

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 25, 2015

11 1:55 p.m.

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14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by the Reverend Peter
11 G. Young, of the Mother Teresa Community here in
12 Albany.

13 Father.

14 REVEREND YOUNG: Thank you,
15 Senator.

16 On this beautiful sunny Thursday
17 afternoon, we gather with optimism and prayer
18 for closure of agreements on current legislation
19 before going back again to our constituents with
20 the good news.

21 Sometimes our district supporters
22 are unaware of the most difficult days of
23 reaching consensus in a democratic system. We,
24 O God, pray that the Senators continue to have
25 strength and energy to again hear the message

1 and hear the constituents and then try to help
2 them understand our important role of democracy
3 and the pride of being in a free country.

4 We ask you this now and forever,
5 amen.

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Father.

8 The reading of the Journal.

9 THE SECRETARY: In Senate,
10 Wednesday, June 24th, the Senate met pursuant to
11 adjournment. The Journal of Tuesday, June 23rd,
12 was read and approved. On motion, Senate
13 adjourned.

14 ACTING PRESIDENT GRIFFO: Without
15 objection, the Journal will stand approved as
16 read.

17 Presentation of petitions.

18 Messages from the Assembly.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports of state
23 officers.

24 Motions and resolutions.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: You okay?

2 (Laughter.)

3 ACTING PRESIDENT GRIFFO: I

4 already recognized you.

5 (Laughter.)

6 SENATOR DeFRANCISCO: All right.

7 ACTING PRESIDENT GRIFFO: I think

8 Father Young had left a collection plate here,

9 so --

10 (Laughter.)

11 SENATOR DeFRANCISCO: Oh, all

12 right.

13 I'd like to hand up the following

14 committee assignments.

15 ACTING PRESIDENT GRIFFO: The

16 committee assignments are received and shall be

17 ordered to be placed in the Journal.

18 SENATOR DeFRANCISCO: I would like

19 to now call an immediate meeting of the Finance

20 Committee in Room 334. Pending which -- in

21 Room 332.

22 Pending the return of the

23 Finance Committee, we'll be at ease.

24 ACTING PRESIDENT GRIFFO: There

25 will be an immediate meeting of the Senate

1 Finance Committee in Room 332. Immediate meeting
2 of the Senate Finance Committee in Room 332.

3 The Senate will stand at ease.

4 (Whereupon, the Senate stood at ease
5 at 1:58 p.m.)

6 (Whereupon, the Senate reconvened at
7 2:23 p.m.)

8 ACTING PRESIDENT GRIFFO: The
9 Senate will come to order.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: It's my
12 understanding you have a report of the
13 Finance Committee at the desk.

14 ACTING PRESIDENT GRIFFO: There is
15 a report of the Finance Committee before the
16 desk.

17 SENATOR DeFRANCISCO: Can we take
18 up the report.

19 ACTING PRESIDENT GRIFFO: We can.
20 The Secretary will read.

21 SENATOR DeFRANCISCO: Will you?

22 ACTING PRESIDENT GRIFFO: We will.
23 The Secretary will read.

24 THE SECRETARY: Senator
25 DeFrancisco, from the Committee on Finance,

1 reports the following nomination.

2 As a member of the Metropolitan
3 Transportation Authority, Lawrence Schwartz, of
4 White Plains.

5 SENATOR DeFRANCISCO: Move the
6 nomination.

7 ACTING PRESIDENT GRIFFO: The
8 question is on the nomination of Lawrence
9 Schwartz as a member of the Metropolitan
10 Transportation Authority. All in favor signify
11 by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT GRIFFO: Opposed?

14 (No response.)

15 ACTING PRESIDENT GRIFFO: Lawrence
16 Schwartz has been confirmed as a member of the
17 Metropolitan Transportation Authority.

18 SENATOR DeFRANCISCO:
19 Mr. President, can we now remain at ease.

20 ACTING PRESIDENT GRIFFO: Senator
21 DeFrancisco, I would like -- Senator DeFrancisco,
22 before we go at ease, I want to just acknowledge
23 something.

24 We are celebrating today the
25 birthday of our distinguished parliamentarian and

1 astute counsel here, Dave Previte. Let's wish
2 him a happy birthday.

3 (Applause.)

4 ACTING PRESIDENT GRIFFO: The
5 Senate is at ease.

6 (Whereupon, the Senate stood at ease
7 at 2:24 p.m.)

8 (Whereupon, the Senate reconvened at
9 4:24 p.m.)

10 ACTING PRESIDENT GRIFFO: The
11 Senate will come to order.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Yes,
14 Mr. President, good news. The good news is that
15 I'm going to call a meeting of the Rules
16 Committee for 5:30, 5:30, in Room 332, which
17 shows progress is being made.

18 ACTING PRESIDENT GRIFFO: So there
19 will be a meeting of the Rules Committee in
20 Room 332 at 5:30 p.m.

21 SENATOR DeFRANCISCO: That is
22 correct.

23 ACTING PRESIDENT GRIFFO: So a
24 meeting of the Rules Committee in Room 332 at
25 5:30 p.m. 5:30.

1 SENATOR DeFRANCISCO: 5:30, yeah.

2 ACTING PRESIDENT GRIFFO: P.m.

3 SENATOR DeFRANCISCO: And could we
4 also stand at ease until we receive the report of
5 the Rules Committee.

6 ACTING PRESIDENT GRIFFO: The Senate
7 will stand at ease until such time as the Rules
8 Committee reports.

9 The Senate is at ease.

10 SENATOR DeFRANCISCO: For
11 clarification, that's Eastern standard time.

12 (Whereupon, the Senate stood at ease
13 at 4:25 p.m.)

14 (Whereupon, the Senate reconvened at
15 7:08 p.m.)

16 ACTING PRESIDENT GRIFFO: The
17 Senate will come to order.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Yes, I would
20 like to announce that there will be a
21 Rules Committee meeting in Room 332 at
22 7:30 sharp.

23 ACTING PRESIDENT GRIFFO: There
24 will be a Rules Committee meeting in Room 332 at
25 7:30 sharp.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: Yes, would
3 you please recognize Senator Gianaris, please.

4 SENATOR GIANARIS: Thank you,
5 Mr. President.

6 There will be a Democratic
7 Conference at 7:15 in the Democratic Conference
8 Room.

9 ACTING PRESIDENT GRIFFO: There
10 will be meeting of the Democratic Conference in
11 the Democratic Conference Room at 7:15.

12 Senator DeFrancisco, anything else?

13 SENATOR DeFRANCISCO: We will be at
14 ease until then.

15 ACTING PRESIDENT GRIFFO: The
16 Senate will stand at ease.

17 (Whereupon, the Senate stood at ease
18 at 7:09 p.m.)

19 (Whereupon, the Senate reconvened at
20 8:07 p.m.)

21 ACTING PRESIDENT GRIFFO: The
22 Senate will come to order.

23 Senator DeFrancisco.

24 SENATOR DeFRANCISCO: It's my
25 understanding that you have a Rules Committee

1 report at your desk.

2 ACTING PRESIDENT GRIFFO: There is
3 a Rules Committee report before the desk.

4 And I will ask the Secretary will
5 read.

6 THE SECRETARY: Senator Flanagan,
7 from the Committee on Rules, reports the
8 following bills:

9 Senate Print 24, by Senator
10 DeFrancisco, an act to amend the Judiciary Law;

11 Senate 29A, by Senator DeFrancisco,
12 an act to amend the Insurance Law;

13 Senate 220A, by Senator LaValle, an
14 act to amend the Education Law;

15 Senate 911A, by Senator Libous, an
16 act to amend the Civil Practice Law and Rules;

17 Senate 1989, by Senator Young, an
18 act to amend the Workers' Compensation Law;

19 Senate 4049B, by Senator Lanza, an
20 act to amend the Insurance Law;

21 Senate 4134, by Senator
22 Stewart-Cousins, an act to amend the General
23 Municipal Law;

24 Senate 4444B, by Senator Seward, an
25 act to amend the Insurance Law;

1 Senate 4628, by Senator Lanza, an
2 act to repeal paragraph (b) of subdivision 2 of
3 Section 75-b of the Civil Service Law;

4 Senate 4632, by Senator Golden, an
5 act to amend the Retirement and Social Security
6 Law;

7 Senate 4825, by Senator Golden, an
8 act to amend the Administrative Code of the City
9 of New York;

10 Senate 5025, by Senator Golden, an
11 act to amend the Workers' Compensation Law;

12 Senate 5089, by Senator Golden, an
13 act to amend the Local Finance Law;

14 Senate 5273, by Senator LaValle, an
15 act to repeal;

16 Senate 5535, by Senator Hannon, an
17 act to amend the Public Health Law;

18 Senate 5608A, by Senator Golden, an
19 act to amend the Vehicle and Traffic Law;

20 Senate 5701A, by Senator Golden, an
21 act to amend the Tax Law;

22 Senate 5761, by Senator Griffo, an
23 act to amend the Highway Law;

24 Senate 5795, by Senator Marcellino,
25 an act to amend the Education Law;

1 Senate 5914, by Senator Felder, an
2 act to amend the General Municipal Law;

3 Senate 5979, by the Senate Committee
4 on Rules, an act to amend the Workers'
5 Compensation Law;

6 Senate 5986, by Senator Golden, an
7 act to repeal;

8 Senate 5989, by Senator Griffo, an
9 act to amend the Public Health Law;

10 Senate 5996A, by Senator Comrie, an
11 act to allow;

12 Senate 5998, by Senator Lanza, an
13 act to amend Chapter 154 of the Laws of 1921;

14 Senate 6004, by Senator Seward, an
15 act to amend the Insurance Law;

16 Senate 6006, by Senator DeFrancisco,
17 an act to amend the Vehicle and Traffic Law;

18 Senate 6010, by Senator Lanza, an
19 act to amend the Social Services Law;

20 Senate 893A, by Senator Avella, an
21 act to amend the Real Property Tax Law; and

22 Senate 6012, by Senator Flanagan, an
23 act to amend Chapter 576 of the Laws of 1974.

24 All bills reported direct to third
25 reading.

1 ACTING PRESIDENT GRIFFO: Senator
2 DeFrancisco.

3 SENATOR DeFRANCISCO: Move to
4 accept the report of the Rules Committee.

5 ACTING PRESIDENT GRIFFO: All in
6 favor of accepting the Committee on Rules report
7 signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO: Opposed?
10 (No response.)

11 ACTING PRESIDENT GRIFFO: The Rules
12 report is accepted and before the house.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO:
15 Mr. President, can we now take up Calendar 1910.

16 And do you have a message of
17 necessity at the desk?

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read Calendar 1910, and there is a
20 message of necessity at the desk.

21 THE SECRETARY: Calendar Number
22 1910, by Senator Flanagan, Senate Print 6012, an
23 act to amend Chapter 576 of the Laws of 1974.

24 ACTING PRESIDENT GRIFFO: Senator
25 DeFrancisco, I'll entertain a motion to accept

1 the message.

2 SENATOR DeFRANCISCO: Move to
3 accept the message of necessity.

4 ACTING PRESIDENT GRIFFO: All in
5 favor of accepting the Governor's message of
6 necessity indicate by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (Response of "Nay.")

10 ACTING PRESIDENT GRIFFO: The
11 message of necessity is accepted.

12 The bill is before the house.

13 The Secretary will read the last
14 section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Senator
21 Espaillat to explain his vote.

22 SENATOR ESPAILLAT: Thank you,
23 Mr. President.

24 Here we are now facing what many
25 have called the Big Ugly. Many in this chamber

1 and across the state have called this bill --

2 ACTING PRESIDENT GRIFFO: Excuse
3 me, Senator Espaillat.

4 Can we have some order in the house,
5 please.

6 You may continue.

7 SENATOR ESPAILLAT: Thank you,
8 Mr. President.

9 And so this bill is like a big ball
10 of wax. It includes many, many different pieces
11 of legislation that are important to this state,
12 but perhaps the most important in it is the
13 extension of the rent laws.

14 And so what we have to ask ourselves
15 is, does the Big Ugly include an elimination of
16 vacancy decontrol? Does the Big Ugly reform
17 dramatically major capital improvement and
18 individual apartment improvement practices? Does
19 the Big Ugly eliminate the 20 percent bonus for
20 landlords? Does the Big Ugly codify the Tenant
21 Protection Unit? Does it eliminate preferential
22 rent?

23 And so here we are. With regards to
24 vacancy decontrol, the Big Ugly increases vacancy
25 decontrol, its threshold, from \$2500 to \$2700

1 rent per month. Meaning that it's only a \$200 a
2 month increase for an apartment to be withdrawn
3 from the rent-stabilized rent rolls.

4 It is attached to the New York City
5 Rent Guidelines Board, the Municipal Rent
6 Guidelines Board. So for this year it will mean
7 that if it was passed right now and it would go
8 into effect this very moment, it would increase
9 the threshold to \$2,727. And so that's what the
10 Big Ugly has for vacancy decontrol. It does not
11 eliminate it.

12 Does it reform major capital
13 improvement practices dramatically? The Big Ugly
14 says that in buildings with 35 or less units, MCI
15 increases will jump from 184 to 196. And for
16 buildings with 35 or more units, it will jump to
17 the 108th percentile. And it will be spread out
18 from seven years to nine years.

19 The tenants will perhaps pay a
20 little less per year, but at the end of the run,
21 the amount of the money they up will be the same.
22 And in fact this increase, again, will be in
23 perpetuity, way beyond the time that the owner
24 has captured -- recaptured the investment that he
25 or she may have made.

1 With regards to the vacancy bonus,
2 the 20 percent bonus, this bill does not attach
3 it to a regular apartment, it only attaches it to
4 preferential rent. And what it does, it says
5 that if a tenant leaves an apartment for which he
6 or she had a preferential rent lease, that the
7 landlord will not get immediately the 20 percent
8 bonus if it's over the legal rent, he will get it
9 in different brackets -- 5 percent, 10 percent,
10 15 percent and then 20 percent.

11 So this does not apply to the
12 average lease held by the average -- or the
13 majority of the rent-stabilized-apartment
14 tenants.

15 So in fact although we may have
16 moved an inch, we are so far away from where we
17 need to be to protect tenants.

18 And we have given away so much.
19 Because this bill includes an extension, a
20 potential extension, permanent extension of
21 421-a, a handsome benefit given to landlords, to
22 developers, that could amount to over a billion
23 dollars a year for the City of New York. Many
24 believe that this particular proposal, in the
25 span of seven to eight years, will be perhaps

1 \$2.3 billion more than in the past.

2 It also provides a much-needed tax
3 cap for suburban homeowners. It also increases
4 the cap for charter schools and provides
5 \$250 million for private and parochial schools.
6 So everybody gets a big chunk of the pie --
7 except the tenants, who walk out of here with an
8 anemic, let me say it again, an anemic extension
9 of the rent bill.

10 That's why, Mr. President, I will be
11 casting my vote in the negative.

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

14 Senator DeFrancisco, for the
15 purposes of an announcement.

16 SENATOR DeFRANCISCO: Yes, I just
17 wanted to mention, in case people are wondering,
18 we have waived the 2-minute rule to give
19 everybody an adequate time to express their
20 opinion on the bill.

21 And secondly, something happens at
22 the end of every session that's sort of
23 refreshing. Well, that thing has started right
24 now, just for everybody to know.

25 Thank you.

1 ACTING PRESIDENT GRIFFO: I thought
2 you were referring to the end of session.

3 Senator Espaillat is recorded in the
4 negative.

5 We will exercise leniency and
6 flexibility in the explanation of votes.

7 Our next speaker will be Senator
8 Hamilton to explain his vote.

9 SENATOR HAMILTON: Yes,
10 Mr. President. I rise not in favor of this bill.

11 I rise for the 8 million people in
12 New York City who have been shut out of this
13 process. I've been hearing unity in the Senate
14 chambers, but right now I only see a Senate that
15 is one-dimensional. And right now the City of
16 New York has been shortchanged once again.

17 I ran for office to be part of a
18 democratic process that I have not seen yet.
19 What's happening here today is not democratic at
20 all.

21 If New York City, 8 million
22 people -- if you look at the size of New York
23 City -- people kind of tend to forget the
24 enormous size of New York City. But just think
25 about it. If the states of Wyoming, Vermont,

1 Alaska, North Dakota, South Dakota, Delaware,
2 Montana, Rhode Island, New Hampshire and Maine
3 were shut out of the political process, there
4 would be an uproar throughout the United States.

5 New York City has the population of
6 10 states. Just think if 20 percent of the
7 states were shut out of the democratic process.
8 And that's what's happening here today.

9 Rent decontrol is a step in the
10 right direction, but it has not been enough.
11 Right now in my district, in the central part,
12 studio apartments go for \$2,200 a month. So it
13 won't be a long period of time before we will
14 lose, in my district alone, anywhere from 10,000
15 to 15,000 units based on the current formula.
16 Which to me is a slow process to eliminate the
17 working-class people in my district.

18 I've heard many times in these
19 chambers we need to have consistency in home
20 rule, we need to have consistency in home rule.
21 When Senators speak about their own districts,
22 they say do not infringe upon our districts. But
23 yet for the district of New York City, we've been
24 left out.

25 So there's only -- home rule only

1 applies when it's advantageous for those whose
2 laws are applying to their home district. The
3 home rule does not apply to other districts, be
4 it New York City, which has the largest
5 population of any city in the State of New York,
6 has been shut out of this process.

7 Mayoral control for our million-plus
8 children was never discussed among Senate
9 Democrats. We have approximately a million
10 children going through the educational process
11 that we had no input in whatsoever. We all know
12 the State Education Department has been failing
13 our children, and now our children are being
14 failed again on the city level.

15 Teacher evaluation is a great
16 concern of mine. I believe there will be a brain
17 drain of teachers coming into inner cities for
18 fear of getting a poor evaluation and being fired
19 from their job.

20 I have many struggling schools in my
21 district. Not because the kids aren't
22 intelligent, it's because they're not getting the
23 resources they need to be viable educationally in
24 our society. Many of our children are being
25 shortchanged by the system, and now they're going

1 to be shortchanged by the process that we are
2 voting on today.

3 This is my first year as a Senator,
4 and I heard that this is a refreshing process.
5 There's nothing refreshing about this process
6 today. They call it the Big Ugly, and it's more
7 than a Big Ugly. It's the diminishing effect of
8 the democratic process. We have been shut out.
9 Eight million people's voices are not being
10 heard.

11 And so I cannot vote on this bill,
12 for the mere fact that I got it less than two
13 hours ago. I would be negligent to my
14 constituents to vote on something that I have not
15 read, that I've only been given two hours to look
16 at. And so I don't know what's refreshing about
17 that. To me, with good conscience I cannot vote
18 on something that was given to me literally two
19 hours prior to the vote.

20 So I, Jesse Hamilton III, here today
21 with my son, Jesse Hamilton IV, stand up for my
22 child, stand up for other children, stand up for
23 the hardworking men and women in my district who
24 are now being shown that democracy has failed
25 them today.

