

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 23, 2017

11 3:24 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 Venerable
11 Ru Yang, abbess of the International Buddhist
12 Progress Society-New York, in Flushing.

13 ABBESS RU YANG: A Prayer for
14 Blessings on Our Nation, by Venerable Master
15 Hsing Yun, the founder of Fo Guang Shan Buddhist
16 Order.

17 O great compassionate Buddha! With
18 the greatest sincerity, we would like to express
19 our gratitude for your wisdom and guidance.
20 Please teach us to appreciate your blessings.
21 Throughout our communities, may we strive to
22 make education equally available, raise the
23 standard of living for all people, support the
24 advancement of science and technology, and
25 maintain freedom and democracy in our politics.

1 O great compassionate Buddha! We
2 know that the road to success and happiness is
3 often blocked by our greed, anger and ignorance.
4 We pray for your great support. May we grasp
5 the concept of cause and effect. May we develop
6 hearts of patience and tolerance. May we learn
7 the path to clear and wise foresight and live
8 with compassion and loving kindness.

9 O great compassionate Buddha! We
10 pray for your blessings. May we create
11 favorable causes and conditions to live together
12 in safety and peace. May our society be
13 steadfast and prosperous and our bodies and
14 minds healthy and carefree.

15 O great compassionate Buddha,
16 please accept this prayer for our country!

17 O great compassionate Buddha,
18 please accept this prayer for our country!

19 May Buddha bless everyone. Thank
20 you.

21 ACTING PRESIDENT GRIFFO: I would
22 ask everyone to please remain standing, to pause
23 in a moment of silence and solidarity with the
24 British people and for all those who lost their
25 lives in the despicable act of terror yesterday

1 in Manchester, England.

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

4 ACTING PRESIDENT GRIFFO: The
5 reading of the Journal.

6 THE SECRETARY: In Senate, Monday,
7 May 22nd, the Senate met pursuant to
8 adjournment. The Journal of Sunday, May 21st,
9 was read and approved. On motion, Senate
10 adjourned.

11 ACTING PRESIDENT GRIFFO: Without
12 objection, the Journal will stand approved as
13 read.

14 Presentation of petitions.

15 Messages from the Assembly.

16 Messages from the Governor.

17 Reports of standing committees.

18 Reports of select committees.

19 Communications and reports of state
20 officers.

21 Motions and resolutions.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: Yes, on
24 page 63 I offer the following amendments to
25 Calendar 964, Senate Print 2139, by

1 Senator Serino, and ask that the bill retain its
2 place on the Third Reading Calendar.

3 ACTING PRESIDENT GRIFFO: The
4 amendments are received, and the bill shall
5 retain its place on third reading.

6 SENATOR DeFRANCISCO: I now would
7 like to move to adopt the Resolution Calendar,
8 with the exception of Resolution 2355.

9 ACTING PRESIDENT GRIFFO: All in
10 favor of adopting the Resolution Calendar, with
11 the exception of Resolution 2355, signify by
12 saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT GRIFFO: Opposed?

15 (No response.)

16 ACTING PRESIDENT GRIFFO: The
17 Resolution Calendar is adopted as indicated.

18 Let me ask for some -- we have a lot
19 of guests here today, and a full chamber. So I
20 would ask that we continue to keep silent so that
21 we can conduct the business of the Senate and to
22 allow the stenographer to be able to hear all
23 that's taking place.

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO: Speaking of

1 the packed chamber, we're visited by the Students
2 Inside Albany, and they're sponsored by the
3 League of Women Voters. And I would ask that you
4 please welcome them.

5 ACTING PRESIDENT GRIFFO: We would
6 like to extend a warm welcome to the students who
7 are visiting with members of the Senate today.

8 We congratulate you on being
9 selected and your interest in state government.
10 We extend the courtesies of the chamber to you.
11 And we'd ask that you all rise or wave as you're
12 recognized by the members of the Senate.

13 (Standing ovation.)

14 ACTING PRESIDENT GRIFFO: Senator
15 DeFrancisco.

16 SENATOR DeFRANCISCO: Yes, can we
17 take up previously adopted Resolution 1965, by
18 Senator Gallivan, read the title only, and call
19 on Senator Gallivan to speak.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Legislative
23 Resolution Number 1965, by Senator Gallivan,
24 memorializing Governor Andrew M. Cuomo to
25 proclaim May 21-27, 2017, as Emergency Medical

1 Services Week in the State of New York, in
2 conjunction with the observance of National EMS
3 Week.

4 ACTING PRESIDENT GRIFFO: Senator
5 Gullivan.

6 SENATOR GALLIVAN: Thank you,
7 Mr. President.

8 We know that across our great state
9 from Buffalo to Albany, Watertown to New York
10 City, citizens receive lifesaving treatment every
11 day from men and women who have dedicated
12 themselves to emergency medical services. More
13 than 50,000 emergency medical service providers
14 respond to calls for help in communities across
15 New York State.

