information?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So this -- I think now for probably like the twelfth time, this does not change the process right now.

These employees are handling state documents in the sense of these hunting and fishing licenses. These individuals will take that document that they currently send to the DEC, and they will take that document and they will send it to the DEC. These are the same people right now that are handling these hunting and fishing licenses.

ACTING PRESIDENT CARLUCCI: Senator

Rivera.

SENATOR RIVERA: Through you, Mr. President, I have one more question.

ACTING PRESIDENT CARLUCCI: Does the sponsor yield?

SENATOR BALL: Yes.

ACTING PRESIDENT CARLUCCI: The sponsor yields.

Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President. On page 2, line 31, which is Section 4, subsection F, there's a reference to a helpline. Through you, Mr. President. And so I wanted to -- it's obvious that it would be necessary, according to what the bill language states, just in case there are questions, there will be a helpline established.

My question is, would there be a fiscal impact for the creation of this helpline at the Board of Elections, that agency that I didn't remember earlier? Would there be a cost attached to that?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: Can you just repeat

that question in 10 seconds or less?

ACTING PRESIDENT CARLUCCI: Senator Rivera.

SENATOR RIVERA: Absolutely, Mr. President.

On page 2, line 31 there is a reference -- through you, Mr. President -- to a helpline that voters could call if they have questions about the bill or -- I think that there's just a reference to a helpline at the Board of Elections.

So my question is, is there -- because I do not believe that such a helpline exists currently. So if it does not, then is there a fiscal impact tied to the creation of that helpline? And what would be that fiscal impact?

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: So before the debate goes on too much longer, I think what we'll do is we're going to lay the bill aside in a little bit.

But that 1-800 number is currently functioning, so there's no additional cost. And

they routinely take calls all day long.

ACTING PRESIDENT CARLUCCI: Thank you.

Senator Rivera.

SENATOR RIVERA: Mr. President, very briefly on the bill.

ACTING PRESIDENT CARLUCCI: Senator Rivera on the bill.

SENATOR RIVERA: I want to thank the sponsor for answering some of the questions.

Again, I think that concerns have been brought up by a couple of my colleagues. There are issues of unfunded mandates on private businesses, there's issues of chain of custody that I do not believe have been thought through.

I think that the idea of getting as many people registered to vote is absolutely a positive and should be encouraged. And we want to make sure that every citizen in the State of New York gets the opportunity to participate in the political process. Unfortunately, I believe that this is not the best way to be able to get to do that. So I will be voting in the negative.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank

you, Senator Rivera.

Are there other members wishing to be heard?

(No response.)

ACTING PRESIDENT CARLUCCI: Senator Ball.

SENATOR BALL: I'd like to lay the bill aside for the day.

ACTING PRESIDENT CARLUCCI: The bill is laid aside for the day.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President. Is there any further business at the desk?

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

SENATOR LIBOUS: All right, at this time, Mr. President -- this is very important. Members will want to hear this. At this time the Senate is going to stand at ease. We're not going to adjourn quite yet. But members may do what is important to them in their lives, and they will not have to come back to the chamber. I figured that would be important to all of you.

So the Senate will stand at ease at

this time.

ACTING PRESIDENT CARLUCCI: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:52 p.m.)

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

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: At this time could you accept a hand-up from the IDC, please.

ACTING PRESIDENT CARLUCCI: To be filed in the Journal.

SENATOR LIBOUS: And, Mr. President, at this time we have two hand-ups we'd like to bring before the desk.

ACTING PRESIDENT CARLUCCI: Also to be filed in the Journal.

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

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

SENATOR LIBOUS: Mr. President,

there being no further business at the desk, I move that the Senate adjourn until Monday, March 3rd, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT CARLUCCI: On motion, the Senate stands adjourned until Monday, March 3rd, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 1:17 p.m., the Senate adjourned.)