1 And so, Mr. President, I vote in the
2 negative today.

3 Thank you very much.

4 ACTING PRESIDENT GRIFFO: Senator
5 Hamilton to be recorded in the negative.

6 Senator Krueger to explain her vote.

7 SENATOR KRUEGER: Thank you,
8 Mr. President.

9 I rise to explain why I am voting no
10 tonight.

11 Several of my colleagues already
12 spoke, and they outlined what we don't have in
13 the housing changes that we need. My district,
14 on the East Side of Manhattan, is estimated to
15 lose I think 18,000 units of affordable housing
16 within the four-year extender period that this
17 law will create.

18 My district, because it already has
19 apartments dramatically near the \$2500 mark,
20 nothing will be accomplished by \$2700 or the
21 interesting COLA, which might move us to \$2800 by
22 the four-year mark. It's completely
23 unacceptable.

24 The MCI issues do almost nothing for
25 my residents. But it's nice that the real estate

1 got themselves another tax abatement as part of
2 the deal.

3 Harassment fines would mean
4 something if we ever were able to find anyone
5 guilty under harassment. But because the
6 language is so poor of the definition of
7 harassment, we really can't find a housing lawyer
8 or a housing court judge who's finding anyone
9 guilty of harassment. So I don't think
10 increasing the penalties means anything.

11 And of course the fundamental issue
12 of not doing away with vacancy decontrol, not
13 doing anything about limiting the vacancy bonuses
14 that we're watching with MCIs and IAIIs, doubling
15 the rent between Tenant A and Tenant B.

16 The 421-a program is completely
17 unacceptable. New York City should have urged
18 all of us to simply let the program die.

19 A couple of changes were made
20 between last night and tonight, certainly not to
21 justify my support for the 421-a package or the
22 entire bill.

23 It will probably cost the city, I
24 don't know, close to \$2.5 billion a year. And I
25 guarantee we will see far more units coming out

1 of affordability because of the damage that
2 continues to be done under rent regulation laws
3 compared to the growth in affordability from this
4 421-a-type model.

5 Also, interestingly, under the old
6 system, while very few 421-a's were built,
7 affordably built, at least they stayed in rent
8 regulation. Under this law, if you hit that
9 \$2700 mark, you don't even have to stay in rent
10 regulation. So another piece of damage we've
11 done to New York City housing laws.

12 Education. New York City wanted a
13 simple thing up here, continuation of mayoral
14 control. We've done it twice for six years' time
15 each. We changed mayors, our schools continue to
16 get better, but suddenly we will give a one-year
17 continuation of mayoral control.

18 I'm just curious which one of us on
19 the floor is planning on going down and
20 announcing they're running the New York City
21 school system effective a year from September,
22 because that's what it would mean to end mayoral
23 control. One of us, or perhaps, on the second
24 floor, the Governor would need to show up every
25 day at the New York City Department of Education

1 and say "I'm running the schools now." Guarantee
2 that is not the right answer for the children in
3 New York City.

4 Despite the fact that almost nothing
5 was done, and I believe future real harm was done
6 to the public school system and the assurances
7 that teachers want to teach in our system, we're
8 allowing a major reversal of public policy,
9 moving towards allowing uncertified teachers in
10 charter schools. We worked very hard in this
11 state to move into a system of certification of
12 teachers and increasing teacher standards. And
13 frankly, I cannot understand why we would decide
14 to reverse ourselves for the charter schools or
15 why we would allow preferential enrollment of
16 students whose parents work for charters or the
17 educational corporation or the charter management
18 organization of a charter school.

19 These are supposed to be public
20 schools for public school children through a
21 lottery system. They are not supposed to be set
22 up like private prep schools where, if a family
23 member is involved with the school or the board,
24 you get to go there. It's outrageous.

25 You know, we're also learning about

1 this great new STAR rebate, with checks coming in
2 the mail right before election. Politicians
3 always like that. We're doing it outside the
4 budget process; I thought that was against the
5 rules. We are not explaining how we're coming up
6 with I believe it's \$3.4 billion annually by the
7 fourth year. We're not explaining who loses
8 because this money is going there.

9 For the record, none of it goes to
10 New York City. No one in New York City will be
11 eligible. No renters, no matter where they live
12 in the State of New York, will be eligible.
13 There will be some winners, huge losers. And if
14 anyone imagines that the major motivation for
15 this one isn't being able to say "I sent you a
16 check right before the election," you haven't
17 been watching the policies and patterns of
18 New York STAR programs over the years.

19 Just one more failed opportunity to
20 deal with perhaps a real circuit breaker for poor
21 residents, whether they're tenants in apartments
22 or owners of houses who literally can't afford to
23 pay their taxes and live in their homes. So one
24 more failed opportunity.

25 It's the Big Ugly. It didn't come

1 after midnight. Usually my rule is when bills
2 come after midnight with a message of necessity,
3 I know they stink and I vote no. This one came
4 earlier. It still stinks, and I vote no.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator
7 Krueger to be recorded in the negative.

8 Senator Rivera to explain his vote.

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

11 A couple of days ago I stood on this
12 floor when we introduced a bill related strictly
13 to rent regulation. I made a case then, and I
14 will make it briefly again now before I go into
15 this particular bill.

16 Most of the individuals,
17 overwhelmingly, the number of individuals that
18 are going to be impacted by rent regulation, by
19 the laws that we are extending tonight, live in
20 our districts. Just in my district alone,
21 70,000 units, hundreds of thousands of
22 individuals.

23 And certainly a couple of days ago
24 when we did not extend laws or we voted on the --
25 on the bill that we had before we had the

1 five-day extender, my concern then was that
2 people were going to wake up and not know whether
3 they had a rent-regulated apartment and what was
4 going to happen with the laws.

5 At this point we are voting on a
6 bill that will pass in the other house. And I am
7 sad to say that even though when my constituents
8 wake up tomorrow they will have rent-stabilized
9 apartments, in just a few years maybe they won't.

10 The extender that we're voting on
11 today without any major changes -- because there
12 are changes, but they're really around the edges.
13 And the concern that we've always had is that the
14 amount of apartments that are available to poor
15 and working-class people in the City of New York
16 are a limited number. And they're getting
17 smaller and smaller every year.

18 We think that between 87,000 and
19 89,000 apartments in total will be lost in the
20 next four years. We are kicking the can down the
21 road and by doing that making it less likely that
22 working-class people will have a place to live in
23 the City of New York.

24 That is a major issue that I have
25 with the first part of this Big Ugly. Some of my

1 colleagues are calling it the Big Beautiful. I
2 think it is certainly big; there is nothing
3 beautiful about it.

4 My colleague Senator Hamilton
5 pointed out about the fact that we did not
6 participate in the conversations leading up to
7 this. We only had the final version just a few
8 hours ago. And as we we're looking through it,
9 we find out that we work at the -- again, at the
10 edges, but the core of it, as it relates to rent
11 regulation, was not changed, and ultimately what
12 that would mean for hundreds of thousands of
13 New Yorkers in just a few years. It makes me
14 quite angry.

15 Vacancy decontrol, the main thing.
16 We did tweak it a little bit, \$2700 as opposed to
17 \$2500. But there's still hundreds of thousands
18 of New Yorkers that will not have a home because
19 the landlords that have those apartments that
20 will then become market rate will probably say,
21 Well, I'm going to charge you so much. You can't
22 afford it? Well, that's too bad for you.

23 421-a. We've had many conversations
24 about that tax abatement. And the core of the
25 conversation is about whether this tax abatement

1 actually creates affordable housing units. And
2 most of the data tells us that it does not. And
3 the conversations that we were having or that we
4 will have in the next six months about
5 potentially extending it, I hope that that is the
6 core of the conversation.

7 Certainly whether the people that
8 build these type of apartments get union labor
9 that actually builds these apartments, I welcome
10 that conversation. But the core of the
11 conversation always has to be whether this tax
12 abatement that goes to developers that get rich
13 off of them, or I should say more rich off of
14 them, whether it leads to the creation of
15 affordable housing units -- which, again, is the
16 difference between a working-class family having
17 a place to live in the City of New York or not.

18 Then we move on to the second part
19 of the bill, which has to do with education.
20 Whether we're talking about the increase in
21 charters, which was -- that was a nifty move, I
22 got to give it to you. That was a nifty move.
23 No cap charter -- the charter cap stayed where it
24 was, but you just shifted a couple of the ones
25 that were not happening in other parts of the

1 state. Nifty move.

2 Fifty more charter schools, with no
3 changes in regulations as far as transparency,
4 with no mandates on whether ELLs -- so English
5 language learners or high-needs students go to
6 these schools, and just as my colleague Senator
7 Krueger said, it is disgraceful that we are
8 giving them this 15 percent cap. Right?

9 We're saying to them 15 percent of
10 your students can be some of the students
11 from your family members from the principals, the
12 teachers, the administrators, et cetera,
13 therefore telling them you have 15 percent less
14 of students of need, of high needs, that might
15 need the education that these charter schools
16 supposedly, you know, provide that is superior to
17 so many other public schools. We're telling them
18 you can fit even less of them.

19 That's great. Great for them, but
20 not great for the kids that live around some of
21 these charter schools. We needed to have a
22 larger conversation about that as opposed to just
23 shoving it into this Huge Ugly.

24 Mayoral control, my colleague spoke
25 about it as well. We get a one-year extension

1 when previously the former mayor was given six or
2 seven years or however much the extension was
3 for. And for some reason, for some strange
4 reason, this mayor gets only one year.

5 And I will be the first to admit
6 that I've had some issues with mayoral control.
7 And I've been a critic of it at times. But the
8 fact that we have not it extended it for a longer
9 period of time than just one year, it makes me
10 wonder why that is in this particular case.

11 Last but not least, Mr. President,
12 there are so many things that we left right till
13 the end of the session, that we were talking
14 about all year, that impact or would have
15 impacted millions of New Yorkers. Whether we're
16 talking about minimum wage, whether we're talking
17 about raising the age, whether we're talking
18 about an independent prosecutor that this body
19 saw fit not to do.

20 And so we had to go in other ways.
21 Whether it's raising the age, which we again
22 dealt only with the corners of it, or the
23 independent prosecutor for police misconduct,
24 which we only dealt on the edges of it.

25 Ultimately, Mr. President, I'm sad

1 to say that this is a bad bill. It was
2 negotiated without our participation. It was put
3 in front of us just a few hours ago. And
4 ultimately just goes at the edges of things that
5 are core to constituencies that we serve but that
6 ultimately we all represent.

7 It is unfortunate that this is what
8 we have to vote on. But since it's what we have
9 to vote on, I will be voting in the negative.

10 Thank you, Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Rivera to be recorded in the negative.

13 Senator Squadron to explain his
14 vote.

15 SENATOR SQUADRON: Thank you,
16 Mr. President. I rise on the bill, to explain my
17 vote, I guess.

18 Look, like many who have spoken
19 before me, I am disappointed tonight. You know,
20 when you talk about rent regulation, it's not
21 just another issue to get negotiated in a
22 backroom in Albany, it's a big part of who we are
23 in New York City. And this deal continues the
24 loss of rent regulation in New York City. In
25 fact, it's designed to do that.

1 And it continues the incentive for
2 the worst landlords to destabilize people's homes
3 and communities and neighborhoods so that they
4 can get to the bonanza of a vacancy threshold.

5 The real concern that I have on this
6 is it's my colleagues who don't represent very
7 many or any rent-regulated constituents who seem
8 so bent on getting rid of rent regulation.

9 So I say to my colleagues please,
10 just leave us be. On behalf of 2 million
11 New Yorkers, please, whatever your interest is in
12 this issue, let New York City be who it is. Let
13 us continue the programs that have been
14 fundamental to having a city that maintains
15 diversity and opportunity.

16 I don't understand why it is that we
17 have a large number of folks who represent no
18 rent-regulated tenants who drive the conversation
19 on rent regulation. It's an unanswered question.
20 It's never been answered on this floor. And the
21 victims, the consequences, are the city that I
22 represent and my constituents.

23 The victims, the consequences, are
24 nearly 40 percent of rent-regulated units in the
25 Manhattan part of my district under risk during

1 the period of this law. Nearly a third of the
2 units in the Brooklyn part of my district under
3 risk during the period of this law.

4 And that's a decision that's been
5 made, according to all the news reports -- I of
6 course was not in that backroom, but according to
7 all the news reports, that's a decision that's
8 been made by colleagues of mine who do not have a
9 single constituent impacted by this decision.
10 And that's just wrong. It's not how government
11 should work.

12 You know, in a lot of ways this
13 bill, Mr. President, feels like more of the same
14 in Albany. Now, in some cases that's a good
15 thing. We're extending tax abatements in
16 Lower Manhattan at a time that we have
17 6.5 million square feet at the World Trade Center
18 site that we still need to lease up. We're still
19 rebuilding from September 11th. We have momentum
20 in Buildings 1 and 4. We have momentum to get
21 Buildings 2 and 3 built. But we also have
22 changes happening in Lower Manhattan. We're
23 extending those, we did that in a bipartisan way,
24 and I thank everyone who pushed for that
25 extension.

1 We're extending eligibility for the
2 Loft Law, which means a small group of tenants,
3 an important one, one that has helped to rebuild
4 neighborhoods, will continue to have access to
5 the Loft Law program. That's a positive thing.
6 I thank my colleagues for that.

7 There is one thing in this bill
8 that's new and different for Albany. You know, I
9 remember 2009 well. I was on the other side of
10 the aisle. I stood with many folks across the
11 aisle to support the reauthorization of mayoral
12 control of the schools. In fact, at the time
13 Leader Skelos said you have to continue mayoral
14 control, it's been a success. Senator Golden
15 said we wouldn't have a committee run the Parks
16 Department, now we've done that with education
17 and it's what we should have done.

18 But on this issue, things have
19 changed. Suddenly my colleagues across the aisle
20 don't support mayoral control. We're only
21 getting one year. And it's strange to me because
22 it has worked. One thing about mayoral control
23 is the schools are controlled by the mayor,
24 whoever that mayor is.

25 And I never believed we were passing

1 mayoral control for a single individual. I
2 thought we were passing it because, as Senator
3 Golden and others said, we believe that the
4 school system should be run in an accountable
5 way. Apparently that's changed.

6 I wish that instead we'd had a
7 change on closing the LLC loophole which allows
8 anonymous, unlimited dollars to flood our
9 political system to pervert the process, to raise
10 questions for those tenants and so many others
11 about what exactly is driving the agenda in
12 Albany. But we haven't done that. In fact, we
13 haven't even gotten a vote on closing the LLC
14 loophole, despite every possible attempt, every
15 rule in this house.

16 And we are here, as has been
17 mentioned, debating a bill that I have to admit I
18 read large parts of earlier drafts of, but I have
19 not been able to read the full draft of this bill
20 because we simply haven't had time. And there
21 have been changes in every draft.

22 You know, we've stayed here a week
23 past the scheduled end of session, it's late in
24 the night. What would be so terrible about
25 enough time for the public and the members --

1 even, goodness, the media -- to read the bill, to
2 consider it and to understand it at the time we
3 vote on it?

4 421-a, there's a lot of questions
5 and impacts, potentially significant ones, in my
6 district. I've discussed some of the other
7 issues in this bill. It's too rushed,
8 Mr. President, it's too important, it's too
9 fundamental to who we are.

10 I'll be voting no.

11 ACTING PRESIDENT GRIFFO: Senator
12 Squadron to be recorded in the negative.

13 Senator Hoylman to explain his vote.

14 SENATOR HOYLMAN: Thank you,
15 Mr. President. I rise to explain my vote.

16 I'll be voting in the negative. You
17 know, Mr. President, it's great having these
18 iPads. But when you don't get the information
19 soon enough, you might as well just have a brick
20 on your desk.

21 And I really think that we have been
22 remiss in providing the members of this body
23 timely information about the so-called Big Ugly
24 so we can make an informed decision. So you're
25 putting us in the position almost of having to

1 vote no because of that issue.

2 I wanted to also speak on behalf of
3 the tenants of the 50,052 units of
4 rent-stabilized apartments in my district.
5 They've been calling me over the last few weeks.
6 And as we dithered over the extending of the rent
7 laws, they worried. There was a young person who
8 called in to say that she relies on rent
9 stabilization to afford to live in New York. She
10 said that she has such high student loans that
11 she could never afford market rent housing even
12 with a full-time job.

13 There was a senior who called me
14 who's living on a fixed income with medical
15 expenses, saying that the rising cost of living,
16 the food and the rent, puts him on the brink of
17 not having enough money to keep up. His
18 apartment is shifting out of rent stabilization
19 and MCIs are going to push him over the line into
20 having to choose between rent, medicine and food.
21 Between rent, medicine and food. I think
22 everyone can agree that that's an unacceptable
23 situation.

24 There was an elderly woman who
25 called my office. She was once a famous

1 journalist, and she's lived in a rent-regulated
2 apartment in the Village for over 30 years. But
3 the lure of profits by landlords and the urgency
4 to push tenants out through vacancy decontrol has
5 led her landlord, as she put it, to hang her out
6 to dry. Her apartment has gone unpainted and
7 damages unrepaired in an effort to push her out.
8 The conditions are so unbearable, she said, that
9 she only goes into her apartment to sleep and
10 spends most of her other waking hours sitting in
11 the lobby.

12 I don't think we've addressed it in
13 this bill. We haven't addressed vacancy
14 decontrol. Over 100,000 apartments are due to be
15 decontrolled in New York City in the next four
16 years, and thousands of those are in my district:
17 11,000 in Chelsea, 35,000 in Midtown East and
18 Murray Hill, part of Senator Krueger's district,
19 Stuyvesant Town. In Lower Manhattan and TriBeCa,
20 48 percent of those rent-stabilized units --
21 that's over 8,000 -- are due to be decontrolled.

22 We haven't addressed the issue of
23 MCIs being charged in perpetuity. Someone said
24 today in conference that it's the only thing he
25 knows that violates the law against perpetuities,

1 the MCI charge.

2 And it doesn't address, as you heard
3 from my tenant, the elderly woman in the Village
4 who is being harassed by landlord, it doesn't
5 address that inherent disadvantage that tenants
6 have. And Senator Espaillat or Senator Perkins
7 aren't in the chamber right now, but I wonder,
8 along with them, whether it was really worth
9 getting arrested a couple of weeks ago in defense
10 of the rent laws, because I don't think we've
11 risen to the occasion.

12 On 421-a, you know, I'm glad that we
13 have six months to look at the issue. I would
14 suggest a modest proposal. Let's end the
15 program. Let's end the program and charge,
16 instead, the developers the value of the subsidy.
17 We can use the cash from that to create a
18 city-driven program that's going to be faster and
19 cheaper to build affordable housing.

20 We don't need 421-a any longer,
21 Mr. President. It's not the 1970s. The Bronx
22 isn't burning, it's beautiful. And the need for
23 a governmental subsidy simply doesn't exist. We
24 know, from personal understanding, that it
25 invites corruption, it's not transparent, and it

1 costs the city over a billion dollars a year.
2 And that's money we could use, of course, for
3 fire, police and schools. So I hope that we'll
4 be sitting down with the interested parties and
5 discussing how we can reform 421-a out of
6 existence.