16 Some of these professionals from my
17 district are with us today, and I'd like to
18 welcome them. They represent CHS Mobile
19 Integrated Health Care and AMR, American Medical
20 Response, in Monroe and Livingston counties. And
21 we thank you for being here, and I ask everybody
22 to welcome them.

23 They are among the emergency medical
24 service personnel across the state who serve on
25 the front line of healthcare, providing emergency

1 care wherever needed, 24 hours a day, 365 days a
2 year. They help our fellow New Yorkers when they
3 need it most, when they or a loved one are sick
4 or injured. For some, emergency medical services
5 is a career. Others do it as volunteers.
6 Nonetheless, all are highly trained and skilled
7 in answering the approximately 2.8 million calls
8 made in New York State each year.

9 Because of their service and
10 sacrifice, it's appropriate that we recognize the
11 contribution of emergency medical service
12 professionals everywhere in the state by
13 proclaiming this Emergency Medical Services Week
14 in the State of New York.

15 The theme of this year's celebration
16 is "EMS strong, always in service." We thank
17 them for their dedication to keeping our
18 communities safe, and we thank you for always
19 being in service.

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Gallivan.

22 We extend a warm welcome to all
23 those from the emergency medical services
24 community who are with us today. We again extend
25 our grateful appreciation for the hard work that

1 you do on behalf of all of the residents of the
2 State of New York and the communities across
3 New York.

4 Please rise and be recognized.

5 (Standing ovation.)

6 ACTING PRESIDENT GRIFFO: Senator
7 DeFrancisco.

8 SENATOR DeFRANCISCO: Yes, can we
9 now take up Resolution 2355, by Senator Parker,
10 read the title only, and call on Senator Parker
11 to speak.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: Legislative
15 Resolution Number 2355, by Senator Parker,
16 mourning the death of Dr. Charles Davis, artistic
17 director and founding elder of DanceAfrica,
18 distinguished citizen and devoted member of his
19 community.

20 ACTING PRESIDENT GRIFFO: Senator
21 Parker.

22 SENATOR PARKER: Thank you,
23 Mr. President. On the resolution.

24 Ago! Ame! Ago! Ame! Ago! Ame!
25 is a traditional African call and response that's

1 used to get attention of people in the room.
2 This was the way that Baba Chuck Davis started
3 every year at DanceAfrica. So anybody here who's
4 ever been to DanceAfrica, which has been going on
5 for around 40 years at BAM every Memorial Day
6 weekend, you will be familiar with that call and
7 response.

8 Last week the dance world and the
9 African world lost a giant, Dr. Baba (Charles)
10 Chuck Davis, born in 1937. He was the founding
11 artistic director of DanceAfrica, the Brooklyn
12 Academy of Music's longest-running series, which
13 started in 1977. This is important, because the
14 Brooklyn Academy of Music is the oldest opera
15 house in the United States. So for this to be as
16 long a series is quite an accomplishment.

17 He was one of the foremost teachers
18 and choreographers of traditional African dance
19 in America and traveled extensively through
20 Africa to study with leading artists. Davis
21 founded the Chuck Davis Dance Company in New York
22 in 1968, and the African American Dance Ensemble
23 in Durham, North Carolina, in 1983.

24 He was a panelist for several
25 programs of the National Endowment for the Arts,

1 a recipient of the AARP certificate of
2 Excellence, the North Carolina Dance Alliance
3 Award, the 1990 North Carolina Artist Award, and
4 the North Carolina Order of the Long Leaf Pine.

5 He served on the boards of many art
6 councils across the country and received many
7 awards for his work around fine arts. In 1996,
8 Davis and the African American Dance Ensemble
9 were awarded a \$100,000 grant from the National
10 Dance Residency Program, a three-year initiative
11 launched in 1994 by the New York Foundation for
12 the Arts and funded by the Pew Charitable Trusts.

13 In 1998, he received an honorary
14 doctorate from Medgar Evers College -- part of
15 the City University of New York, the only
16 historically black college in the system -- among
17 the many honorary doctorates he received over the
18 years from various universities.

19 Baba Chuck and DanceAfrica were
20 cited as one of America's Irreplaceable Dance
21 Treasures: The First 100, by the Dance Heritage
22 Coalition. And in 2014, he received the Bessie
23 Award for Outstanding Service to the Field of
24 Dance.

25 In 2016, BAM established the Chuck

1 Davis Emerging Choreographer Fellowship, an
2 annual award in his honor given to emerging
3 choreographers to travel to Africa and study with
4 one or more experts in African dance.

5 We're going to miss Baba Chuck. To
6 just read his bio and his accomplishments is not
7 nearly enough in terms of talking about the
8 impact he had on not just the Brooklyn community
9 but the African dance community around not just
10 the country, but the world.

11 Each year, if you have not been to
12 DanceAfrica, they bring a dance ensemble from a
13 different African country and feature that
14 country's dance in the performance. It is not
15 simply just performances during the weekend, but
16 young people get to dance with these visiting
17 groups and also learn these traditional dances
18 from around the world.

19 His impact has been great, but his
20 loss no less so. And so we remember him, we ask
21 him to rest well, and Godspeed.

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Parker.

25 The question is on the resolution

1 before the house. All in favor signify by saying
2 aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT GRIFFO: Opposed?

5 (No response.)

6 ACTING PRESIDENT GRIFFO: The
7 resolution is adopted.

8 Senator Parker has opened up the
9 resolution for cosponsorship. Should you like to
10 be a cosponsor, please notify the desk.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Can we now
13 take up previously adopted Resolution 2174, by
14 Senator Squadron, read the title only, and call
15 on Senator Squadron to speak.

16 ACTING PRESIDENT GRIFFO: Resolution
17 Number 2174, the Secretary will read.

18 THE SECRETARY: Legislative
19 Resolution Number 2174, by Senator Squadron,
20 commemorating the 30th anniversary of the
21 Downtown Express newspaper.

22 ACTING PRESIDENT GRIFFO: Senator
23 Squadron on the resolution.

24 SENATOR SQUADRON: Thank you,
25 Mr. President. On the resolution.

1 I rise to honor the Downtown Express
2 newspaper on its 30th anniversary. In its
3 30 years, Downtown Express has documented Lower
4 Manhattan's rise from a, quote, urban ghost town
5 to the thriving mixed-use community that it is
6 today.

7 Downtown Express was founded in 1987
8 as Battery News, focusing on Battery Park City,
9 which today continues to be a thriving community,
10 though one that has no community representation
11 on its board, despite attempts to change that and
12 passage of legislation through the Assembly that
13 has thus far not gotten movement in the Senate,
14 despite the fact that Battery Park City's
15 residents have spoken with a unified voice that
16 they would like representation on their board.

17 Renamed in 1990, Downtown Express
18 expanded and grew as Lower Manhattan grew, to
19 include TriBeCa, the Financial District,
20 City Hall, Chinatown, and the South Street
21 Seaport. It's a free community resource. It
22 reaches nearly 100,000 people in the region.

23 And of course while Downtown Express
24 is a great local newspaper and local resource
25 because of the area it covers, it has often

1 covered and even broken national and global news.
2 From the 1993 World Trade Center bombings to the
3 September 11th terrorist attacks in 2001 and
4 Hurricane Sandy more recently, it has brought a
5 unique local perspective -- and often the first
6 perspective -- to stories of enormous broad
7 import. And in these emergencies it's been a
8 vital resource for the local community, providing
9 information like air quality, street closures,
10 and other necessary information.

11 And when the national press has
12 moved on from Lower Manhattan, Downtown Express
13 has continued to stay in the community, tracking
14 progress and delays in rebuilding and in
15 resiliency. In fact, even today it is covering
16 the fact that Lower Manhattan, now nearly five
17 years after Hurricane Sandy, does not have the
18 resiliency that it needs and that Sandy so
19 vividly and tragically showed we need in Lower
20 Manhattan.

21 Downtown Express, like so many
22 newspapers -- local community newspapers,
23 regional newspapers and national ones -- plays a
24 vital role in our democracy. At a time when the
25 press is under unrelenting attack, when the

1 reporting of facts get you labeled as "fake
2 news," we are reminded of the critical role that
3 papers like Downtown Express play in informing
4 and empowering communities and individuals.

5 Under publisher Jennifer Goodstein
6 and editor Bill Egbert, Downtown Express
7 continues to cover the community, enrich the
8 community, and hold all of us -- including us
9 elected officials -- to account. For that, we
10 say thank you.

11 To Downtown Express: 30 is a great
12 milestone. I look forward to celebrating the
13 next 30 years of the vibrant free press at the
14 local, regional and national level.

15 Thank you, Mr. President.

16 ACTING PRESIDENT GRIFFO: Thank
17 you, Senator Squadron.

18 As noted, the resolution was
19 previously adopted on May 16th of 2017.

20 Senator Squadron has opened the
21 resolution for cosponsorship. Should you choose
22 to be a cosponsor, please notify the desk.

23 Senator DeFrancisco.

24 SENATOR DeFRANCISCO: Yes, could
25 you please recognize Senator Kaminsky to

1 introduce a student council.

2 ACTING PRESIDENT GRIFFO: We will
3 recognize Senator Kaminsky for purposes of an
4 introduction.

5 SENATOR KAMINSKY: Thank you so
6 much, Mr. President.

7 Above me today I'm so proud to have
8 the students from the Robert Carbonaro Elementary
9 School in Valley Stream, Long Island, here today.