7 And then finally, as it's been said,
8 the double standard at work here when it comes to
9 mayoral control. Mr. President, my daughter is
10 going to be going into kindergarten in the fall,
11 I'll be a proud new public school parent. And
12 like a lot of public school parents, I'm going to
13 want to know who's in control of our public
14 school system.

15 Well, we're going to have one year
16 of that in New York City. And conveniently, it's
17 going to end in an election year. We didn't have
18 the public hearings, we didn't have the
19 discussion or the debate with the stakeholders on
20 how long we should extend mayoral control.

21 As far as I understand, every leader
22 was in favor of extending mayoral control and you
23 had everyone from Rudy Giuliani to the CEOs of
24 major corporations in the City supporting it. So
25 are we limiting mayoral control, Mr. President,

1 simply because we can? Are we just showing the
2 mayor of the City of New York who's boss?

3 Because that's a really poor excuse,
4 in my opinion, to deny the parents of over
5 1.1 million school kids a long-term strategy that
6 gives them accountability over their kids'
7 education. I don't think anyone here would argue
8 that a one-year extension is good public policy
9 or good educational policy. And the whole thing
10 reeks of political payback.

11 It's sad because really the people
12 we're hurting by this one-year extension aren't
13 the politicians or the people who are in the
14 backrooms discussing this deal. We're hurting
15 the people who have nothing to do with the
16 political gamesmanship, all of those innocent
17 school kids whose future and the future of
18 New York depends on a quality public education.

19 And it is the Big Ugly, it is indeed
20 aptly named. Because we didn't discuss the Child
21 Safe Products Act on this floor. We didn't ban
22 microbeads. We don't have a comprehensive ethics
23 reform package. We didn't raise the minimum
24 wage. We don't have the Gender Expression
25 Non-Discrimination Act that Senator Squadron

1 carries that would allow transgender people the
2 same rights and responsibilities as everyone else
3 in this room. We didn't fully fund the MTA
4 capital plan. We didn't Raise the Age.

5 I wish it wasn't the Big Ugly,
6 Mr. President. I wish it was the Big Gorgeous.
7 But it's not, and so I'll be voting no.

8 Thank you.

9 ACTING PRESIDENT GRIFFO: Senator
10 Hoylman to be recorded in the negative.

11 Senator Sanders to explain his vote.

12 SENATOR SANDERS: Thank you,
13 Mr. President.

14 Not too long ago, when we first came
15 to these chambers at the beginning of this
16 session, we had dreams and possibilities, hopes
17 and wishes. We said to ourselves that we would
18 stake out a claim to do something different for
19 the people of this great state.

20 There was talk that we may raise the
21 age and make sure that people, young people would
22 not be in inappropriate juvenile settings. We
23 spoke of farmworkers may get a day off. Some of
24 us spoke of a religious garb bill. The DREAM Act
25 was a part of what we were talking about.

1 Ethics reform. Oh, do we remember
2 ethics reform. We spoke of getting a permanent
3 prosecutor in the case, a permanent special
4 prosecutor, mind you, in the case of police
5 causing a fatal death.

6 We spoke of the leader of my
7 conference being able to go into the room and
8 participate. We had a lot of dreams. Increasing
9 the minimum wage, closing the LLC loophole.

10 Well, seemingly those dreams have
11 been deferred. What did we get? What did we
12 get?

13 Seemingly, we've got a bill, we've
14 got a -- we're about to pass a budget that goes
15 out of its way to embarrass the mayor of the City
16 of New York. Seemingly, the Executive has taken
17 great delight in these things.

18 This does not work well for the
19 people of New York State. We need to find a way
20 to work together, because these people sent us
21 here to do exactly that. You'd have to work hard
22 to get a worse budget for the people of New York.

23 When you speak of the Rent Act and
24 you speak of a straight four-year extender, you
25 have a series of issues that have been brought

1 up, especially vacancy decontrol, that just
2 has not been dealt with. We haven't wrestled
3 with that one.

4 If you speak of 421-a, we missed an
5 opportunity to create affordable housing. We
6 could have taken that bill, we could have taken
7 that law and we could have used it to create and
8 help solve some of the homelessness that we have
9 in New York City and New York State.

10 We did not do that. We've managed
11 to ensure that those who have will get more, but
12 we did very little to ensure that people, working
13 people who simply don't have enough and don't
14 make enough to survive in New York City, would
15 have affordable housing. We had a chance to do
16 that. We didn't do it.

17 In fact, we're doing some strange
18 concoction where we're going to let the
19 contractors and the developers speak to certain
20 unions and come up with something that -- this
21 may not even be legal at the end of the day. But
22 we'll see about that as time goes on.

23 If we don't watch ourselves, my
24 friends, we are going to do more to create a type
25 of gentrification in these big cities -- and

1 whatever happens in New York City is going to
2 happen in the rest of the state. It's going to
3 happen here first, whether it's something good or
4 something bad. And we could do something about
5 this if we had the will.

6 When we speak of education, mayoral
7 control -- now, again, I have problems with
8 mayoral control. But I have a larger problem
9 when we pick and choose which mayor will get
10 what. If the norm was giving mayors seven years,
11 then let's give the mayor seven years and not the
12 one year. What can you really do in one year?

13 We have created a type of tax credit
14 that -- you'll have to study this one well.
15 \$250 million, if done wrong, we're going to --
16 we're going to pay for this one.

17 Fifty more charter schools. I think
18 that was that card game that I saw in the streets
19 in New York where you moved it here and moved it
20 there, and who could keep up with it. You
21 created 50 more without moving any -- man, I tell
22 you, that's creative.

23 Then we may be creating a
24 friends-and-family club with this 15 percent of
25 the students where you can find 15 percent that

1 can go into the charter schools.

2 Well, there's so many more. I could
3 tell you about the Common Core and how we really
4 needed to address it. Everyone in here knows of
5 the clamoring of the people of New York State
6 over the issue of Common Core, and yet that can
7 we too kicked down the street. We put that one
8 off.

9 However, my friends, the hour is
10 late. The president is worthy, so I am not going
11 to speak long. I will say this. I will take
12 this opportunity to encourage my colleagues to
13 think well on what we have done, the good as well
14 as the bad, and to enjoy their break as they go
15 back.

16 Mr. President, I too must vote in
17 the negative on this one. Thank you very much
18 and enjoy your summer.

19 ACTING PRESIDENT GRIFFO: Senator
20 Sanders to be recorded in the negative.

21 Senator Klein to explain his vote.

22 SENATOR KLEIN: Thank you,
23 Mr. President.

24 Putting together a comprehensive
25 piece of legislation like this requires a lot of

1 compromise, a lot of balance and trying to meet
2 the needs of all the interests in our state. I
3 think, by and large, in some ways we have
4 achieved that. That's why I'm going to vote yes.

5 But clearly there are certain
6 aspects of every part of this legislation where I
7 really think it could have been a lot better.

8 First and foremost, I think rent
9 regulations -- we talk about vacancy decontrol,
10 we talk about MCIs. There is some improvements
11 in this legislation which I think will stem the
12 tide of making some units unaffordable in our
13 city.

14 One thing that I think we missed an
15 opportunity on, and I know a lot of my Democratic
16 colleagues spoke about, harassment that takes
17 place. I think, by and large, in the real estate
18 industry most owners treat their buildings well
19 and they respect their tenants. But there's
20 always going to be some that use vacancy
21 decontrol or especially the 20 percent bonus
22 increase on vacancies as a reason or a way to
23 harass tenants. And I see that unfortunately a
24 lot over the last years.

25 I think what we should have done as

1 far as the vacancy bonuses, if indeed a landlord
2 is found guilty of harassing a tenant, clearly in
3 getting them out so they can get that 20 percent
4 bonus, I think the penalty shouldn't be some type
5 of increase in the civil penalty, but that
6 specific landlord should lose their ability to
7 get a 20 percent bonus when that tenant vacates.
8 That's something that I think should have been a
9 minimum.

10 I wanted to talk about 421-a,
11 because again, I respect the opinion of all of my
12 colleagues in this chamber, but I just think that
13 this legislation, our 421-a changes, I think is a
14 major, major improvement.

15 First and foremost, I think everyone
16 knows that Mayor de Blasio made changes to the
17 421-a, one of his key components of building
18 thousands and thousands of units of affordable
19 housing. He has a very bold plan, I hope he
20 achieves it. It's what we need in the City of
21 New York desperately. That's the best way we can
22 keep working families in our city, by putting a
23 good roof over their heads. If we didn't achieve
24 this 421-a bill that we have before us today, the
25 mayor's plan would have stopped cold.

1 By and large, almost every piece of
2 the mayor's original plan on improving 421-a is
3 in this legislation. Minus the mansion tax,
4 which would have taxed homes above \$1.5 million.
5 I think it's \$1.7 million.

6 I came out very early -- and I said
7 it once, I'll say it again, we would not have
8 built thousands and thousands of units of
9 affordable housing in the City of New York if we
10 did not have the 421-a program. This legislation
11 actually makes it possible to build even more.

12 Remember something. I stand here
13 today, would love to be able to figure out a way
14 that we can subsidize more and more housing. But
15 unless there's some type of profit motive that
16 exists in building houses, especially in the City
17 of New York, the 421-a is an answer. It's the
18 way we get affordable units in exchange for
19 building units that I guess are considered market
20 rate or in some cases luxury, especially in
21 Manhattan.

22 But at the same time, to think that
23 somehow we can take the \$1.7 billion that it
24 costs to do the \$421-a program and build housing
25 is just pie in the sky. Unfortunately, we see

1 the problems with subsidized housing. We see the
2 problems with our New York City Housing
3 Authority, which needs probably hundreds of
4 millions of dollars to make repairs, that
5 presently I consider the worst landlord in the
6 City of New York. That's what we do when we just
7 build straight-out subsidized housing.

8 So I think this is something that's
9 very, very important. I know I spoke to the
10 mayor, I spoke to his deputy mayor, his housing
11 commissioner when they were crafting this bill.
12 And one of the things that I wanted to make sure
13 was in this legislation is to figure out a way
14 that we can have more income levels living under
15 one roof.

16 You know, when we talk about
17 affordable housing, especially in the Bronx,
18 usually it's families that make under \$40,000 a
19 year. That's important. We have to make sure
20 that there's housing for everyone. But how about
21 somebody who makes \$65,000 a year? How about
22 someone who makes \$100,000 a year? You know,
23 maybe a firefighter and a teacher starting out,
24 where are these people going to live?

25 By allowing it to go up to

1 130 percent of the AMI, you're going to be able
2 to have those individuals who make under \$40,000
3 and those individuals who make up to \$110,000 or
4 \$125,000 living under one roof. That's how we're
5 going to make New York City more affordable. And
6 I think that's something that's very, very
7 important that's been pointed out in this
8 legislation.

9 The other issue I want to talk about
10 is the property tax relief, the STAR rebate check
11 program. You know, I've always been a big
12 supporter of the property tax cap. I always felt
13 that we couldn't do any form of property tax
14 relief, be it a circuit breaker or a check or
15 anything that the Governor has now developed,
16 without a cap. Otherwise, in essence what we're
17 doing is we're paying to lower somebody's
18 property taxes in the form of a check and if you
19 don't have a cap, you keep spending and spending
20 and spending. So I think they work hand in hand.

21 I think this is outstanding that we
22 are in essence bringing back the rebate check,
23 which has been gone for a while. I think it will
24 be even better now that we still have the
25 2 percent property tax cap in place for the next

1 four years.

2 But one thing I will say is
3 unfortunately New York City, under this
4 legislation, is shortchanged. Under the old STAR
5 rebate system, when there was a check, New York
6 City residents got a check also. Granted, it was
7 not as large as people outside of New York City,
8 because let's face it, we don't pay as high a
9 property tax in New York City.

10 But if you go to some communities,
11 you will see that it's going up more and more
12 each and every year. But at the same time, while
13 we may not pay high property taxes in the City of
14 New York, we do pay a personal income tax.

15 So I believe what we should have
16 done to make sure that more people are qualified
17 in New York City for some type of property tax
18 relief is to not only include what we pay in
19 property taxes but also include the fact that we
20 pay a personal income tax. By combining the two,
21 we can actually make sure that more and more
22 people, especially senior citizens, would benefit
23 under this program.

24 The next issue is mayoral control.
25 I'm a firm believer that mayoral control works.

1 You know, I always got tired, you know, over the
2 years before we had mayoral control, of various
3 mayors of New York City throwing their hands up
4 in despair and saying "There's nothing I can do
5 about the school system." You know, "It's the
6 Board of Education, it's not me."

7 Well, mayoral control has worked
8 very, very well. I know myself and my colleagues
9 in the Independent Democratic Conference put
10 forth some ideas where we can actually even make
11 it better. Parental engagement, parental
12 involvement is still lacking.

13 I think there's ways, through the
14 various committees, especially the CECs, that we
15 can further engage parents by localizing it even
16 further, by having the CECs as part of our local
17 community boards in New York City. That way they
18 have a staff. That way they have monthly
19 meetings that they can educate the public on, as
20 far as education, and get input.

21 So I'm hopeful that this one-year
22 extension is really a one-year extension to study
23 the issue. It's not about some kind of political
24 vendetta, but we're going to sit down and figure
25 out a way how we can extend mayoral control for

1 at least three, four, five years like every other
2 mayor has had the opportunity, but also make some
3 concrete changes to make the law even better.

4 So with that, Mr. President, I think
5 all in all, as I said, balance is always a tough
6 thing. Compromise and negotiation is sometimes
7 considered a dirty word, but I think it's an
8 important aspect of governing. But I vote yes on
9 this legislation.

10 ACTING PRESIDENT GRIFFO: Senator
11 Klein to be recorded in the affirmative.

12 Senator Panepinto to explain his
13 vote.

14 SENATOR PANEPIINTO: Yes, I stand to
15 speak on this legislation.

16 It's my first time going through the
17 Big Ugly process as a freshman legislator. And I
18 don't have any rent-controlled apartments in my
19 district in upstate New York, but I feel for my
20 Democratic colleagues that they didn't get enough
21 on rent. We don't have mayoral control in the
22 City of Buffalo, but Mayor de Blasio deserved
23 more than a one-year extension.

24 There are good things in this
25 Big Ugly. As an upstate Senator, we've got

1 \$3.1 billion in tax relief for homeowners over
2 the next four years, and that's a positive thing.

3 On the last subpart of the Big Ugly,
4 subpart H provides \$19 million in funding for
5 coal-conversion power plants that may or may not,
6 you know, go out of existence. And that's a
7 little-known piece of the energy puzzle in
8 New York State that has a significant impact for
9 upstate legislators.

10 There's a big coal-fired plant in my
11 district in Tonawanda, there's a big one in
12 Senator Ortt's district. And we have to prepare
13 for the eventuality that those plants may go
14 away. We don't want them to go away, but they
15 would make a devastating hit to the local tax
16 base if they did. So that's a positive thing in
17 this bill.

18 On education, you know, we took big
19 hits in education in the budget bill. But this
20 Big Ugly does a couple of things that I'm very
21 happy with. It releases the test questions from
22 these private testing companies, and so children
23 can learn from this mandatory overtesting that we
24 engage in in this state.

25 It also requires the Commissioner of

1 Education to do a comprehensive evaluation of
2 standards. Both of those things are things that
3 I've called out for in legislation, and I'm happy
4 to see that they've landed in this piece of
5 legislation.

6 But at the same time, where you've
7 got good, you've got some bad. We give away
8 \$250 million to nonpublic schools over two years,
9 and we have not fully funded the GEA. That's
10 disappointing.

11 So there are good things, there are
12 bad things. I'm voting aye. But I'm
13 disappointed that we didn't take up, you know,
14 four things that were near and dear to my heart.
15 We didn't do anything on the minimum wage. We
16 did nothing on IDA reform, corporate welfare. We
17 did nothing on paid parental leave, something
18 that was talked about back in the budget bill.
19 We failed to act on it. And we did no sensible
20 reforms to the SAFE Act.

21 And those are things that this body
22 should have taken up in the Big Ugly. We had an
23 opportunity to address those items, we did not.

24 I'm voting aye.

25 ACTING PRESIDENT GRIFFO: Senator

1 Panepinto to be recorded in the affirmative.

2 Senator Kennedy to explain his vote.

3 SENATOR KENNEDY: Thank you,
4 Mr. President.

5 Tonight we've proven once again that
6 Western New York's voice has been heard in
7 Albany, a voice that for far too long has been
8 ignored. While much of the final days of the
9 legislative session has centered around mayoral
10 control in New York City and a rent control
11 agreement, the final package passed by both
12 houses tonight shows that substantial help is
13 also on the way for hardworking middle-class
14 families in Buffalo, Cheektowaga, Lackawanna and
15 all of Western New York and upstate.

16 With \$3.1 billion in property tax
17 relief coming to upstate homeowners, the support
18 taxpayers have been waiting on for years is
19 finally within sight. New Yorkers currently pay
20 some of the highest property taxes in the entire
21 nation, putting homeownership out of the reach of
22 many working families.

23 In Western New York property taxes
24 are squeezing the budget of local families,
25 threatening to price them out of their homes and

1 push them out of our region and our state and
2 endangering the economic comeback that we're all
3 fighting so hard for.

4 The statistics are staggering.
5 Since 1977, New York's had the highest combined
6 state and local tax burden in the nation for
7 every year but three. New York is sadly home to
8 the highest-taxed counties in the nation. On
9 average, New Yorkers pay approximately \$54 for
10 every \$1,000 of personal income in property
11 taxes. That's a whopping 56 percent above the
12 national average.

13 These statistics must change, and it
14 starts tonight. With the passage of this bill,
15 in my district, the town of Cheektowaga, for
16 example, a family with a household income of
17 \$75,000 is looking at an additional \$185 in their
18 pocket in 2016. In 2019, it goes up to \$430.
19 That's real money. That's money that's going to
20 be fed right back into the local economy, and
21 it's going to help middle class families make
22 ends meet.

23 With this agreement we're fulfilling
24 our commitment to Western New York families who
25 have been overtaxed for far too long. We're

1 taking a major step in the right direction and
2 providing much-needed tax relief to working
3 families across the state. It's about time that
4 we do so.

5 And while I look around and I hear
6 the passionate pleas of colleagues on both sides
7 of the aisle, while they're supporting this bill
8 and while they're not supporting this bill,
9 Mr. President, I have 3.1 billion reasons why I'm
10 supporting this bill.

11 I will vote aye, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Kennedy to be recorded in the affirmative.

14 Senator Díaz to explain his vote.

15 SENATOR DIAZ: Thank you,
16 Mr. President.

17 I was not going to speak. I wasn't
18 going to speak. But listening to my colleagues,
19 I have to say something, especially now that we
20 are about time to go home.