10 I have to tell you, the highlight of
11 last year for me professionally was going to
12 their student debates. I had just come from a
13 pretty nasty campaign where everything except
14 substance was being discussed, and it could
15 certainly get you down on our system. And then I
16 went to Carbonaro and heard these marvelous
17 students -- that if you look up, you can see
18 represent a cross-section of our society -- give
19 amazing, enlightening, inspiring speeches, each
20 for why they should be the respective student
21 government president, treasurer, et cetera.

22 And they were so optimistic. They
23 each had good reasons why he or she should be
24 elected. And it really reinvigorated my sense of
25 why our government matters and what it's about.

1 So I invited them, Why don't you
2 come up to Albany this year and see how it
3 actually works, see what we actually do here,
4 because I think you would get a real kick out of
5 how this place works, and I think we could all
6 use a little bit of that spark that you were able
7 to provide for me.

8 So, Mr. President, not only would I
9 like you to welcome the student government here,
10 but I'm also really proud to have the
11 superintendent, Dr. Fale, from the school
12 district, as well as the principal, Mr. Iacono.
13 We have teachers Pam Fowler and Cathy Haufler
14 here, as well as school board members John Maier
15 and Armando Hernandez.

16 Valley Stream 24 is an amazing
17 district. I think if Valley Stream 24 can
18 succeed, we all as a country can succeed
19 together, and our future is sitting there right
20 above me in the gallery.

21 So thank you, Mr. President, for
22 showing them the collegialities and cordialities
23 of the house.

24 ACTING PRESIDENT GRIFFO: We extend
25 a warm welcome and the courtesies of the Senate

1 chamber to the administrators, the students, the
2 teachers and members of the staff and families
3 who are here from Robert Carbonaro School.

4 Please stand and we'd like to
5 recognize you.

6 (Standing ovation.)

7 ACTING PRESIDENT GRIFFO: Senator
8 DeFrancisco.

9 SENATOR DeFRANCISCO: Can we take
10 up previously adopted Resolution 380, by
11 Senator Breslin, read the title only, and call on
12 Senator Breslin to speak.

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will read.

15 THE SECRETARY: Legislative
16 Resolution Number 380, by Senator Breslin,
17 memorializing Governor Andrew M. Cuomo to
18 proclaim April 9, 2017, as Yellow Ribbon Day in
19 the State of New York.

20 ACTING PRESIDENT GRIFFO: Senator
21 Breslin.

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

24 Since 2006, April 9th has been
25 recognized as Yellow Ribbon day here in New York

1 State. And it's to honor former members of the
2 armed forces in this country.

3 Yellow Ribbon Day, since that time,
4 has been championed by Carol Hotaling, who is
5 with us today in the audience -- Carol, you want
6 to wave to us? -- who began making yellow ribbons
7 to donate to family members of troops deployed
8 during Operation Desert Storm.

9 Early on, she was assisted by our
10 great Senator, Senator Kathy Marchione, here
11 today.

12 Ms. Hotaling chose the date of
13 April 9th in honor of Matt Maupin, a U.S. Army
14 staff sergeant who was captured while serving in
15 Iraq on that date in 2004. Staff Sergeant Maupin
16 was the first U.S. military member who went
17 missing in action during Iraqi Desert Storm.

18 American former prisoner-of-war
19 heroes who serve our country will never, ever be
20 forgotten, these brave men and women who fought
21 for their country and endured cruelties beyond
22 imagination.

23 With Carol today in the chamber is
24 Beverly Czub, of Clifton Park, and Clifton Park
25 Town Supervisor Phil Barrett.

1 Would you please stand and be
2 recognized. Thank you, Mr. President. If we
3 would offer the courtesies of the house.

4 ACTING PRESIDENT GRIFFO: Thank
5 you, Senator Breslin.

6 As indicated, the resolution was
7 previously adopted, on January 24th of 2017.

8 Senator Breslin has opened up the
9 resolution for cosponsorship. Should you choose
10 to be a cosponsor, please notify the desk.

11 We'd like to extend a very cordial
12 welcome. We thank you for all of your efforts.
13 To Carol and all the others who have joined her
14 today, thanks for your good work on behalf of so
15 many. Please rise again and be recognized.

16 (Standing ovation.)

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco.

19 SENATOR DeFRANCISCO: Yes, can we
20 now take up the privileged resolution by
21 Senator Díaz, read it in its entirety, and call
22 on Senator Díaz to speak, please.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Legislative

1 resolution by Senator Díaz, celebrating Taiwan
2 Heritage Day to strengthen the friendship and
3 bilateral relationship between the State of
4 New York and Taiwan.

5 "WHEREAS, The United States and the
6 Republic of China (Taiwan) share common ideals
7 and a clear vision for the 21st century, where
8 freedom and democracy are the foundation for
9 peace, prosperity, and progress; and

10 "WHEREAS, Taiwan has become a
11 multiparty democracy in which all citizens have
12 the right to participate freely in the political
13 process, as evidenced by Taiwan's six democratic
14 presidential elections, which took place in 1996,
15 2000, 2004, 2008, 2012 and 2016; and

16 "WHEREAS, The U.S. Congress passed
17 the landmark Taiwan Relations Act (TRA) in 1979
18 to sustain a close bilateral relationship and to
19 advance mutual security and commercial interests
20 between the U.S. and Taiwan; the TRA, along with
21 Six Assurances, have served as cornerstones of
22 U.S.-Taiwan relations and have helped to preserve
23 peace and stability in the Taiwan Strait; and

24 "WHEREAS, The United States and
25 Taiwan share a long-term and close economic

1 relationship, including \$65.4 billion in
2 bilateral trade in 2016, making Taiwan the
3 10th largest trading partner of the United
4 States; and

5 "WHEREAS, The United States assisted
6 Taiwan in attaining participation in the assembly
7 of the World Health Organization (WHO) since 2009
8 and of the International Civil Aviation
9 Organization (ICAO) in 2013, and will continue
10 supporting Taiwan's meaningful participation in
11 other organizations such as the United Nations
12 Framework Convention on Climate Change (UNFCCC)
13 and the International Criminal Police
14 Organization (INTERPOL); and

15 "WHEREAS, In order to strengthen
16 bilateral trade relations with the United States,
17 the government of the Republic of China (Taiwan)
18 has expressed its wish to sign a free trade
19 agreement with the United states in the near
20 future; and

21 "WHEREAS, The State of New York
22 exported \$637 million worth of products to Taiwan
23 in 2016, making Taiwan the 16th largest foreign
24 market for the State of New York; and

25 "WHEREAS, Many of the United States'

1 top 500 companies headquartered in New York,
2 including IBM, Pfizer, Corning, Citigroup, AIG,
3 MetLife, JPMorgan Chase, and New York Life, have
4 invested in Taiwan, supporting the mutually
5 beneficial relationship for decades; and

6 "WHEREAS, There are more than 300
7 Taiwanese companies that have invested in the
8 State of New York in sectors such as computers,
9 finance, jewelry, sporting goods, and garments;
10 and

11 "WHEREAS, Taiwan supports New York
12 State's economic initiatives by encouraging young
13 entrepreneurs to join the START-UP NY program,
14 as well as partner with New York research
15 institutes, as Taiwan's TSMC did when it
16 participated in the NY Global 450 Consortium
17 program for the next-generation semiconductor
18 technology; and

19 "WHEREAS, There were a total of
20 12,760 jobs in 2016 supported by Taiwan in
21 New York State, including 1,008 jobs supported by
22 investment from Taiwan-affiliated companies,
23 5,533 jobs supported by the export of goods to
24 Taiwan, and 6,219 jobs supported by the export
25 of services to Taiwan; and

1 "WHEREAS, The State of New York is
2 home to thriving overseas ethnic Chinese
3 communities that support the Republic of China
4 (Taiwan), including the Chinese Consolidated
5 Benevolent Association (CCBA), the Taiwanese
6 Chamber of Commerce of New York, Inc., the
7 Chinese Chamber of Commerce of New York, Inc.,
8 Buddha's Light International Association in
9 New York, the Taiwan Center (Senior Center),
10 Taiwanese American Association of New York, the
11 Union of Taiwan Universities and Colleges Alumni
12 Association and the National Women's League of
13 the Republic of China (Taiwan), that devote
14 themselves to the harmony and development of the
15 community of the State of New York; and

16 "WHEREAS, The New York State
17 Legislature held the 4th Taiwan Heritage Day
18 Celebration at the Legislative Office Building in
19 Albany in May 2016, to promote bilateral
20 relations between New York and Taiwan, and will
21 hold the 5th Taiwan Heritage Day Celebration in
22 2017; now, therefore, be it

23 "RESOLVED, That this Legislative
24 Body pause in its deliberations to celebrate
25 Taiwan Heritage Day to strengthen the friendship

1 and bilateral relationship between the State of
2 New York and Taiwan; and be it further

3 "RESOLVED, That a copy of this
4 resolution, suitably engrossed, be transmitted to
5 President Tsai Ing-wen of the Republic of China
6 (Taiwan), through the Taipei Economic and
7 Cultural Office in New York."

8 ACTING PRESIDENT GRIFFO: I'm going
9 to ask for some quiet in the house. There are a
10 number of conversations taking place. I would
11 ask staff or members to please take the
12 conversations outside the chamber.

13 Ni hao. Ni hao ma.

14 GUESTS: Ni hao. Ni hao ma.

15 ACTING PRESIDENT GRIFFO: Senator
16 Díaz on the resolution.

17 SENATOR DÍAZ: What did you just
18 say? Thank you, Mr. President. I don't know,
19 were you trying to say what you just said?