21 We heard, I heard my colleagues
22 talking about how the City of New York has been
23 shortchanged, how 2 million people in the City of
24 New York have been ignored. And I -- you know,
25 Senator, I would like to say again that I'm

1 confused. But not because I'm Puerto Rican. I'm
2 confused because we are having, ladies and
3 gentlemen, a -- we are voting in a budget -- on a
4 bill that in order for us to be voting on this
5 bill, it was supposed to be approved. There's a
6 three-way -- I don't know if Jeff Klein was there
7 too, four ways. There's supposed to be three
8 people in the room and three different entities,
9 the Assembly, the Governor, and the Senate.

10 But all my colleagues here are
11 talking about how bad is this thing and how the
12 city was ignored and the 2 million people in the
13 city have been shortchanged.

14 But the Assembly, the Assembly
15 approved this. The Assembly is controlled by
16 Democrats. The Assembly has more city
17 representatives than we do. So they approved
18 that. Every single, every single, every single
19 Democratic member of the Assembly voted for this
20 except one, Charles Barron. Everybody else voted
21 for it.

22 So when we are here, ladies and
23 gentlemen, my colleagues, when we're here
24 criticizing this, are we criticizing the Senate
25 or are we criticizing the Assembly? Or are we

1 criticizing the Governor? Who are we
2 criticizing? I'm confused.

3 Because all the Democratic Senators
4 have stood up here tonight and been talking about
5 how bad is it. I'm happy - -- I'm not happy
6 completely, but I -- at least I got -- we've got
7 50 charter schools for the City of New York. So
8 I always said that charter schools is a godsend
9 for black and Hispanic children in our areas.

10 So there are 50 charter schools.
11 There are \$250 million for private and religious
12 institutions. And we should have gotten them
13 more. But if we -- if we -- if the other house
14 and the Governor, who is a Democrat, and the
15 Assembly, who are controlled by Democrats, would
16 have stopped this, we wouldn't be here now
17 criticizing the other side.

18 So when we are here standing up and
19 criticizing, who are we criticizing? The
20 Republicans? The Democrats? The Governor? Who,
21 who are we criticizing? Who are we talking about
22 who is at fault? Who ignored the City of New
23 York? Who shortchanged the City of New York?
24 Please let me know. Because I would like to know
25 who did it.

1 If the Democrats in the Senate that
2 have spoken tonight are right, then the Assembly
3 Democrats are wrong. But if the Assembly
4 Democrats are right, then the Senate Democrats
5 that have spoken here are wrong.

6 Do you see why I'm confused? Not
7 because I'm Puerto Rican, but because I am not
8 stupid. I'm tired of the games that people play
9 in this business. I'm 73 years old. And I hate
10 ugly. And God hates ugly too. So let's be
11 honest and let's be fair and let's be -- and
12 let's blame who wants to be blamed, but don't
13 come here trying to blame other people for
14 something that we have done.

15 And I'm voting yes.

16 ACTING PRESIDENT GRIFFO: Senator
17 Díaz to be recorded in the affirmative.

18 Senator Montgomery to explain her
19 vote.

20 Senator Comrie to explain his vote.

21 SENATOR COMRIE: Thank you,
22 Mr. President.

23 I'm voting no on the Big Ugly bill,
24 on 1910. I'm disappointed that we were not able
25 to have real discussions on this bill. And to

1 many of the elements of the legislation that
2 needed to be discussed, it needed to have public
3 forums, it needed to ensure that there was an
4 opportunity for the people of New York City to be
5 heard, for the Democratic Caucus to be heard, for
6 our leader to be involved in the meetings.

7 There are too many things that are
8 happening that are shortchanging the over
9 2 million residents that will be impacted by rent
10 control, over 1 million students that will be
11 impacted by mayoral control that's only being
12 done for one year.

13 We need to be focused on making sure
14 that legislation happens, that things can happen
15 to improve our city and improve our state. And
16 while there are some things here that improve
17 some areas of our state, we need to work together
18 as a legislative body to make sure that the
19 entire state is taken care of.

20 And as coming from another
21 legislative body where open discussion and debate
22 was part of the norm, was looked to and utilized
23 to make things better, it's been a unique
24 experience for me to come here to find out that
25 debate is only happening on the floor after a

1 decision has already been made.

2 I would hope that we could change
3 that, because this state deserves better than
4 what we're giving them. The opportunities that
5 could happen from having open debate and open
6 discussion, to make sure that the nuances and
7 changes that could be made to improve this state,
8 is too critical to keep suppressed.

9 The opportunities to make sure that
10 the things that are critical to make sure that we
11 can improve this state so that people will want
12 to stay here and live here and work here, that we
13 can keep a working class in this state, is too
14 important to continue to be suppressed.

15 This bill will only continue to make
16 it harder for working-class people to stay in the
17 City. This bill will only make it harder for
18 teachers to want to stay in underperforming
19 schools. This bill will only make it harder for
20 the mayor to continue to move forward in a real
21 affordable housing plan.

22 Because it is late, I'm not going to
23 spend five minutes to speak to the bill, but I
24 think that we can all do better as a legislative
25 body to ensure that we can make sure that all of

1 the people that need help in our state, to
2 encourage participation, to encourage real
3 dialogue. I hope we can do better in the next
4 legislative session.

5 I vote no.

6 ACTING PRESIDENT GRIFFO: Senator
7 Comrie to be recorded in the negative.

8 That concludes the explanation of
9 votes. The Secretary will tabulate the votes.

10 I'd ask all voting in the negative
11 to please raise your hands.

12 The Secretary will announce the
13 results.

14 THE SECRETARY: In relation to
15 Calendar 1910, those recorded in the negative are
16 Senators Comrie, Dilan, Espaillat, Gianaris,
17 Hamilton, Hoylman, Krueger, Montgomery, Rivera,
18 Sanders, Serrano and Squadron.

19 Ayes, 47. Nays, 12.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: May we now
24 take up Calendar Number 1884, on Senate
25 Supplemental Calendar 59A.

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 1884, by Senator Young, Senate Print 1989, an act
5 to amend the Workers' Compensation Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 58. Nays, 1.
14 Senator Panepinto recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Can we now
19 take up 1886, by Senator Stewart-Cousins,
20 Supplemental Calendar 59A.

21 ACTING PRESIDENT GRIFFO: We are on
22 Senate Supplemental Calendar 59A. We will take
23 up Calendar Number 1886, by Senator
24 Stewart-Cousins.

25 The Secretary will read.

1 THE SECRETARY: In relation to
2 Calendar 1886, Senator Stewart-Cousins moves to
3 discharge, from the Committee on Rules, Assembly
4 Bill Number 2801 and substitute it for the
5 identical Senate Bill 4134, Third Reading
6 Calendar 1886.

7 ACTING PRESIDENT GRIFFO: There is
8 a home-rule message at the desk.

9 The substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1886, by Member of the Assembly Pretlow, Assembly
13 Print Number 2801, an act to amend General
14 Municipal Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 SENATOR DeFRANCISCO: May we now go

1 to 1890, by Senator Golden.

2 ACTING PRESIDENT GRIFFO: We will
3 look at Calendar Number 1890. We are still on
4 Senate Supplemental Calendar 59A.

5 And the Secretary will read.

6 THE SECRETARY: In relation to
7 Calendar 1890, Senator Golden moves to discharge,
8 from the Committee on Rules, Assembly Bill Number
9 7394 and substitute it for the identical Senate
10 Bill Number 5025, Third Reading Calendar 1890.

11 ACTING PRESIDENT GRIFFO: The
12 substitution is so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1890, by Member of the Assembly Mosley, Assembly
16 Print Number 7394, an act to amend the Workers'
17 Compensation Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 59.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 SENATOR DeFRANCISCO: May we now go
4 to Calendar Number 1892, by Senator LaValle.

5 ACTING PRESIDENT GRIFFO: Calendar
6 Number 1892, the Secretary will read.

7 THE SECRETARY: In relation to
8 Calendar 1892, Senator LaValle moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill Number 7573 and substitute it for
11 the identical Senate Bill Number 5273,
12 Third Reading Calendar 1892.

13 ACTING PRESIDENT GRIFFO: The
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1892, by Member of the Assembly Magnarelli,
18 Assembly Print Number 7573, an act to repeal.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 SENATOR DeFRANCISCO: Next,
5 Calendar Number 1894, by Senator Golden, please.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 1894, by Senator Golden, Senate Print 5608A, an
10 act to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will read the last section.

13 THE SECRETARY: Section 7. This
14 act shall take effect immediately.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Senator
19 Stavisky to explain her vote.

20 SENATOR STAVISKY: Thank you,
21 Mr. President.

22 I am concerned about this
23 legislation because there are certain parts of
24 Queens County where the roads are very narrow.
25 However, I will support the extension of the bus

1 express lanes, with the idea that people will --

2 ACTING PRESIDENT GRIFFO: Senator
3 Stavisky. Senator Stavisky, excuse me.

4 Can we have some order in the house,
5 please. Thank you.

6 Senator Stavisky, please continue.

7 SENATOR STAVISKY: I have been
8 assured by the City that people will have a
9 warning for 60 days, there will be a 60-day grace
10 period. Motorists who violate the rules
11 concerning the bus lanes will receive a warning.

12 And I vote aye, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Stavisky will be recorded in the affirmative.

15 The Secretary will announce the
16 results.

17 Please raise your hands again if
18 you're in the negative. (Pause.)

19 Again, we are on Calendar Number
20 1894, by Senator Golden.

21 The Secretary will read the results.

22 THE SECRETARY: In relation to
23 Calendar 1894, those recorded in the negative are
24 Senators DeFrancisco, Felder, Hamilton,
25 Hassell-Thompson, LaValle, Marchione, Montgomery,

1 O'Mara, Ranzenhofer, Savino and Serino.

2 Ayes, 48. Nays, 11.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: If we can now
7 go to Calendar Number 1895, another Senator
8 Golden bill.

9 ACTING PRESIDENT GRIFFO: We are on
10 Calendar Number 1895, Senate Print Number 5701A,
11 by Senator Golden.

12 And the Secretary will read.

13 THE SECRETARY: Calendar Number
14 1895, by Senator Golden, Senate Print 5701A, an
15 act to amend the Tax Law.

16 SENATOR GIANARIS: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay the
18 bill aside.

19 SENATOR DeFRANCISCO: Can we now
20 take up Calendar Number 1896, please.

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read Calendar Number 1896.

23 THE SECRETARY: In relation to
24 Calendar 1896, Senator Griffio moves to discharge,
25 from the Committee on Rules, Assembly Bill Number

1 7892 and substitute it for the identical Senate
2 Bill Number 5761, Third Reading Calendar 1896.

3 ACTING PRESIDENT GRIFFO: The
4 substitution is so ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number
7 1896, by Member of the Assembly Brindisi,
8 Assembly Print Number 7892, an act to amend the
9 Highway Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 Senator DeFrancisco.

21 SENATOR DeFRANCISCO: Next, please,
22 Calendar Number 1897.

23 ACTING PRESIDENT GRIFFO: We are
24 now on Calendar Number 1897 on the Senate
25 Supplemental Calendar 59A, Calendar Number 1897,

1 by Senator Marcellino.

2 And the Secretary will read.

3 THE SECRETARY: Calendar Number
4 1897, by Senator Marcellino, Senate Print 5795,
5 an act to amend the Education Law.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read the last section.

8 THE SECRETARY: Section 7. This
9 act shall take effect on the first of July.

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will call the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT GRIFFO: Senator
14 Carlucci to explain his vote.

15 Can I have some order in the house,
16 please.

17 SENATOR CARLUCCI: Mr. President, I
18 rise to speak in favor of this legislation.

19 And this legislation, like the
20 legislation before us here tonight, has been the
21 culmination of work and negotiations between both
22 chambers of this Legislature and the Governor to
23 come to a compromise to help millions of
24 New Yorkers across this great state.

25 But what we won't find on the agenda

1 tonight is a bill that would help tens of
2 thousands of New Yorkers in Rockland County. And
3 I fear that the voices of the students, parents
4 and families of East Ramapo have fallen on deaf
5 ears.

6 And unfortunately, over the past few
7 years, teachers have been laid off, important
8 programs like extracurricular activities, core
9 curriculum courses that would provide a pathway
10 to a Regents diploma, have been cut.

11 And my colleagues in the
12 Legislature, in the Assembly and community
13 members worked to provide a bill that would put a
14 monitor in the East Ramapo School District. And
15 this would provide guidance and a long-term
16 strategic plan to get the district on the right
17 track.

18 And unfortunately we don't see that
19 bill here tonight. And how do we tell an entire
20 community that we let politics get in the way of
21 doing what's right for our children? And the
22 tensions are at an all-time high. People are
23 frustrated. And we need to act to help to start
24 to heal this community.

25 And I've said it over and over

1 again, that the issues of East Ramapo, they
2 shouldn't be about politics, they shouldn't be
3 about special interests, it should be fighting
4 for the 33,000 students in East Ramapo and making
5 sure that we're doing the right thing for them.

6 But this fight isn't over, and I'm
7 going to continue to fight for our students. And
8 I'd ask my colleagues in the Senate to partner
9 with me to make sure we're providing the best
10 opportunities for the children of East Ramapo.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Carlucci, how do you vote?

14 SENATOR CARLUCCI: Yes.

15 ACTING PRESIDENT GRIFFO: Senator
16 Carlucci to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Could you go
23 next to 1899, by Senator Golden.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read Calendar 1899, by

1 Senator Golden.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1899, by Senator Golden, Senate Print 5986, an
5 act to repeal.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT GRIFFO: Senator
14 Krueger to explain her vote.

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

17 I'm fairly torn about this bill
18 because, on the one hand, it would cost the City
19 of New York approximately, I think, \$780 million
20 a year in tax revenue. Certainly not tax revenue
21 they can afford to lose when this house just
22 tonight continues to fail to provide for what the
23 City of New York does need.

24 And on the other hand, it's a bill
25 to lower commercial rent taxes. In fact, in the

1 Big Ugly we did extensions on several commercial
2 rent taxes -- an extension of repealing them in
3 Lower Manhattan. And despite my voting no for
4 the bill, I wasn't opposed to that continuation
5 of those tax exemptions.

6 So actually I think this is a
7 one-house bill -- I'm quite sure at this hour. I
8 am actually going to vote yes for the bill
9 because I recognize how important it is for small
10 businesses to be able to afford their rents and
11 not go out of business.

12 And I urge the City of New York to
13 sit down and evaluate its entire property tax
14 system, including commercial rent taxes. We are
15 literally making many sections of New York City
16 too expensive to be able to stay and live in or
17 to continue to have small businesses in.

18 So I know that this would be a
19 problem if I were to vote yes if I thought it was
20 going to pass tonight and become law. But
21 hopefully it does send a message to our city, to
22 our great city, that we need to address the
23 incredibly high tax rate on small businesses.

24 Thank you, Mr. President. I vote
25 yes.

1 ACTING PRESIDENT GRIFFO: Senator
2 Krueger to be recorded in the affirmative.

3 Announce the results.

4 THE SECRETARY: Ayes, 59.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: Please call
9 up Calendar 1900, by Senator Comrie.

10 ACTING PRESIDENT GRIFFO: We're on
11 now Calendar Number 1900, by Senator Comrie.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1900, by Senator Comrie, Senate Print 5996A, an
15 act to allow.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Announce
24 the results.

25 THE SECRETARY: Ayes, 57. Nays, 2.

1 Senators Croci and Martins recorded in the
2 negative.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Next, Number
7 1901, by Senator Lanza, please.

8 ACTING PRESIDENT GRIFFO: We are
9 now on Calendar Number 1901, by Senator Lanza.

10 The Secretary will read.

11 THE SECRETARY: In relation to
12 Calendar 1901, Senator Lanza moves to discharge,
13 from the Committee on Rules, Assembly Bill Number
14 8298 and substitute it for the identical Senate
15 Bill 5998, Third Reading Calendar 1901.

16 ACTING PRESIDENT GRIFFO: The
17 substitution is ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1901, by Member of the Assembly Brennan, Assembly
21 Print Number 8298, an act to amend Chapter 154 of
22 the Laws of 1921.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect upon the enactment into law
2 by the State of New Jersey.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 SENATOR DeFRANCISCO: Next,
10 Calendar 1902, by Senator DeFrancisco.

11 ACTING PRESIDENT GRIFFO: Calendar
12 Number 1902, by Senator DeFrancisco.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1902, by Senator DeFrancisco, Senate Print 6006,
16 an act to amend the Vehicle and Traffic Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the first of January.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 57. Nays, 2.
25 Senators Ranzenhofer and Serino recorded in the

1 negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Calendar
6 Number 1903, by Senator Griffo.

7 ACTING PRESIDENT GRIFFO: Calendar
8 Number 1903. The Secretary will read.

9 THE SECRETARY: In relation to
10 Calendar 1903, Senator Griffo moves to discharge,
11 from the Committee on Rules, Assembly Bill Number
12 8258 and substitute it for the identical Senate
13 Bill 5989, Third Reading Calendar 1903.

14 ACTING PRESIDENT GRIFFO: The
15 substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1903, by Member of the Assembly Gottfried,
19 Assembly Print 8258, an act to amend the Public
20 Health Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the same date and in the
25 same manner as a chapter of the Laws of 2015.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 1903, those recorded in the negative are
8 Senators Croci, DeFrancisco, Díaz, LaValle and
9 Savino. Also Senator Nozzolio.

10 Ayes, 53. Nays, 6.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Next,
15 Calendar 1905, by Senator LaValle.

16 ACTING PRESIDENT GRIFFO: We are
17 now on Calendar Number 1905.

18 The Secretary will read.

19 THE SECRETARY: In relation to
20 Calendar 1905, Senator LaValle moves to
21 discharge, from the Committee on Rules,
22 Assembly Bill Number 5962A and substitute it for
23 the identical Senate Bill 220A, Third Reading
24 Calendar 1905.

25 ACTING PRESIDENT GRIFFO: The

1 substitution is ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1905, by Member of the Assembly Glick,
5 Assembly Print 5962A, an act to amend the
6 Education Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect April 1, 2016.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will call the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Calendar
19 Number 1906 would be next, by Senator Lanza.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read Calendar Number 1906, by
22 Senator Lanza.

23 The Secretary will read.

24 THE SECRETARY: In relation to
25 Calendar 1906, Senator Lanza moves to discharge,

1 from the Committee on Rules, Assembly Bill Number
2 7951 and substitute it for the identical Senate
3 Bill 4628, Third Reading Calendar 1906.

4 ACTING PRESIDENT GRIFFO: The
5 substitution is ordered.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1906, by Member of the Assembly Abbate, Assembly
9 Print 7951, an act to repeal.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 SENATOR DeFRANCISCO: Next,
21 Calendar Number 1907.

22 ACTING PRESIDENT GRIFFO: We are
23 now on Calendar Number 1907.

24 And the Secretary will read.

25 THE SECRETARY: In relation to

1 Calendar 1907, Senator Flanagan moves to
2 discharge, from the Committee on Rules,
3 Assembly Bill Number 8259A and substitute it for
4 the identical Senate Bill Number 5979, Third
5 Reading Calendar 1907.

6 ACTING PRESIDENT GRIFFO: The
7 substitution is ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1907, by Member of the Assembly Morelle,
11 Assembly Print Number 8259A, an act to amend the
12 Workers' Compensation Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 57. Nays, 2.
21 Senators Hannon and Ranzenhofer recorded in the
22 negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Would you
2 next do Calendar Number 1908, by Senator Seward,
3 followed by 1909, by Senator Avella.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read Calendar 1908, by
6 Senator Seward.

7 THE SECRETARY: Calendar Number
8 1908, by Senator Seward, Senate Print 6004, an
9 act to amend the Insurance Law.

10 ACTING PRESIDENT GRIFFO: Can we
11 have a little order in the chamber, please.

12 The Secretary will read the last
13 section.

14 THE SECRETARY: Section 5. This
15 act shall take effect on the same date and in the
16 same manner as a chapter of the Laws of 2015.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 The Secretary will now move to
24 Calendar Number 1909, by Senator Avella.

25 THE SECRETARY: Calendar Number

1 1909, by Senator Avella, Senate Print 893A, an
2 act to amend the Real Property Tax Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 26. This
6 act shall take effect on the first of January.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: I'm going
11 to ask again for some order in the house, please.

12 Senator Krueger to explain her vote.

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

15 Not unlike the last bill I spoke on,
16 with commercial rent tax, I will tell you that
17 this is a fundamentally flawed bill because it
18 requires neutrality in property tax, meaning it
19 wants to reduce somebody's property taxes -- in
20 this case, co-op condos, but requires then that
21 somebody else's property taxes go up by the same
22 amount.

23 Nonetheless, it's another lesson in
24 the fact that for 20 years, perhaps 25 years,
25 New York City's government has been discussing

1 the need to redo, review and redo its property
2 tax system because it is filled with inequities,
3 it is filled with stories of some people paying
4 too much in taxes, others paying too little in
5 comparison. There's really no rhyme or reason
6 anymore with the way the property tax system
7 operates in New York City.

8 So I'm going to vote yes, knowing
9 this isn't going to become law, but again hoping
10 at this late hour to send a message to my friends
11 and colleagues in New York City government, the
12 City Council and the Mayor, that really, New York
13 City, if you don't figure out how to modernize
14 and make equitable and justifiable your property
15 tax system, Albany is going to do it for you.
16 And I think this whole night has been a lesson in
17 why New York City government really doesn't want
18 Albany making its decisions for them.

19 But I will vote yes, Mr. President.
20 Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Krueger to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 1909, those recorded in the negative are

1 Senators Comrie, Hamilton, Hassell-Thompson,
2 Hoylman, Kennedy, Rivera, Sanders, Serrano and
3 Squadron.

4 Ayes, 50. Nays, 9.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: Would you now
9 go to Calendar Number 1898, by Senator Felder.

10 ACTING PRESIDENT GRIFFO: We'll go
11 to Calendar 1898, by Senator Felder.

12 And the Secretary will read.

13 THE SECRETARY: In relation to
14 Calendar 1898, Senator Felder moves to discharge,
15 from the Committee on Rules, Assembly Bill Number
16 8238 and substitute it for the identical Senate
17 Bill Number 5914, Third Reading Calendar 1898.

18 ACTING PRESIDENT GRIFFO: The
19 substitution is ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1898, by Member of the Assembly Joyner,
23 Assembly Print Number 8238, an act to amend the
24 General Municipal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: On Calendar
12 1894, by Senator Golden, I would like to move to
13 reconsider the vote by which this bill was
14 passed.

15 ACTING PRESIDENT GRIFFO: We'll
16 call the bill up first, Senator DeFrancisco.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1894, by Senator Golden, Senate Print 5608A, an
20 act to amend the Vehicle and Traffic Law.

21 SENATOR DeFRANCISCO: Now I'd like
22 to move to reconsider the vote by which the bill
23 was passed.

24 ACTING PRESIDENT GRIFFO: We will
25 now call the roll on reconsideration.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 SENATOR DeFRANCISCO: I believe
4 there's a substitution at the desk, is that
5 correct?

6 ACTING PRESIDENT GRIFFO: We'll
7 order the Senate bill to be restored to third
8 reading.

9 The substitution will be read.

10 SENATOR DeFRANCISCO: Thank you.

11 THE SECRETARY: In relation to
12 Calendar 1894, Senator Golden moves to discharge,
13 from the Committee on Rules, Assembly Bill Number
14 7996A and substitute it for the identical Senate
15 Bill Number 5608A, Third Reading Calendar 1894.

16 ACTING PRESIDENT GRIFFO: The
17 substitution is ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1894, by Member of the Assembly Rozic,
21 Assembly Print 7996A, an act to amend the Vehicle
22 and Traffic Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: In relation to
6 Calendar 1894, those recorded in the negative are
7 Senators DeFrancisco, Felder, LaValle, Marchione,
8 O'Mara, Ranzenhofer, Savino and Serino.

9 Ayes, 51. Nays, 8.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Calendar
14 Number 1895, by Senator Golden, was laid aside.
15 Could you please call that bill up.

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco, are we taking that up controversial?

18 SENATOR DeFRANCISCO: It was laid
19 aside once, so I guess it would be controversial.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will ring the bell.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1895, by Senator Golden, Senate Print 5701A, an
25 act to amend the Tax Law.

1 SENATOR KRUEGER: Explanation.

2 ACTING PRESIDENT GRIFFO: Senator
3 Krueger has requested an explanation, Senator
4 Golden.

5 SENATOR GOLDEN: Thank you,
6 Mr. President.

7 As we've done in the past on this
8 bill, although it is different from years
9 previous, this is very similar to the
10 distribution of illegal cigarettes across the
11 State of New York.

12 In late 2014, NYPD officers stopped
13 a van in Staten Island and seized 500,000 packs
14 of Virginia-stamped cigarettes. The value of the
15 seized cigarettes exceeded \$300,000. As of
16 July 14, 2014, the State Cigarette Strike Task
17 Force had confiscated over 12,000 cartons of
18 illegal cigarettes and 24,773 illegal cigarette
19 stamps.

20 Had the seized cigarettes been sold
21 in New York City, the state would have lost
22 \$532,000 of tax revenue and the city would have
23 lost another \$183,000 in tax revenue on the
24 second seizure.

25 Altogether, we lose about \$2 billion

1 a year in revenue to untaxed cigarettes. If we
2 only recovered a billion dollars of that, or
3 \$500 million, a quarter of that, imagine how much
4 money we could bring into the City of New York
5 and to the State of New York.

6 It is more lucrative than heroin.
7 It is more lucrative than drugs. You can sell
8 these cigarettes and not go to jail. The sale of
9 illegal cigarettes in New York hurt our cigarette
10 stamping agents, our wholesalers, our retailers
11 and the sale of New York-stamped cigarettes.
12 Just bend down in the streets and pick up any
13 empty pack of cigarettes you see, and six to
14 eight out of 10 will be stamped from outside the
15 State of New York or unstamped.

16 Just think about the number I just
17 gave you. We need to stop the flow of illegal
18 cigarettes into New York markets. This bill will
19 provide additional revenue to increase the
20 state's efforts to stop the illegal cigarettes
21 trade here in New York. This bill would also
22 provide for the sale of those seized cigarettes.
23 And going into the increased enforcement and the
24 sale of the seized cigarettes would also increase
25 the tax revenues which I spoke of earlier.

1 But the other point I want to hit
2 here are jobs, jobs, jobs. When we spoke earlier
3 two years ago, three years ago, we talked about
4 4,000 jobs. There used to be 8,000 jobs. We're
5 down to under 3,000 Teamster jobs because these
6 companies are leaving the State of New York. We
7 need to be able to keep those jobs here.

8 And what this bill does, it sets up
9 an actual reward program of \$5 a carton of
10 cigarettes that would be forfeited that would be
11 able to be returned to the individual who turns
12 in an individual that's selling these cigarettes
13 by the carton.

14 In funding for an enforcement fund,
15 an agent would be paid 4 cents per stamp and the
16 enforcement fund would be used as a cigarette tax
17 and cigarette marketing standards act, and
18 there's a forfeiture sales part in here as well
19 where we can actually take the forfeited
20 cigarettes and they can go back to the
21 wholesaler -- or the manufacturer, rather, and
22 the manufacturer would pay \$2.25 for them. And
23 if he didn't want them, then the wholesaler or
24 the stamping agent could purchase those
25 cigarettes for \$2.25 a pack. The counterfeit

1 cigarettes will still continue to be destroyed.

2 So that's \$5 for anybody that turns
3 it in. We believe that there's a lot of money
4 here that will go to enforcement. We believe we
5 can bring down the illegal cigarettes here in the
6 State of New York and we can have more proceeds
7 going into the State of New York.

8 And I was very happy that Senator
9 Krueger voted on the earlier bill that would have
10 saved the taxpayers in the City of New York
11 \$793 million. Hopefully she will do the same
12 here and help us bring in over a billion dollars
13 and possibly \$2 billion in revenue for our cities
14 across this great, great state.

15 SENATOR KRUEGER: Through you,
16 Mr. President, if the sponsor would yield.

17 SENATOR GOLDEN: Yes,
18 Mr. President.

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

21 And I'm going to ask again, we have
22 a number of extra staff and visitors as well as
23 members in the chamber. So please let's keep the
24 noise down so that the two members can hear each
25 other and our stenographer can continue to do her

1 good work.

2 So Senator Golden yields. Senator
3 Krueger, what is your question?

4 SENATOR KRUEGER: Thank you.

5 So when we had a debate on a similar
6 bill two years ago and I was told that companies
7 were leaving, and in the explanation Senator
8 Golden says they have left, what are the names of
9 the companies left in New York that do cigarette
10 stamps on the bottom of the products?

11 SENATOR GOLDEN: I'm sorry, your
12 question again, Mr. President?

13 SENATOR KRUEGER: The name of the
14 companies left in New York State who are the
15 agents, the cigarette stamp companies.

16 SENATOR GOLDEN: We have a number
17 of companies that are still here in the State of
18 New York. Which companies have left, I do not
19 have a list. You have one in Long Island, you
20 have one in Syracuse, you have one in Brooklyn,
21 you have a number of them across the State of
22 New York.

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

1 SENATOR GOLDEN: I do,
2 Mr. President.

3 ACTING PRESIDENT GRIFFO: The
4 sponsor yields.

5 SENATOR KRUEGER: So if I'm
6 understanding the sponsor right, he is making the
7 argument that we will be able to collect more
8 penalties on catching more unstamped cigarettes
9 and that will bring money into a unit to catch
10 more.

11 Can the sponsor just explain to me
12 how much money we're going to be able to make
13 available for increased enforcement and where
14 that money exactly comes from?

15 SENATOR GOLDEN: The money would be
16 \$650 million, of which the General Fund, the
17 Comptroller would transfer \$600 million from the
18 General Fund when we had reached that
19 \$650 million threshold by the seizure of
20 cigarettes here in the State of New York, and
21 that \$600 million would go to the State Police,
22 and they would be the enforcement tool to go out
23 there and to enforce these rules and regulations.

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

1 yield.

2 SENATOR GOLDEN: Yes,
3 Mr. President.

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields.

6 SENATOR KRUEGER: So in the bill a
7 couple of years ago we were talking about
8 \$6 million for enforcement and now we're jumping
9 to \$650 million for enforcement? Is that
10 correct?

11 SENATOR GOLDEN: It comes out to
12 2 cents -- it's 4 cents a stamp that would -- per
13 pack of cigarettes. Which would come to about
14 \$10 million.

15 It's \$6 million, I apologize, not
16 \$600 million. I apologize. That's \$6 million,
17 \$6.5 million, of which the first \$6 million would
18 go to the -- this operation of the State Police,
19 the cigarette enforcement unit.

20 SENATOR KRUEGER: And through you,
21 Mr. President, how much would the revenues go up
22 for the taxing agents in this bill per pack of
23 cigarettes, compared to now?

24 SENATOR GOLDEN: Four cents a pack.

25 SENATOR KRUEGER: What do they --

1 oh, excuse me, Mr. President.

2 ACTING PRESIDENT GRIFFO: Go ahead,
3 Senator Krueger, we'll give you some flexibility.

4 SENATOR KRUEGER: Thank you.

5 What do they get paid now per pack?

6 SENATOR GOLDEN: Two cents.

7 Mr. President.

8 SENATOR KRUEGER: So it would
9 triple what they receive now, is that correct?

10 SENATOR GOLDEN: Yes, it's similar
11 to us, the last raise they got was in 1999.

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

15 ACTING PRESIDENT GRIFFO: The
16 sponsor yields.

17 SENATOR GOLDEN: Yes,
18 Mr. President.

19 SENATOR KRUEGER: Thank you.

20 Why isn't the sponsor offering us a
21 bill for New York State to move into the
22 high-tech tax stamp model that four or five other
23 states have done already and the Center for
24 Disease Control and Prevention is actually
25 recommending to successfully come down on false

1 or unstamped cigarettes? California has made
2 major effect of it, as have Massachusetts and --
3 I'm just looking here, late at night, at the CDC
4 report -- a multitude of other states are in the
5 process of going that route.

6 Why aren't we looking at that
7 instead of simply increasing the amount of money
8 we pay somebody to do what they're already doing
9 and hope that some additional revenue will come
10 in to help us catch more people the way we have
11 been doing it already?

12 SENATOR GOLDEN: I don't think
13 anybody, Mr. President, thinks that we may bring
14 in more income. We will bring in more income.

15 And this CMSA adjustment is agent to
16 wholesaler, agent to retailer, agent to chain,
17 wholesaler to retailer, wholesaler to chain, and
18 retailer to consumer. So we're talking about a
19 stream that has all of the industry working
20 together to bring this power, this force, down on
21 the illegal cigarettes that are coming into the
22 State of New York.

23 This would help us recover that
24 money that I spoke of, which is close to
25 \$2 billion in lost revenue. If we think we

1 shouldn't be doing anything about lost revenue of
2 \$2 billion in the State of New York, I dare to
3 say we have a lot of work to do. That is money
4 that's just hanging out there, low-hanging fruit,
5 and all we have to do is send out and enforce it
6 and bring that money into the State of New York.

7 It's plain wrong to leave -- and to
8 lose the jobs that we've lost and will continue
9 to lose and the companies that we will lose
10 because we've failed the State of New York in
11 enforcement of these cigarette -- illegal
12 cigarette trade.

13 SENATOR KRUEGER: Through you,
14 Mr. President, I certainly don't think any of us
15 want to allow counterfeit cigarettes, unstamped
16 cigarettes to continue. I think we all would
17 agree we want to increase the ability of law
18 enforcement to capture the bad guys and the
19 revenue that should be going through the right
20 system.

21 I was pointing out, one, there seems
22 to be models working in other states that I don't
23 understand why we're not looking at.

24 And two, to continue my questioning,
25 will the sponsor yield?

1 SENATOR GOLDEN: Yes,
2 Mr. President.

3 ACTING PRESIDENT GRIFFO: The
4 sponsor yields.

5 SENATOR KRUEGER: Thank you.

6 All right, so the agents would get
7 triple what they get now to put the same old
8 stamp on the same old package of cigarettes. And
9 yet we're going to be able to collect all this
10 new revenue from captured illegal cigarette
11 activity.

12 Now, the agents, the tax stampers,
13 they're not involved with capturing anybody, are
14 they?

15 SENATOR GOLDEN: I'm sorry, repeat
16 the question?

17 SENATOR KRUEGER: Are the agents,
18 which in this world are the people who put the
19 tax stamps on the packages of cigarettes, they're
20 not involved in the capturing of any of the
21 criminals, are they?

22 SENATOR GOLDEN: No, not at all,
23 Mr. President.

24 SENATOR KRUEGER: Okay. So through
25 you, Mr. President, if the sponsor would continue

1 to yield.

2 ACTING PRESIDENT GRIFFO: The
3 sponsor yields.

4 SENATOR GOLDEN: Yes,
5 Mr. President.

6 SENATOR KRUEGER: So looking at
7 page 4, line 13 of the Senator's bill, the
8 language makes all cigarettes forfeited to the
9 state upon publication in the State Registry
10 available to manufacturers for inspection to
11 determine if they are of saleable quality, and
12 offered for sale to those manufacturers. And if
13 the manufacturers do not inspect and purchase
14 them within five days of the publication in the
15 registry, they're made available to the agents
16 for purchase at \$2.20 per pack.

17 Am I understanding that section of
18 the bill correctly?

19 SENATOR GOLDEN: Yes. Yes,
20 Mr. President.

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

24 ACTING PRESIDENT GRIFFO: The
25 sponsor yields.

1 SENATOR KRUEGER: What's the
2 definition of saleable quality?

3 SENATOR GOLDEN: Pardon me,
4 Mr. President?

5 SENATOR KRUEGER: What is meant by
6 saleable quality as defined -- or described in
7 the section of the bill I just read?

8 SENATOR GOLDEN: The cigarette
9 could be fabricated and made in another country.
10 It could be a cigarette that is a -- not a
11 cigarette that has been manufactured by a
12 manufacturer here in this country or around the
13 world that is recognized by the manufacturers of
14 tobacco.

15 SENATOR KRUEGER: Through you,
16 Mr. President, I believe the sponsor just
17 described what would be an unsaleable quality.
18 But here in his bill, even if the manufacturer
19 has not inspected and said yes, these are
20 saleable, somehow they would be defined as
21 saleable after a five-day period. How would they
22 be defined as saleable?

23 SENATOR GOLDEN: Well, if the
24 man -- if the manu -- one second, please.

25 SENATOR KRUEGER: Sure.

1 SENATOR GOLDEN: Yes,
2 Mr. President. The cigarette is defined by the
3 manufacturer whether it's saleable. If it's not
4 saleable, it's destroyed.

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

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR KRUEGER: Thank you.
11 Yes, but your bill says if the
12 manufacturer has not inspected within five days,
13 it's going to be for sale to the agents. Who is
14 going to determine whether it's saleable quality?
15 Because these are cigarettes that have not been
16 inspected by the manufacturers.

17 SENATOR GOLDEN: The agent will do
18 that, Mr. President.

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

22 SENATOR GOLDEN: Yes,
23 Mr. President.

24 ACTING PRESIDENT GRIFFO: The
25 sponsor yields.

1 SENATOR KRUEGER: Thank you.

2 So the agent will be able to
3 determine it's of saleable quality even though
4 they're not cigarette manufacturers, and then
5 they'll be able to approve them being sold to
6 themselves; is that correct?

7 SENATOR GOLDEN: That's correct,
8 Mr. President. It's \$2.25 per pack to the
9 manufacturer or to the stamper.

10 SENATOR KRUEGER: Through you,
11 Mr. President. Why does the manufacturer have
12 only five days to inspect and purchase back these
13 cigarettes if they wish to?

14 SENATOR GOLDEN: Mr. President, if
15 the good Senator Krueger wishes us to get more
16 days, I'll gladly do a chapter to give them
17 30 days if they need it.