20 ACTING PRESIDENT GRIFFO: Welcome.
21 Hello.

22 SENATOR DÍAZ: There you go. There
23 you go.

24 Thank you, Mr. President. Before I
25 say anything about the resolution today, I want

1 to express my appreciation to Senator Flanagan
2 for allowing me to introduce this resolution, due
3 to the fact that yesterday we had some kind of
4 problem but we achieved something great and
5 Senator Flanagan decided to allow me to introduce
6 the resolution today. And for that, publicly, I
7 would like to thank him and express my
8 appreciation to him.

9 Now, ladies and gentlemen, you
10 should know that today we are being visited by
11 members of the Taiwanese community.

12 My fellow Senators, ladies and
13 gentlemen, it has been my honor through the years
14 as the State Senator representing the 32nd
15 Senatorial District in Bronx County to bring many
16 different cultures together. I have also been
17 instrumental in bringing these cultures to our
18 State Capitol, to this chamber, and to introduce
19 them to all of you.

20 To that effect, I was the first
21 Senator to introduce the Dominican community and
22 its cultures in this Senate chamber and to have a
23 Dominican minister offer the invocation in
24 Spanish and in English.

25 I have honored, I have honored the

1 Garifuna community having one of their ministers
2 as well offer the invocation in the Garifuna
3 language.

4 I have been honored and privileged
5 to present the Bangladesh community to be
6 recognized by one of their imams offering the
7 invocation in Bangla for the first time in this
8 chamber.

9 You should also know, ladies and
10 gentlemen, that today, for the eighth consecutive
11 year, I am privileged to sponsor a Senate
12 resolution celebrating the government and the
13 people of Taiwan in order to recognize them for
14 their wonderful, humanistic, generous and rich
15 financial and cultural contributions to our
16 country in America and to the State of New York.

17 On behalf of my constituents and the
18 children of the South Bronx, I must thank and
19 recognize the contributions of the Taiwanese
20 government and its representatives to the needy
21 children of the Bronx.

22 Ladies and gentlemen, as you know, I
23 represent the South Bronx, one of the poorest
24 areas and needy areas in the nation. Every year
25 during Christmas celebrations, as the Three Kings

1 came to visit Jesus, the Taiwanese community
2 comes to the Bronx to visit and to help us in the
3 Bronx with all kinds of school supplies, bringing
4 backpacks filled with school supplies for the
5 black and Hispanic children in our community.

6 These school supplies, provided by
7 the Taiwanese government and its representatives,
8 not only give our children a boost of
9 encouragement to do their best in school during
10 the year, but these supplies also help relieve
11 some of the financial burden from their parents.

12 And what is equally important is
13 that each year, as Taiwanese officials come to
14 the South Bronx for our Three Kings celebration,
15 the children and parents in attendance get to
16 witness cultural and racial unity at its best.

17 Mr. President and ladies and
18 gentlemen, it is important for you to know that
19 Taiwan is one of the strongest democratic allies
20 of the United States in Asia. We must never
21 forget that Taiwan spares no effort to maintain
22 peace and prosperity in East Asia.

23 Ladies and gentlemen and my fellow
24 Senators, not only Taiwan is a strong defender of
25 democracy, but Taiwan also provides much economic

1 activity, support to both the United States and
2 the State of New York.

3 As you heard in the resolution,
4 Taiwan is the 10th largest trading partner of the
5 United States, and it is the 16th largest foreign
6 market for the State of New York. Many of the
7 United States' top 500 companies have headquarters
8 in New York and also have significant investments
9 in Taiwan.

10 Additionally, there are more than
11 300 Taiwanese companies that have invested in the
12 State of New York. The relationships between the
13 United States of America and Taiwan and New York
14 State are very important and of mutual benefit.
15 It is my fervent wish that these relationships
16 continue and prosper, to the benefit of all our
17 citizens.

18 Finally, Mr. President, today I have
19 the honor and privilege to be joined in the
20 Senate chamber by distinguished guests -- by
21 Mr. Franklin Chen, deputy director general from
22 the Taipei Economic and Cultural Office in
23 New York; Mr. Ronnie Lu, head of political
24 affairs from the Taipei Economic and Cultural
25 Office in New York; Chairman Shu Man Wang, of the

1 Taiwanese American Senior Center; President Yi
2 Hung Li, from the Buddha's Light International
3 Association, New York Chapter; Mr. Mark Paul Lo,
4 from the Taiwanese Chamber of Commerce of
5 New York; Mr. Paul Wang, who is an advisor for
6 the Chinese Chamber of Commerce in New York; the
7 Venerable Ru Yang, from the Fo Guang Buddhist
8 Temple of New York, who gave the invocation; and
9 my director of communications, Ms. Ann Noonan,
10 together with other members of my staff like
11 Leila Martinez and Angel Gaud.

12 Mr. President and ladies and
13 gentlemen, thank you, thank you for being with
14 us.

15 And also, Mr. President, more than
16 100 Taiwanese people and members of the Buddha's
17 Light International Association have joined us in
18 the gallery. Look at how beautiful they are.
19 Look at that. Look at how beautiful they are.