18 SENATOR KRUEGER: Through you,
19 Mr. President. So the agents could self-declare,
20 although they're not manufacturers or makers of
21 cigarettes, that these are saleable cigarettes,
22 and then have them -- then buy them for \$2.20 per
23 pack.

24 What do they buy the legal
25 cigarettes wholesale for when they are in the

1 business, which I believe they are, of buying
2 from manufacturers, putting the stamps on, and
3 then selling them exactly to retailers? What's
4 their usual price if they do it the legal way?

5 SENATOR GOLDEN: The manufacturer
6 price is \$51.50 per carton.

7 But I've got to tell you, the
8 cigarettes that are on the street that are
9 illegal cigarettes, the stamper or the tax agent
10 has been in the industry for a number of years.
11 These companies have had the experience of seeing
12 both legal and illegal cigarettes, stamped and
13 unstamped.

14 Right now if you take a look at it,
15 the winner here is the manufacturer, right, of
16 cigarettes. He gets to destroy all of the
17 cigarettes and then resell all those
18 cigarettes -- or I should say make new cigarettes
19 and sell them.

20 This is an opportunity for the
21 industry to retain those cigarettes and not
22 destroy them if in fact those cigarettes are
23 marketable and sellable. And we believe that
24 that's the right thing to do.

25 SENATOR KRUEGER: Through you,

1 Mr. President, an additional question or two.

2 ACTING PRESIDENT GRIFFO:

3 Additional question? Absolutely.

4 SENATOR GOLDEN: -- I did, I asked
5 them. I said \$51.50 for a carton.

6 SENATOR KRUEGER: Mr. President,
7 when I go on Tax and Finance's website and I look
8 up what the price per carton for sale from agent
9 to retailers is, I show \$99.55.

10 And so in this case the agent would
11 be able to get these cigarettes for \$22.20 per
12 carton and sell them to the retailer for \$99.55;
13 is that correct?

14 SENATOR GOLDEN: No, that's not
15 correct, Mr. President. That's with the markups
16 that you are quoting, the \$95. The actual cost,
17 the manufacturer's list, is \$51. Excise tax is
18 \$43. The cost of the cigarettes is \$95.

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

22 SENATOR GOLDEN: Yes,
23 Mr. President.

24 ACTING PRESIDENT GRIFFO: The
25 sponsor yields.

1 SENATOR KRUEGER: Thank you.

2 ACTING PRESIDENT GRIFFO:

3 I think this is -- you said a couple
4 of questions, right, Senator Krueger?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT GRIFFO: Okay. So
7 Senator Golden, you ready?

8 SENATOR KRUEGER: Thank you.

9 ACTING PRESIDENT GRIFFO: All
10 right. Senator Krueger.

11 SENATOR KRUEGER: So again, the
12 agents who are not qualified by the industry to
13 evaluate whether these are appropriate saleable
14 cigarettes, were not involved in the capture or
15 confiscation of the cigarettes, can then sell
16 them, at enormous profit, to retailers.

17 Why is that good for the State of
18 New York or for law enforcement in the State of
19 New York?

20 SENATOR GOLDEN: Well, it's good
21 for the State of New York because we get \$43.50 a
22 carton. So I believe that would be really good
23 for the State of New York. That's number one.

24 Number two, I believe that we have
25 to, instead of letting these cigarettes be

1 destroyed, I do believe we should be able to
2 recover those cigarettes and let them be resold.

3 I do believe we have to get the
4 cigarettes, the illegal cigarettes off of the
5 street, Senator Krueger. And I know you didn't
6 like the bill the previous years either, but we
7 do have to do what's right for the people of this
8 great state.

9 Two more questions, Mr. President.

10 ACTING PRESIDENT GRIFFO: No, I
11 think Senator Krueger had said -- she had already
12 said that was going to be her last couple of
13 questions. So are you concluding now, Senator
14 Krueger?

15 SENATOR KRUEGER: No, I still have
16 one more question.

17 ACTING PRESIDENT GRIFFO: Okay.
18 Senator Golden, do you yield for that question?

19 SENATOR KRUEGER: Thank you.

20 SENATOR GOLDEN: I would love to,
21 Mr. President.

22 ACTING PRESIDENT GRIFFO: Okay.

23 SENATOR KRUEGER: Thank you very
24 much.

25 Who is Leonard Schwartz, and how is

1 he involved in this bill?

2 SENATOR GOLDEN: Pardon me,
3 Mr. President? Who is Lenny Schwartz?

4 Lenny Schwartz is the owner of
5 Globe Wholesale in the County of Kings, in
6 Brooklyn. And he has been up here on a regular
7 basis as one of -- he's also the head of the
8 industry for the State of New York, and he's been
9 up here to try and get us to pass a bill that
10 would do the right thing in bringing this
11 industry and keeping this industry alive here in
12 the State of New York.

13 ACTING PRESIDENT GRIFFO: Okay,
14 thank you, Senator Golden.

15 Senator Krueger.

16 SENATOR KRUEGER: On the bill,
17 Mr. President.

18 ACTING PRESIDENT GRIFFO: Senator
19 Krueger on the bill.

20 SENATOR KRUEGER: Thank you.

21 So the right answer for New York
22 State, of course, is to stop illegal cigarette
23 sales, collect what it should in cigarette taxes
24 and revenue, protect the quality of the
25 cigarettes we sell -- although of course I

1 personally think we should just outlaw the entire
2 product.

3 There are models that the federal
4 government and other states are recommending that
5 would be far more effective than what this bill
6 would outline. But apparently we're not looking
7 at that proposal at all. But I would urge my
8 colleagues to take a look at the research that's
9 been done on the high-tech modern tax stamp.

10 We would allow a specific universe,
11 a relatively small universe of wholesale agents
12 to increase the profit on sale of these
13 cigarettes, as opposed to how they have to buy
14 them now, by up to 450 percent profit, even
15 though no manufacturer has deemed them saleable
16 cigarettes. We would increase their profit on
17 putting the old-fashioned failed stamp model per
18 pack, we would multiple that by three times.

19 Which again, increasing the price of
20 cigarettes doesn't necessarily bother me. But
21 what bothers me is when people spend an enormous
22 amount of money -- I believe one company over
23 \$600,000 in campaign contributions -- to get
24 themselves a bill that will increase their
25 profits by over 450 percent on one part of their

1 business, and multiply it three times over on the
2 other side of their business.

3 You know, it's ten after 10:00 on
4 the last night of session. I've been urged to
5 speed things along. Earlier I said bills that
6 come out with messages of necessity late at night
7 the last day of session usually stink. This
8 bill's come out last minute twice in the last
9 three years. The bill is not going anywhere in
10 the Assembly, happily.

11 Many people should be looking at
12 this bill with many, many questions. But I would
13 urge them not to be associated with voting yes on
14 it.

15 I vote no, Mr. President. Thank
16 you.

17 ACTING PRESIDENT GRIFFO: Senator
18 Klein.

19 SENATOR KLEIN: Thank you,
20 Mr. President.

21 I wasn't going to speak on the bill,
22 but clearly, listening to Senator Krueger spew
23 her venom without -- absolutely knowing nothing
24 about the issue of tax collection or cigarette
25 taxes in the millions and millions of dollars

1 that we lose in revenue every year, I think it's
2 important to get up and talk about the bill.

3 First of all, over the years I have
4 prided myself on making sure that New York State
5 collects every penny of revenue that's entitled
6 to them. I wrote the law that actually bans
7 cigarette sales through mail order and Internet
8 sales -- really, I think, saving us millions and
9 millions of dollars, because anything that's sold
10 through mail order or over the Internet is sold
11 tax-free, especially on some Native American
12 reservations.

13 Also we found that those types of
14 sales, especially through the Internet and
15 through mail order, was being sold to young
16 people, because there's no reason to verify
17 someone's age.

18 This issue is unfortunately an issue
19 that still exists, thus Senator Golden's bill.
20 Unfortunately, there still is a nefarious trade
21 of selling untaxed cigarettes.

22 Every time we raise the tax on
23 cigarettes, we hope that more and more people
24 stop smoking because of the high tax. But in
25 many cases what they do is they turn to the black

1 market and purchase untaxed cigarettes. You can
2 go into almost any grocery store or bodega
3 downstate and see the problem of untaxed
4 cigarettes. That in other words, people are
5 still buying cigarettes, they're not quitting
6 smoking, as the intent would be by raising the
7 tax, but they're just buying cigarettes tax-free,
8 which really prevents any legal dealer to be able
9 to even be in the market.

10 The cigarette tax issue is very
11 different than most other products that we sell.
12 Because a wholesaler, as Senator Krueger alluded
13 to, are people who are the tax collectors. They
14 pay the tax even before they sell the cigarettes.
15 They do these -- buy these tax stamps. So if
16 more and more tax-free cigarettes are sold,
17 there's more and more revenue that's going
18 uncollected because their stamps are not being
19 affixed to the cigarettes.

20 This is an issue which has even
21 larger impacts, because a lot of terrorist
22 activity, believe it or not, is funded through
23 untaxed cigarettes. The original World Trade
24 Center bombing, when they arrested those
25 individuals who committed that atrocity the first

1 time, they found stamping machines, untaxed
2 cigarettes. This is a way to really engage in
3 illicit trade and make an awful lot of money.

4 So what this legislation is doing is
5 very, very simple. It's a slight increase in the
6 tax. The money is then going into an enforcement
7 fund to hire more enforcement agents to make sure
8 more and more individuals are collecting
9 uncollected revenue. There's no nefarious thing
10 that's going on here like Senator Krueger always
11 likes to talk about. And it's really wrong.

12 Because I think, you know, one of
13 the things I think we should pride ourselves in
14 this house is to be able to be advocates --
15 advocates for taxpayers, advocates for
16 industries. And to right away say everything we
17 do is motivated by contributions is something
18 that Senator Krueger is very fond of saying.
19 It's wrong. It doesn't belong in any kind of
20 dialogue.

21 And I vote yes, and I thank Senator
22 Golden for bringing forth this bill.

23 ACTING PRESIDENT GRIFFO: Seeing
24 and hearing no other Senator that wishes to be
25 heard, debate is closed and the Secretary will

1 ring the bell.

2 Read the last section.

3 THE SECRETARY: Section 8. This
4 act shall take effect on the first day.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Montgomery to explain her vote.

10 SENATOR MONTGOMERY: Yes,
11 Mr. President, very briefly.

12 I just would like to rise and join
13 my colleagues who are voting no. They vote no
14 for various reasons, but I'm going to vote no on
15 this bill -- it's a cigarette tax bill. And
16 while I certainly understand the argument that
17 Senator Klein has made, I want to vote no in the
18 name of Eric Garner, who was killed because he
19 was trying to sell one cigarette at a time -- two
20 cigarettes? What are you telling me, two minutes
21 or two cigarettes?

22 ACTING PRESIDENT GRIFFO: That
23 wasn't for you, Senator Montgomery. That's okay.
24 You may continue.

25 SENATOR MONTGOMERY: Thank you.

1 Thank you.

2 He lost his life, and it was because
3 of our insisting that he needed to -- we need to
4 collect taxes, to the extent that if someone like
5 him is selling loose cigarettes, they can lose
6 their lives.

7 So I'm voting in the name of Eric,
8 in his memory tonight, Eric Garner. I vote no.
9 Thank you.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Senator Montgomery.

12 Senator Montgomery to be recorded in
13 the negative.

14 We were attempting to get Senator
15 Sanders' eye to let him know he's up to speak,
16 correct, and explain his vote.

17 SENATOR SANDERS: I appreciate the
18 cleverness of the signal, sir.

19 I too want to be associated with my
20 Senator's comments of voting no in the name of
21 Eric Garner.

22 Thank you very much, sir.

23 ACTING PRESIDENT GRIFFO: Senator
24 Sanders to be recorded in the negative also.

25 The Secretary will announce the

1 results.

2 THE SECRETARY: In relation to
3 Calendar 1895, those recorded in the negative are
4 Senators Amedore, Breslin, DeFrancisco, Funke,
5 Gianaris, Hassell-Thompson, Krueger, LaValle,
6 Marchione, Montgomery, Nozzolio, O'Mara, Ortt,
7 Ranzenhofer, Rivera, Sanders, Serino, Serrano,
8 Squadron.

9 (Pause.)

10 ACTING PRESIDENT GRIFFO: We'll try
11 this one more time.

12 The Secretary will announce the
13 results.

14 THE SECRETARY: In relation to
15 Calendar 1895, those recorded in the negative are
16 Senators Amedore, Breslin, Comrie, DeFrancisco,
17 Funke, Gianaris, Hannon, Hassell-Thompson,
18 Krueger, LaValle, Marcellino, Montgomery,
19 Nozzolio, O'Mara, Ortt, Ranzenhofer, Rivera,
20 Sanders, Serino, Serrano, Squadron and Stavisky.

21 Absent from voting: Senators
22 Bonacic, Espaillat, Latimer, Little, Parker and
23 Sampson.

24 Ayes, 32. Nays, 22.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes. Can we
4 call up Calendar Number 635, by Senator Golden.

5 ACTING PRESIDENT GRIFFO: We'll go
6 to the regular calendar and call up Calendar
7 Number 635 on the regular calendar. Calendar
8 Number 635 on the regular calendar.

9 SENATOR DeFRANCISCO: That's the
10 yellow calendar.

11 ACTING PRESIDENT GRIFFO: Otherwise
12 known as the Golden calendar today.

13 (Laughter.)

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 635, by Senator Golden, Senate Print 5088, an act
18 to amend the Real Property Tax Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

21 THE SECRETARY: Section 5. This
22 act shall take effect immediately.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: We have a --
6 little administrative things that have to be done
7 at the desk. We're at ease very shortly. Unless
8 there's another debate, but -- while we're at
9 ease.

10 ACTING PRESIDENT GRIFFO: The
11 Senate will pause.

12 (Whereupon, the Senate stood at ease
13 at 10:25 p.m.)

14 (Whereupon, the Senate reconvened at
15 10:32 p.m.)

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco.

18 SENATOR DeFRANCISCO: Yes. Is the
19 desk ready? No.

20 ACTING PRESIDENT GRIFFO: Just a
21 couple more minutes, Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Okay.

23 ACTING PRESIDENT GRIFFO: Senator
24 DeFrancisco, we can do Calendar Number 1891.

25 SENATOR DeFRANCISCO: That's

1 exactly what I wanted to happen.

2 ACTING PRESIDENT GRIFFO: Okay. We
3 will now go to the supplemental calendar again,
4 Supplemental Calendar 59A. And it is Calendar
5 Number 1891, by Senator Golden.

6 The Secretary will read.

7 THE SECRETARY: In relation to
8 Calendar 1891, Senator Golden moves to discharge,
9 from the Committee on Rules, Assembly Bill Number
10 7632 and substitute it for the identical Senate
11 Bill Number 5089, Third Reading Calendar 1891.

12 ACTING PRESIDENT GRIFFO: The
13 substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1891, by Member of the Assembly Farrell,
17 Assembly Print 7632, an act to amend the
18 Local Finance Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Yes, there
6 are several resolutions at the desk, the first
7 one being Resolution Number 3048. Can we call up
8 that resolution, please.

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will call up the resolution.

11 Would you like us to read the title
12 only?

13 SENATOR DeFRANCISCO: Please.

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Senate Resolution
17 Number 3048, by Senators Flanagan and Klein,
18 establishing a plan setting forth an itemized
19 list of grantees for certain appropriations for
20 the 2015-2016 state fiscal year.

21 ACTING PRESIDENT GRIFFO: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: Move the
24 resolution.

25 ACTING PRESIDENT GRIFFO: All in

1 favor of the resolution signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT GRIFFO: Opposed?

4 (No response.)

5 ACTING PRESIDENT GRIFFO: The
6 resolution is adopted.

7 SENATOR DeFRANCISCO: On each of
8 the following resolutions, I would like only the
9 short title read.

10 The next resolution is 3049.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 Number 3049, by Senators Flanagan and Klein,
15 establishing a plan setting forth the methodology
16 for allocating a certain appropriation for the
17 2015-2016 state fiscal year.

18 SENATOR DeFRANCISCO: Move the
19 resolution, please.

20 ACTING PRESIDENT GRIFFO: The
21 question is on the resolution. All in favor
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT GRIFFO: Opposed?

25 (No response.)

1 ACTING PRESIDENT GRIFFO: The
2 resolution is adopted.

3 SENATOR DeFRANCISCO: Next, there's
4 Resolution 3050.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 Number 3050, by Senators Flanagan and Klein,
9 establishing a plan setting forth an itemized
10 list of grantees for certain appropriations in
11 the 2015-2016 state fiscal year.

12 SENATOR DeFRANCISCO: Move the
13 resolution.

14 ACTING PRESIDENT GRIFFO: All in
15 favor of Resolution 3050 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT GRIFFO: Opposed?

18 (No response.)

19 ACTING PRESIDENT GRIFFO: The
20 resolution is adopted.

21 SENATOR DeFRANCISCO: Next,
22 Resolution 3051, please.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Senate Resolution

1 Number 3051, by Senators Flanagan and Klein,
2 establishing a plan setting forth an itemized
3 list of grantees for a certain appropriation for
4 the 2015-2016 state fiscal year for grants.

5 SENATOR DeFRANCISCO: Move the
6 resolution.

7 ACTING PRESIDENT GRIFFO: The
8 question is on Resolution 3051. All in favor
9 signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO: Opposed?

12 (No response.)

13 ACTING PRESIDENT GRIFFO:

14 Resolution 3051 is adopted.

15 SENATOR DeFRANCISCO: Please take
16 up Resolution 3052.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will read.

19 THE SECRETARY: Senate Resolution
20 Number 3052, by Senators Flanagan and Klein,
21 establishing a plan setting forth an itemized
22 list of grantees for certain appropriation for
23 the 2015-2016 state fiscal year for services.

24 SENATOR DeFRANCISCO: Move the
25 resolution.

1 ACTING PRESIDENT GRIFFO: The
2 question is on Resolution 3052. All in favor
3 signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT GRIFFO: Opposed?

6 (No response.)

7 ACTING PRESIDENT GRIFFO: The
8 resolution is adopted.

9 SENATOR DeFRANCISCO: Please take
10 up Resolution 3053.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will read.

13 THE SECRETARY: Senate resolution
14 Number 3053, by Senators Flanagan and Klein,
15 establishing a plan setting forth an itemized
16 list of grantees for a certain appropriation for
17 the 2015-2016 state fiscal year.

18 SENATOR DeFRANCISCO: Move the
19 resolution.

20 ACTING PRESIDENT GRIFFO: The
21 question is on Resolution 3053. All in favor
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT GRIFFO: Opposed?

25 (No response.)

1 ACTING PRESIDENT GRIFFO:

2 Resolution 3053 is adopted.

3 SENATOR DeFRANCISCO: Next,
4 Resolution 3054, please.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 Number 3054, by Senators Flanagan and Klein,
9 establishing a plan setting forth an itemized
10 list of grantees for certain appropriations for
11 the 2015-2016 state fiscal year.