20 (Sustained applause.)

21 ACTING PRESIDENT GRIFFO: I have to
22 also recognize that -- thank you very much. I
23 also, Mr. President, recognize that these --
24 together with Senator Marty Golden, who has also
25 helped us obtain the permission to use

1 The Well -- State Assemblymembers Marcos Crespo,
2 Luis Sepulveda, and Victor Pichardo, are part of
3 this event and part of the organization committed
4 to bring these different communities to Albany
5 and to this Legislature. So thank you, thank you
6 very much.

7 Thank you, Mr. Chen, for allowing me
8 to introduce you today. And thank you, all of
9 you. God bless you all. And let's have a good
10 day.

11 (Applause.)

12 ACTING PRESIDENT GRIFFO: Senator
13 Stavisky.

14 SENATOR STAVISKY: Thank you,
15 Mr. President. Da jia hao.

16 (Response; applause from gallery.)

17 SENATOR STAVISKY: And huanying da
18 jia li Albany. Which, translated, means "Hello,
19 and welcome to Albany."

20 Thank you, Senator Díaz, for
21 sponsoring this group, so many of whom reside in
22 my Senate district.

23 As I sat listening to the
24 resolution, it hasn't always been easy for the
25 Chinese-American community. There were times

1 when it was extremely difficult. But they played
2 an important role in American history that we
3 can't ignore, because it was because of the
4 importation, really, of the Chinese workers in
5 the 1860s to help complete the Transcontinental
6 Railroad that we are grateful for making us one
7 country, of uniting the country.

8 Whether it be in the 1860s, when
9 they -- actually, they came in the 1840s for the
10 Gold Rush and then were recruited to dig those
11 terrible tunnels through the Sierra Nevadas in
12 the snow and the problems that they faced, the
13 starvation. And yet they managed to succeed, and
14 for that we are grateful.

15 And it wasn't until after the Second
16 World War when we started accepting Chinese
17 immigrants. And we are that much richer for
18 people having come to the United States. The
19 immigration really picked up in the 1960s. But
20 for a long period we had the Chinese Exclusionary
21 Acts and the legislation coming out of Washington
22 that banned people from China and the Republic of
23 China coming to the United States, and that was a
24 terrible situation.

25 But we have had such a wonderful

1 relationship with the Republic of China, which is
2 a fast-growing, prosperous country. And it was
3 in the 1970s that they started coming to Queens.
4 And I remember in the mid-'70s the stores in
5 Flushing, on Main Street, were boarded up. We
6 were becoming a ghost town. And then people from
7 Taiwan started coming to the United States, and
8 especially to Queens County. And we are that
9 much richer for your coming.

10 It's interesting how involved the
11 Taiwanese community has been in Queens County's
12 life. You take a walk down Main Street of
13 Flushing, and what you see is activity. You see
14 construction. You see a lot of traffic --
15 whether it be pedestrian or vehicular, a lot of
16 traffic. And we are doing extremely well in
17 Flushing. And for that, we thank the people who
18 came from the Republic of China.

19 The resolution mentioned some of the
20 organizations, and I'm not going to repeat them.
21 There are many, many more organizations that
22 really must be mentioned. The fact that Flushing
23 is economically involved I think is due to two
24 organizations, the Flushing Chinese Business
25 Association, and the Business Improvement

1 District, and I think they ought to be mentioned.

2 We have so many cultural
3 organizations. I really don't want to mention
4 any of them in particular, but I do want to
5 mention the fact that the people from Asia,
6 particularly from the Republic of China and
7 Korea, have become a part of the political life
8 as well as the civic and social life. And that
9 started with the election to the Assembly of a
10 number of Assemblymembers. Some of you may
11 remember Assemblymember Jimmy Meng, followed by
12 Ellen Young, and followed in the Assembly by
13 Grace Meng, who is now a member of Congress. And
14 she was succeeded by Ron Kim in the Assembly.

15 So we are, in Queens, so grateful
16 for the political involvement, and we work so
17 closely together. I know they have folks
18 representing Manhattan; I'm not going to mention
19 the other borough. I'm sure Senator Squadron
20 will. But they have made an impact.

21 And it's interesting, because the
22 standard of living in Taiwan is very high.
23 Interestingly, 98 percent, 98.5 percent of the
24 male population over the age of 15 is literate.
25 And with women, it's 99.7 percent. I find that

1 amazing. The literacy rate of 98 percent in a
2 country, that's something that we have to admire.

3 Their humanitarian efforts are well
4 known. They have become really global citizens.
5 They have helped countries from all over the
6 world, particularly in the area of healthcare.
7 And in the last eight years they have been
8 participating in the World Health Assembly, which
9 is part of the World Health Organization. And
10 unfortunately, there is a conference going on
11 right now in Geneva to which they were not
12 invited. And we hope that in the future they
13 will be again active participants in the World
14 Health Organization, which I think is important.