12 SENATOR DeFRANCISCO: Move the
13 resolution.

14 ACTING PRESIDENT GRIFFO: The
15 question is on Resolution 3054. All in favor
16 signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT GRIFFO: Opposed?

19 (No response.)

20 ACTING PRESIDENT GRIFFO:
21 Resolution 3054 is adopted.

22 SENATOR DeFRANCISCO: And the final
23 resolution, Number 3055, would you take that up.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

1 THE SECRETARY: Senate Resolution
2 Number 3055, by Senators Flanagan and Klein,
3 amending Senate Resolution R6136 of 2014
4 establishing a plan setting forth an itemized
5 list of grantees for the New York State Economic
6 Development Assistance Program.

7 ACTING PRESIDENT GRIFFO: The
8 question is on Resolution 3055. All in favor
9 signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO: Opposed?

12 (No response.)

13 ACTING PRESIDENT GRIFFO: The
14 resolution is adopted.

15 SENATOR DeFRANCISCO: And I'll move
16 the resolution.

17 ACTING PRESIDENT GRIFFO:
18 Resolution 3055, adopted.

19 The desk is still preparing, Senator
20 DeFrancisco.

21 SENATOR DeFRANCISCO: Right. And
22 what's going on is really we're preparing for
23 hand-downs and substitutions from the Assembly.

24 And since we have all of these bills
25 and there's eight bills, in our Senate

1 high-technology iPad -- we're not going to be
2 printing 63 of them, one for every desk, so we
3 can move this process. But we'll announce the
4 substitutions slowly so you can use your
5 computers. And you will all be tested on it
6 afterwards.

7 (Laughter.)

8 SENATOR DeFRANCISCO: So as soon as
9 the substitutions are here, we will notify you of
10 those last eight bills.

11 (Whereupon, the Senate stood at ease
12 at 10:38 p.m.)

13 (Whereupon, the Senate reconvened at
14 10:53 p.m.)

15 ACTING PRESIDENT GRIFFO: The
16 Senate will come to order.

17 I would urge all the members to use
18 their iPads on the desks. You can access the
19 information both by the Assembly number and the
20 calendar number.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Could you
23 return to messages from the Assembly, please.

24 ACTING PRESIDENT GRIFFO: We will
25 return to messages from the Assembly.

1 The Secretary will read.

2 THE SECRETARY: The Assembly sent
3 for concurrence the following bills, and said
4 bills ordered to a third reading:

5 Assembly Bill 82, Assembly Print
6 217, Assembly Print 221, Assembly Print 2008,
7 Assembly Print 5157, Assembly Print 5556,
8 Assembly Print 6556, and Assembly Number 8288A.

9 ACTING PRESIDENT GRIFFO: Senator
10 DeFrancisco.

11 SENATOR DeFRANCISCO: Could we
12 please take up each of these bills one at a time.
13 First, Assembly 82.

14 ACTING PRESIDENT GRIFFO: The bills
15 are so ordered to third reading, on motion and
16 without objection.

17 And the Secretary will begin to
18 read.

19 THE SECRETARY: Calendar Number
20 1911, by Member of the Assembly Mayer, Assembly
21 Print 2008, an act to amend the Tax Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 (Pause.)

5 ACTING PRESIDENT GRIFFO: I'm going
6 to ask the members to please remain in their
7 seats in order for us to accommodate the results.

8 The Secretary will announce the
9 results.

10 THE SECRETARY: In relation to
11 Calendar 1911, those recorded in the negative are
12 Senators Amedore, Carlucci, Croci, Funke,
13 Gallivan, Griffio, Lanza, Marchione, Martins,
14 Murphy, Ortt, Panepinto, Ranzenhofer, Serino,
15 Venditto and Young. Also Senator O'Mara. Also
16 Senator Nozzolio. Also Senator Ritchie.

17 Ayes, 40. Nays, 19.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1912, by Member of the Assembly Buchwald,
23 Assembly Print 217, an act to amend the Tax Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: This is
7 Assembly Print 217. (Pause.) Again, for those
8 that are using the technology, it's Assembly
9 Number 217.

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar 1912, those recorded in the negative are
13 Senators Amedore, Carlucci, Croci, Funke,
14 Gallivan, Griffio, Marchione, Martins, Murphy,
15 Nozzolio, O'Mara, Ortt, Panepinto, Ranzenhofer,
16 Serino, Venditto and Young. Also Senator Lanza.

17 Ayes, 41. Nays, 18.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1913, by Member of the Assembly Skoufis, Assembly
23 Print 5157, Assembly Print 5157, an act to amend
24 the Tax Law.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read the last section on
2 Assembly Print 5157.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: The
9 Secretary will announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1913, those recorded in the negative are
12 Senators Amedore, Boyle, Carlucci, Croci, Felder,
13 Funke, Gallivan, Griffio, Lanza, Marchione,
14 Martins, Murphy, Nozzolio, O'Mara, Ortt,
15 Panepinto, Ranzenhofer, Serino, Venditto and
16 Young. Also Senator DeFrancisco.

17 Ayes, 38. Nays, 21.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 The Secretary will continue.

21 THE SECRETARY: Calendar Number
22 1914, by Member of the Assembly Paulin, Assembly
23 Print 82, Assembly Print 82, an act to amend the
24 Tax Law.

25 ACTING PRESIDENT GRIFFO: This is

1 Assembly Print 82. The Secretary will read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will call the roll.

7 (The Secretary called the roll.)

8 (Pause.)

9 ACTING PRESIDENT GRIFFO: The read
10 is under review. (Pause.) The read is under
11 review.

12 Upon further review, the bill before
13 the house is Assembly Number 82, Print Number 82.
14 The first bill taken by the house was Assembly
15 Print 2008. So the first bill that the house
16 considered was Assembly Bill 2008. The current
17 bill before the house is Assembly Print 82.

18 The Secretary will announce the
19 results.

20 If you'd again raise your hands if
21 you're in the negative.

22 We'll do this one more time, slowly,
23 for everybody.

24 Assembly Print 82, the Secretary
25 will read the last section. The Secretary will

1 read the last section.

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

4 ACTING PRESIDENT GRIFFO: He will
5 call the roll again.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: If you're
8 in the negative, please raise your hand.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1914, those recorded in the negative are
12 Senators Amedore, Boyle, Carlucci, Croci,
13 DeFrancisco, Funke, Gallivan, Griffio, Hannon,
14 Lanza, LaValle, Marchione, Martins, Murphy,
15 Nozzolio, O'Mara, Ortt, Panepinto, Ranzenhofer,
16 Serino, Venditto and Young. Also Senator
17 Ritchie.

18 Ayes, 36. Nays, 23.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 Again, I would ask the members to --
22 we please request that you stay at your desks.
23 And when we do take the roll, to please indicate
24 if you are in the negative by raising your hand
25 to facilitate the desk.

1 The Secretary will continue with
2 both the calendar number and the print number.

3 THE SECRETARY: Calendar Number
4 1915, by Member of the Assembly Buchwald,
5 Assembly Print 221, Assembly Print 221, an act to
6 amend the Tax Law.

7 ACTING PRESIDENT GRIFFO: The
8 Secretary will read the last section on Assembly
9 Print 221.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1915, those recorded in the negative are
19 Senators Amedore, Carlucci, Croci, DeFrancisco,
20 Funke, Gallivan, Griffo, Hannon, Lanza, LaValle,
21 Marchione, Martins, Murphy, Nozzolio, O'Mara,
22 Ortt, Panepinto, Ranzenhofer, Ritchie, Serino,
23 Venditto and Young.

24 Ayes, 37. Nays, 22.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1916, by Member of the Assembly Otis, Assembly
4 Print 5556, Assembly Print 5556, an act to amend
5 the Tax Law.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read the last section on Assembly
8 Print Number 5556.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 1916, those recorded in the negative are
18 Senators Amedore, Boyle, Carlucci, Croci,
19 DeFrancisco, Funke, Gallivan, Griffio, Hannon,
20 Lanza, LaValle, Marchione, Martins, Murphy,
21 Nozzolio, O'Mara, Ortt, Panepinto, Ranzenhofer,
22 Ritchie, Serino, Venditto and Young.

23 Ayes, 36. Nays, 23.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1917, by Member of the Assembly Otis, Assembly
3 Print 6556, Assembly Print 6556, an act to amend
4 the Tax Law.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read the last section on Assembly
7 Print 6556.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT GRIFFO: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1917, those recorded in the negative are
17 Senators Amedore, Carlucci, Croci, DeFrancisco,
18 Funke, Gallivan, Griffio, Hannon, Lanza, LaValle,
19 Marchione, Martins, Murphy, Nozzolio, O'Mara,
20 Ortt, Panepinto, Ranzenhofer, Ritchie, Serino,
21 Venditto and Young.

22 Ayes, 37. Nays, 22.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1918, by Member of the Assembly Pretlow,
2 Assembly Print 8288A, Assembly Print 8288A, an
3 act to amend the Tax Law.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read the last section on
6 Assembly Print 8288A.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1918, those recorded in the negative are
16 Senators Amedore, Carlucci, DeFrancisco, Funke,
17 Gallivan, Griffio, Hannon, Lanza, Marchione,
18 Murphy, Nozzolio, O'Mara, Ortt, Panepinto,
19 Ranzenhofer, Serino, Venditto and Young.

20 Ayes, 41. Nays, 18.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 Senator DeFrancisco, that completes
24 the noncontroversial reading of the messages from
25 the Assembly hand-down bills.

1 SENATOR DeFRANCISCO: One moment,
2 please.

3 ACTING PRESIDENT GRIFFO: We'll
4 pause.

5 (Pause).

6 ACTING PRESIDENT GRIFFO: Senator
7 DeFrancisco.

8 SENATOR DeFRANCISCO: Would you
9 please call up Calendar Number 635.

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number
13 635, by Senator Golden, Senate Print 5088, an act
14 to amend the Real Property Tax Law.

15 SENATOR DeFRANCISCO: I move to
16 reconsider the vote by which the bill was passed.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will call the roll on reconsideration.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is restored to third reading.

23 SENATOR DeFRANCISCO: I believe we
24 have a substitution.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: On page 16, Senator
3 Golden moves to discharge, from the Committee on
4 Rules, Assembly Bill Number 7936 and substitute
5 it for the identical Senate Bill Number 5088,
6 Third Reading Calendar 635.

7 ACTING PRESIDENT GRIFFO: The
8 substitution is so ordered.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 635, by Member of the Assembly Farrell, Assembly
12 Print Number 7936, an act to amend the Real
13 Property Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 SENATOR DeFRANCISCO: We have one
25 more hand-down that is being ran over here, it's

1 being run over here as fast as he possibly can
2 get here. So if you want to get into your
3 computers to save some time, the bill is A992.
4 And then you'll see what we're talking about.

5 And as soon as this gentleman comes
6 forward, I assume it's a gentleman, and we have
7 the document -- we're all waiting. When he comes
8 in give him a hand, will you?

9 (Laughter.)

10 ACTING PRESIDENT GRIFFO: It's
11 Mercury, similar to Mercury arriving here to
12 bring Assembly Print 992.

13 (Applause.)

14 SENATOR DeFRANCISCO: I'm sorry, I
15 asked them to do that. We're not making fun of
16 you.

17 (Laughter.)

18 ACTING PRESIDENT GRIFFO: Senator
19 DeFrancisco, we'll return to messages from the
20 Assembly, without objection?

21 SENATOR DeFRANCISCO: That would be
22 a good idea.

23 ACTING PRESIDENT GRIFFO: Okay.
24 The Secretary will read.

25 THE SECRETARY: The Assembly sent

1 for concurrence the following bill, and said bill
2 ordered to a third reading: Assembly Print
3 Number 992.

4 ACTING PRESIDENT GRIFFO: It is so
5 ordered to third reading.

6 And the Secretary will read.

7 THE SECRETARY: Calendar Number
8 1919, by Member of the Assembly Abinanti,
9 Assembly Print 992, an act to amend the Tax Law.

10 ACTING PRESIDENT GRIFFO: We will
11 call the last section on Assembly Print 992.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT GRIFFO: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1919, those recorded in the
21 negative are Senators Amedore, Carlucci, Croci,
22 DeFrancisco, Funke, Gallivan, Griffio, Lanza,
23 LaValle, Marchione, Murphy, Nozzolio, O'Mara,
24 Ortt, Panepinto, Ranzenhofer, Ritchie, Serino,
25 Venditto and Young. Also Senator Hannon. Also

1 Senator Martins.

2 Ayes, 37. Nays, 22.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO:

7 Mr. President, I now move to recommit the
8 remaining bills on the Third Reading Calendar to
9 the Committee on Rules.

10 ACTING PRESIDENT GRIFFO: It is so
11 ordered.

12 I'd ask if we could have some order
13 in the house, and if members would please take
14 their seats. We will momentarily be recognizing
15 the leaders. So again, I'm going to ask members
16 to please take their seats and that I have some
17 order in the house, please. Thank you.

18 Senator Stewart-Cousins.

19 SENATOR STEWART-COUSINS: Thank
20 you, Mr. President.

21 I guess we've been waiting for this
22 for a very, very long time. And so I won't say
23 that I'm speechless and I won't say that I will
24 take too long, but I do of course want to say
25 thank you.

1 I want to first thank Senator
2 Flanagan. Senator Flanagan, I promised him as
3 the day progressed that I would say nicer and
4 nicer things about him.

5 (Laughter.)

6 SENATOR STEWART-COUSINS: And with
7 this last thing that happened, I can only tell
8 you how much I appreciate your ability to
9 navigate through difficult things, to stay in
10 contact, to make appropriate changes, to say yes
11 when it's yes and no when it's no and even yes
12 when it's no sometimes.

13 It gives me great hope. I know you
14 took over at a very, very difficult time, and I
15 think that you've done a great job in the
16 chamber. So I thank you for the partnership and
17 I look forward to next year doing great things.

18 I also want to thank Senator Klein.
19 It's always good to work in collaboration with
20 you and hope that we will be able to have a
21 growing working partnership with you and the
22 independent Democrats.

23 And of course my conference, who are
24 just, you know, such an incredible group of real
25 advocates, really committed people who understand

1 why they're here, never lose sight of who sent us
2 here, and always fighting for the very best. You
3 really make all of us proud in New York State.
4 And certainly as a leader I am honored to be able
5 to say thank you to you and really, really
6 appreciate all that you've done, not only again
7 in support of me, but in support of the people
8 that we represent.

9 Both of us, all of us have staff
10 that are incredible that make us look really
11 good. And this is a difficult job. Under
12 really, really difficult circumstances, all of
13 our staffs rose to the occasion. So I'd like to
14 applaud all of our staffs on each side of the
15 aisle for doing such a great job.

16 (Applause.)

17 SENATOR STEWART-COUSINS: And I
18 know during budget times certainly the big
19 emphasis is on our Finance staff and Louie Tobias
20 doing incredible things on that side. And during
21 this time of the year, it is our legislative
22 team, led by Shontell Smith, that has really been
23 incredible. Shontell, thank you so much for
24 everything.

25 (Applause.)

1 SENATOR STEWART-COUSINS: I want to
2 thank my deputy, Senator Gianaris, just because
3 you run the floor so well.

4 And I know, you know, Senator
5 DeFrancisco, nothing to take away from you, but
6 Senator Libous isn't here and I just wanted to
7 give a shout-out to him because he's always also
8 been a great, great partner.

9 So we're at that point where we
10 thank everyone. I thank the Governor on another
11 successful legislative session. I want to thank
12 him also for keeping that promise to Yonkers.
13 And again, I thank my colleagues in the
14 Legislature, both houses, for delivering on that
15 promise.

16 I also want to thank Speaker
17 Heastie, another new leader on the other side in
18 the other house, who really, really I know stood
19 up for the democratic values that we all so
20 treasure. And so again, I want to thank him for
21 really helping to move the conversation forward.

22 My colleagues on this side of the
23 aisle have talked about the things that we could
24 have done better. And of course we could have
25 done a lot of things better. I think when the

1 Governor started, he had an Opportunity Agenda --
2 and so much, frankly, was missed.

3 We missed the opportunity just in
4 terms of rent, and you've heard it discussed so
5 eloquently. We didn't really save the apartments
6 that we could have because we did not have real
7 significant changes or rollbacks of vacancy
8 decontrol. We didn't figure out a meaningful way
9 to create more affordable housing. We didn't
10 even find a real significant way to cut down on
11 some of the expenses that plague our tenants.

12 We didn't find a way, scandal after
13 scandal, to do what we could have done with
14 ethics reform. We could have done more. And we
15 can still do more. I'm talking about things that
16 we couldn't do because we've done good things,
17 and we will hear about those things.

18 But what I saw tonight again was an
19 opportunity where, if we really pay attention,
20 there's things that we can do. We can still
21 raise the minimum wage. We still have over a
22 million people who are stuck in bone-crushing
23 poverty.

24 We can still do something with our
25 criminal justice system. We can still do

1 something beyond just moving young people into
2 another facility. We can do something to raise
3 the age.

4 We can do so much more in terms of
5 mandate relief. We were able to give some relief
6 to the Catholic and the parochial schools in
7 terms of mandates that have been put on them, but
8 we can do for our local governments in relieving
9 those mandates. We can find a way to create tax
10 relief for our working families. We can do more.

11 But what I've seen today and what
12 I've seen through this session this whole year,
13 where the improbable happened, the impossible
14 happened, and yet we were able to find ways to
15 cobble together agreements and to really rise to
16 the occasion. And we disagree. That's why we
17 are on different sides of the aisle. But I've
18 seen time after time that we've been able to
19 collaborate in the best interests of our
20 constituents, all of our constituents, and do
21 what has to be done.

22 So I thank you again for serving the
23 people of New York in this honorable body with
24 integrity. I look forward to coming back next
25 year to see what else we can do together to make

1 it better. And in the meantime, I wish all of
2 you a wonderful summer. Enjoy. And when we come
3 back in January, we'll be getting back to work.

4 Thank you.

5 (Standing ovation.)

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Senator Stewart-Cousins.

8 Senator Klein.

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

11 The hour is late, and I know we
12 worked very, very hard. But I do want to say a
13 very special thank you to all of my colleagues in
14 the Senate. I think everyone knows this was an
15 extremely difficult year. Circumstances that
16 were put upon us really threatened our
17 institution.

18 And one of the things that I always
19 try to pride myself on, especially as someone
20 who's served in the Senate now for 10 years, is
21 making sure that the Senate works. That's
22 extremely important to me.

23 We have different opinions on
24 things, but I think coming together as one to do
25 the people's business is something that's

1 extremely important. And I want to thank my two
2 colleagues, Senator Stewart-Cousins, Leader
3 Flanagan, for really allowing that to happen.
4 Because I think all of us coming together in a
5 very, very short period of time to actually move
6 our state forward, work together and get things
7 done, I think both of them deserve a tremendous
8 round of applause.

9 (Applause.)

10 SENATOR KLEIN: I also want to
11 thank the members of the Independent Democratic
12 Conference. I think I've been extremely lucky to
13 lead a small but very potent force, people who
14 really care about governing, dedicated public
15 servants who are really focused on getting things
16 done. Always trying to find a way we can move
17 our state forward, always finding a way that they
18 can make a better life for their constituents.

19 And I want to thank Senator Savino,
20 Senator Carlucci, Senator Valesky and Senator
21 Avella. Let's give them a round of applause,
22 everyone. Thank you.

23 (Applause.)

24 SENATOR KLEIN: I also want to
25 thank the staff at the Independent Democratic

1 Conference. As said before, we are a separate
2 conference and a small conference, but
3 nonetheless we're responsible for an awful lot,
4 just like the Republican and Democratic
5 Conference. And even though this is a small
6 staff, I will match them against any conference
7 staff each and every day.

8 And I want to thank our chief of
9 staff, John Emrick; policy director, Dana
10 Carotenuto; my executive assistant, Bridget
11 McBrien; deputy communications director, Candice
12 Giove; budget director, Fransesc Marti; counsel,
13 Shelley Andrews; and the dozens more dedicated
14 individuals on our team. Thank you all.

15 (Applause.)

16 SENATOR KLEIN: You know, with
17 every legislative session there's victories,
18 there's things we're extremely proud of, and then
19 of course there's things we don't get done. And
20 what we do as leaders, what we do as Senators is
21 roll up our sleeves and work hard to get it done
22 the following session. We are judged by two-year
23 sessions. That's when they renew our contract,
24 every two years.

25 And I do want to say I'm very proud

1 of the fact that in 2015 the Independent
2 Democratic Conference put forth a bold agenda
3 which we called Invest New York. Part of that
4 agenda was responsible for increasing education
5 aid. For the first time in our history, a record
6 amount, a \$1.6 billion increase in education.

7 We pumped \$100 million into the
8 New York City Housing Authority. Public housing
9 that should be second to none unfortunately has
10 become in disrepair. And I think that
11 \$100 million hopefully will be spent wisely, it
12 will be spent on things that individuals need to
13 improve their quality of life.

14 I'm very proud of the fact that we
15 were able to put forth the first of its kind
16 middle-income housing program, a moderate-income
17 loan program where we're now going to create
18 Mitchell-Lama housing once again in the State of
19 New York, the first time after 30 years. We're
20 calling it Mitchell-Lama 2020.

21 Mitchell-Lama is based on a very
22 simple premise, that various income levels can
23 live under one roof. That's what works. That's
24 what makes sure that we have affordable places to
25 live. And I think partners, being a partner with

1 Mayor de Blasio on our new 421-a plan, in
2 conjunction with our moderate-income loan
3 program, is going to go a long way towards
4 building more affordable housing, not only in the
5 City of New York but across the state.

6 I'm also very proud that this
7 session we in the Independent Democratic
8 Conference took on the subprime auto loan
9 industry. This is a problem waiting to happen.
10 It may not be as large as the mortgage
11 foreclosure crisis, but at the same time we're
12 taking advantage of people and we're sending a
13 message that if you have no money, you have no
14 credit, you have no job, you can still get a car
15 loan. That's the problem we had with the
16 mortgage crisis.

17 And I think the legislation that we
18 passed this year is going to go a long way
19 towards helping them.

20 But as I said, you know, there's
21 always things we celebrate and there's also
22 things that we're disappointed we didn't get
23 done.

24 One of the issues that I've worked
25 very hard on over the last several years with our

1 Attorney General, Eric Schneiderman, is zombie
2 property legislation. These are abandoned
3 properties, these are properties that are in
4 limbo. They're not in foreclosure, because in
5 many cases banks don't want to put them in
6 foreclosure because they don't want to be
7 responsible for maintaining these properties.

8 But they become a burden. They're
9 costing our localities millions of dollars in
10 repair. And instead of having the banks pay the
11 bill, we're putting that burden on our
12 localities.

13 First of all, we should know better.
14 We should know who's responsible, we should know
15 who caused the problem in the first place. And
16 it certainly isn't our localities, it's the banks
17 who gave these bad loans to people in the first
18 place.

19 The other issue that we worked very
20 hard on and unfortunately we didn't get done, and
21 I'm going to redouble my efforts this year, is a
22 very simply piece of legislation called Justice
23 for Job Seekers. This is making sure that
24 low-wage workers, this is making sure that
25 immigrant workers who are looking for low-wage

1 jobs don't get ripped off by phony agencies,
2 agencies that promise them that they're going to
3 get a job, in many cases take money up-front, and
4 they send them no place -- in many cases never
5 even giving back their original fee, and they
6 actually never get a job.

7 Again, if we're going to be serious
8 about making sure that everyone around our state
9 has the part of the American Dream which I think
10 is most sacred to each and every one of us, that
11 we all have a job, we have to make sure that we
12 have legitimate agencies. We have to monitor
13 these employment agencies to make sure these
14 people are able to get work and not get ripped
15 off in the process.

16 But at the end of the day, that's
17 what legislative sessions are about. We advocate
18 the things that we want, we celebrate our
19 victories and, as I said before, we get to work
20 in the next legislative session on the things we
21 weren't able to do.

22 But again, I want to say thank you
23 to each and every one of you. Because as I said,
24 being part of the New York State Senate is
25 something that's very important to me and I know

1 it's very important to many of you. We do belong
2 to a very exclusive club. I think sometimes we
3 forget that. And I think as long as we keep our
4 eye on the prize and we remember that our
5 constituents are first and foremost in our minds,
6 we'll continue to do the people's business.

7 Thank you, Mr. President.

8 (Standing ovation.)

9 ACTING PRESIDENT GRIFFO: Thank
10 you, Senator Klein.

11 Senator Flanagan.

12 SENATOR FLANAGAN: Thank you,
13 Mr. President.

14 Actually, simply, I'll just start
15 off by thanking you, Senator Griffo. I know you
16 love presiding, and you do a great job on
17 everyone's behalf. So thank you very much.

18 And getting a chance to listen, you
19 get -- you know, you start thinking of things
20 along the way. I want to make sure that I start
21 by thanking the Governor.

22 We have had a tumultuous couple of
23 weeks for sure, but at the end of the day we work
24 closely together, we work well together.
25 Certainly disagreements. He is tenacious, as he

1 will often tell people. And look forward to
2 working with him again on a wide variety of
3 issues that are important to every community in
4 the State of New York.

5 I also want to thank Speaker
6 Heastie. I said this yesterday or the day
7 before -- it doesn't really matter -- Carl
8 Heastie is a good guy. He's a gentleman. He's a
9 fair broker. He certainly was very passionate on
10 issues like rent and certainly on issues
11 involving the City of New York, but he was also
12 very passionate about property tax and upstate
13 issues. So he has been good to work with, plain
14 and simple.

15 And I'm just looking, I want -- this
16 is where I know we're in a good place. Now, this
17 has nothing to do with state government per se.
18 But Senator Hamilton is here today. And what's
19 really cool is that we have the next Senator
20 Jesse Hamilton visiting right over here.

21 (Laughter; applause.)

22 SENATOR FLANAGAN: So, Jesse, you
23 are our future. It's wonderful to see you here.
24 If you haven't had a chance to talk to this young
25 man, he's remarkably poised, and that's a good

1 thing for all of us.

2 To my colleagues here, Senator
3 Andrea Stewart-Cousins, I've said this time and
4 time again, she is a lady in every sense of the
5 word. She is very easy to work with. And we
6 certainly have our differences, but we do have
7 very, very good communication. And anything that
8 she would say nice about me, I can certainly
9 return in kind very easily and for sure.

10 So to Senator Stewart-Cousins, we
11 have a lot more work we need to do. I think
12 today in particular we end in a way that
13 hopefully is going to keep you smiling through
14 the rest of the night.

15 SENATOR STEWART-COUSINS: I'm happy
16 for you.

17 SENATOR FLANAGAN: Okay, good.
18 Good.

19 Senator Klein. Senator Klein is
20 also a gentleman. He is very straightforward.

21 And one of the things I appreciate
22 about Senator Klein in particular, he comes up
23 with very unique subjects. You know, Justice for
24 Jobs, the subprime mortgage issues. Every time I
25 talk to him I think to myself, where does he come

1 up with this? I mean, but they're real,
2 legitimate issues that do have an impact. And he
3 plugs away and plugs away and does a lot of good
4 work on behalf of his conference and the
5 communities they represent.

6 Here, we obviously are in a chamber
7 that has a tremendous amount of history, and I'm
8 in awe. I'm in awe on many occasions being here,
9 coming in the chamber, its splendor, its beauty.
10 The fact that this is where we do the people's
11 business and where we're charged to do that
12 business is something that none of us takes
13 lightly.

14 And the way we are able to do that
15 is because we work with terrific people. There
16 are so many good people who work in government
17 that nobody even knows about. The people who
18 help clean our buildings, the people who maintain
19 the place, the people who change all these light
20 bulbs and do all of these things that actually do
21 make a difference.

22 And here, right in the chamber, in
23 no particular order, I'm just going to say thank
24 you to Rebecca and -- Rebecca, yes.

25 (Applause.)

1 SENATOR FLANAGAN: She -- and
2 I'm not sure if she's here, but Lisa Harris as
3 well. Lisa Harris.

4 (Applause.)

5 SENATOR FLANAGAN: And the guy
6 standing back there, he's, you know, wily, he
7 moves around, but he always gets things done.
8 That's Joe Messina. I call him "the fixer." He
9 gets the votes on the floor.

10 (Applause.)

11 SENATOR FLANAGAN: Now, the two
12 people seated immediately to my left, I have
13 known their value before; I have only grown to
14 know more about them and their talents and skill
15 sets.

16 And it was mentioned before we sort
17 of have a bifurcated session, and I keep that in
18 mind. So you do a lot of Finance work in the
19 budget, and then a lot of counsel's work during
20 that and thereafter. But the good news is we
21 have just phenomenal people.

22 And I'm going to mention Robert
23 Mujica first. He is just extraordinary to work
24 with. And he is unbelievable in remembering
25 things, advocating for things. He drives the

1 Governor crazy, which I certainly appreciate, as
2 do our members.

3 (Laughter.)

4 SENATOR FLANAGAN: Yes, Robert,
5 take credit for that.

6 (Laughter.)

7 SENATOR FLANAGAN: And I also
8 really want to thank Beth. Beth is -- she is
9 extraordinarily bright, she knows her issues, and
10 she is a fantastic ambassador for our conference,
11 both internally and externally.

12 So please thank them for the work
13 that they do.

14 (Standing ovation.)

15 SENATOR FLANAGAN: Beth is going to
16 kill me for doing that, but it's worth it.

17 Now I'm just going to quickly
18 mention three people that I work with directly
19 who are my team, who went through a phenomenal
20 series of changes since the beginning of May.
21 And I needed them before -- I need them now even
22 more. And that's Robin Mueller, Carl Mills, and
23 Sydney Gross. So my guys.

24 (Applause.)

25 SENATOR FLANAGAN: Senator

1 Gianaris, I forgot to thank you for helping get
2 things done on the floor.

3 And I think we did a pretty good job
4 lately about -- and all year, frankly -- but just
5 getting the people's business done internally in
6 the chamber. And there's no way it could happen
7 without the support of the minority and
8 Senator John DeFrancisco. The good news is --
9 yeah.

10 (Applause.)

11 SENATOR FLANAGAN: You know it's
12 the end of the session, you know it's the last
13 day when the lemon ice comes out. So that's a
14 time-honored tradition that everybody loves.

15 But as a colleague, he's
16 outstanding. As an ally, he is outstanding. And
17 as a friend, Johnny D. and I actually get along
18 very well. And we talk about a lot of different
19 things. I had a fantastic discussion with him
20 the other day about work that he's done in the
21 past, some of the incredible trials that he's
22 been involved in.

23 And it's just -- I know we are
24 blessed and I know I am lucky to call him a
25 colleague. But to have him as our floor leader,

1 the chair of the Finance Committee, he makes an
2 extraordinary difference for us here and for the
3 people in the State of New York.

4 So, John, thank you very much again.

5 (Applause.)

6 SENATOR FLANAGAN: By the way, he
7 told me I was only allowed to speak at length if
8 I was talking about him, so I may have to go on a
9 little.

10 (Laughter.)

11 SENATOR FLANAGAN: So we are at a
12 juncture where I think we have accomplished a
13 tremendous amount. This has been a crazy
14 session, everybody knows it. When you think,
15 just go back to the beginning of the year, the
16 Governor put out a budget proposal that was
17 basically a budget proposal and about 85 policy
18 proposals, which made our budget timing, the
19 Finance hearings and all things like that,
20 frankly a lot more challenging.

21 But at the end of that cycle, we got
22 the business of the budget done, fifth year in a
23 row for an on-time budget. Which I think is a
24 very, very good thing, but in reality that's our
25 job, so we should be getting it done on time.

1 But doing the people's business in a timely
2 fashion is always beneficial.

3 And then of course as session moved
4 on, we accomplished a lot of things, including
5 what we just did in the last couple of days as
6 well as today. I think in the budget some of the
7 things that we can't quickly forget, a
8 \$1.4 billion increase in aid to education, the
9 largest increase in the state's history and the
10 largest percentage of growth in the New York
11 State budget this year and the last several years
12 before.

13 Our primary obligation is proper
14 funding of public education. We are meeting that
15 commitment. There'll always be a debate about
16 more. But doing that, getting rid of the GEA,
17 looking at property taxes and dealing with issues
18 that are important to people, I think we
19 accomplished a lot.

20 And we did some very good things in
21 educational policy during the budget. And the
22 better news is this week we came to a resolution
23 on issues that we all heard about while we were
24 home during the budget and our, quote, unquote,
25 break. So I'm very proud to have worked with my

1 colleagues in particular and to have listened to
2 our parents, to our teachers, and to our
3 students.

4 And we tried to do reforms that were
5 parent-and-student-centered, and I believe we
6 accomplished that. And there was no way that was
7 going to happen if we didn't listen to our
8 constituents. They came at us, we came back, we
9 pushed and we got it done.

10 Certainly there are a lot of other
11 things that we achieved as well. I could spend
12 time on the Women's Equality Agenda. The logjam
13 on that broke, we passed all the bills. And we
14 got a lot of cooperation from the Assembly and
15 actually advocated for things that frankly were
16 long overdue, but I think our stick-to-it-iveness
17 in that area enabled these things to get done,
18 unlike the fact that they hadn't really happened
19 in the past.

20 Controlling spending. For the fifth
21 year we have lived with, in essence, a
22 self-imposed state spending cap. So now we're in
23 a position where we can go to the taxpayers and
24 say, We're asking you to have the tax cap, which
25 the public strongly supports, but we're leading

1 by doing the same thing at the state level. If
2 we were increasing spending at 5, 6, 8 percent,
3 we would have no right to ask municipalities and
4 school districts to do the same.

5 So controlling state spending, the
6 extension of the property tax cap, since 2011 the
7 numbers are something like \$7.6 billion in
8 savings to the taxpayers of the State of
9 New York. That's a really, really positive
10 thing. And despite some of the consternation,
11 people really do still strongly support the
12 tax cap.

13 Property tax rebates. Think about
14 this. I want to be in a situation where we
15 create a climate for economic development where
16 jobs are growing -- so we're not talking about
17 rebate checks, which are absolutely great,
18 \$1.3 billion next year -- but we'll be in such a
19 capacity where we can actually cut the tax rates
20 in the State of New York, the marginal tax rates
21 for residences, for individuals, for
22 corporations. That's what we should be aspiring
23 to.

24 So there are a number of things.
25 I'm looking at this not just as a glass

1 half-full, I think it's more than half-full. We
2 accomplished a great deal, and there are plenty
3 of things that we need to work on as we move
4 forward.

5 So I wish everyone a fantastic
6 summer, wherever you're going. Senator LaValle
7 is going to Italy in a couple of weeks. Wherever
8 you think fun is going to be, please enjoy
9 whatever you do with your family.

10 And in closing, I want to thank my
11 colleagues on both sides of the aisle for being
12 the professionals that you are, for representing
13 your constituents well. I want to thank the
14 members of our own conference and give a
15 shout-out to my good friend Simcha Felder, who
16 caucuses with us and is a fantastic ally and
17 colleague.

18 (Applause.)

19 SENATOR FLANAGAN: So the one
20 person or one group that I really want to thank
21 as well are the people of the State of New York.
22 They have entrusted us with their well-being.

23 And our responsibilities are
24 awesome, they are diverse, they are complex, they
25 are real. And this is why we do this work. We

1 do this stuff because we like it. We actually do
2 want to help people. And I know that sometimes
3 it gets lost in the mix, but I really do believe
4 that at the beginning and the end of the day,
5 that's what we're trying to do.

6 So I know we're fortunate to serve
7 in these capacities, and I do want to thank the
8 people that we represent, because they're the
9 ones who put us here and they're the ones who can
10 keep us here. And whenever we don't listen,
11 they're the ones that can take us out of here as
12 well. So they deserve good government. We're
13 trying to deliver that.

14 Now, people talked about things that
15 they want to do. I could talk about a whole
16 bunch of things. But I'm going to leave on this
17 note.

18 I believe one of the things I really
19 want to work on with my colleagues for next year
20 is organ donation. I could talk about a hundred
21 different things. Senator Hannon knows this
22 subject matter very well. We are 50th in the
23 country, which is abysmal. For as progressive a
24 state as we are and the things that we advocate,
25 I find it reprehensible that we are not better at

1 that subject matter, at that issue.

2 And I would hope that my colleagues
3 would think about that very seriously. And I
4 know everyone in the room believes in this and
5 takes it seriously. These are literally
6 life-and-death issues. So I could talk about a
7 lot of things, but when we talk about aspirations
8 and where we want to go, that's something that I
9 think we could all work on very easily together
10 and do the right thing by the people.

11 So thank you from the bottom of my
12 heart for giving me this opportunity to serve,
13 and I hope I have the opportunity to make my
14 colleagues and everyone in this chamber, and by
15 extension our residents, proud of the work we do.

16 And again, have a great summer.

17 Mr. President, thank you very much.

18 (Extended standing ovation.)

19 ACTING PRESIDENT GRIFFO: Thank
20 you, Senator Flanagan.

21 Senator Flanagan.

22 SENATOR FLANAGAN: This is the news
23 that everyone has been waiting for.

24 (Laughter.)

25 SENATOR FLANAGAN: Mr. President, I

1 think it's time that the Senate adjourn.

2 ACTING PRESIDENT GRIFFO: There is
3 no further business before the desk.

4 (Laughter.)

5 SENATOR FLANAGAN: And that we
6 reconvene at a very long distance from where we
7 are right now.

8 ACTING PRESIDENT GRIFFO: On
9 motion, the Senate will stand adjourned, at the
10 call of the Temporary President, intervening days
11 being legislative days.

12 The Senate stands adjourned.

13 (Whereupon, at 11:54 p.m., the
14 Senate adjourned.)

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