15 I also want to mention the fact that
16 religious life plays such an important role in
17 the Chinese community, in the Taiwanese
18 community. The International Buddhist Progress
19 Association, the Venerable Ru Yang delivered the
20 invocation today. I was at that temple about a
21 month ago, and I've been there many times. It's
22 on Barclay Avenue in downtown Flushing. And the
23 last time I was there, they celebrated Buddha's
24 birthday.

25 And I must tell you, it was a very

1 moving experience because not only did they
2 celebrate Buddha's birthday, but the Three Acts
3 of Goodness that people believe in, something we
4 all believe in. And the three acts are -- and I
5 think it's important in today's political
6 climate -- say good words, do good deeds, think
7 good thoughts. And I think that's a message from
8 the Buddhist community that we should all adhere
9 to.

10 We have had some additional changes
11 to Flushing. When Grace Meng was in the
12 Assembly, she introduced legislation to make the
13 Lunar New Year a school holiday. And in fact we
14 were passing it in both houses, the mayor decided
15 it would be a good idea, and for the first
16 time -- I think next year it goes into effect --
17 we're going to be celebrating the Lunar New Year
18 as a school holiday.

19 Come to Flushing. We have the boat
20 races in July and August in Flushing Meadow Park,
21 the dragon boat races. It's a great experience.
22 We have cultural exchange programs. I had an
23 intern from the cross-cultural exchange program.
24 A thousand students from all over Asia came to
25 New York and participated in various economic and

1 governmental programs. My intern -- I must tell
2 you, Angela Man is back in Hong Kong, but she was
3 amazing, just amazing. She lived in the Flushing
4 YMCA with the other students, and her work in my
5 district office was very, very interesting and
6 substantial.

7 We have other groups here; I do want
8 to mention the Taiwan Center and the Chamber of
9 Commerce and AAFNY and the Chinese-American
10 Planning Council. There are so many
11 organizations -- CCBA. And we welcome everybody,
12 because we are a welcoming community.

13 And I welcome Ambassador Chen,
14 Ronnie Lu, and everybody else from TECO. TECO
15 stands for the Taipei Economic and Cultural
16 Office. They have an office in downtown Flushing
17 as well as Manhattan, and they are an important
18 part of our community.

19 So again, I welcome our friends from
20 the Republic of China, but they're really from
21 New York. They are New Yorkers who happen to be
22 from the Republic of China.

23 Again, thank you, Mr. President.

24 (Applause.)

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Stavisky.

2 The question is on the resolution.

3 All in favor 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 The resolution, at the request of
10 Senator Díaz, is open for cosponsorship. Should
11 you choose to be a cosponsor, please notify the
12 desk.

13 We would like to again extend our
14 appreciation for the presence of Ambassador Chen,
15 the Taiwanese delegation, the Taiwanese
16 community. We extend the privileges and the
17 courtesies of the Senate to you. And jiu ni hao
18 ying.

19 (Standing ovation.)

20 ACTING PRESIDENT GRIFFO: Senator
21 DeFrancisco.

22 SENATOR DeFRANCISCO: Could you
23 call on Senator Rivera for a brief introduction.

24 ACTING PRESIDENT GRIFFO: Senator
25 Rivera.

1 SENATOR RIVERA: Thank you,
2 Mr. President.

3 After all that pomp and
4 circumstance -- I certainly welcome our guests --
5 there's actually a couple more folks that I
6 wanted to recognize quickly.

7 I'm not sure if you've ever had the
8 experience, colleagues, when you have someone
9 that you're either interviewing or somebody
10 that's coming to your office to talk to you, a
11 young person, and you get a spark off that
12 person, a sense that person has not only a lot to
13 say but has a long way to go and has many things
14 to do in the future.

15 We are joined by just such an
16 individual today. I'd ask the two ladies to
17 stand up. One of these ladies, her name is
18 Jackie Bourdett, she is the education director at
19 the Kips Bay Boys and Girls Club in the Bronx,
20 and that is the lady on the right -- hello,
21 madam. But as awesome as she is, I want to talk
22 for a few minutes very briefly about the lady to
23 her left.

24 You are looking at Margaret
25 Rodriguez, who is from the Bronx. This lady just

1 last night was awarded the 2017 Youth of the Year
2 Award from the Boys and Girls Club. That is --
3 and you can applaud for that, because that is the
4 statewide thing. I would applaud the lady.

5 (Applause.)

6 SENATOR RIVERA: But what I'd
7 really like to underline is the fact that -- I
8 did not know about the Youth of the Year Award.
9 You'll be sad to know, colleagues, that the Youth
10 of the Year button is much bigger than ours, and
11 she is wearing it proudly on her lapel. But the
12 Youth of the Year, as she explained, is someone
13 who is a young person that can tell their story,
14 that can share who they are and can communicate
15 about the great things that the Boys and Girls
16 Club did for them in their life.

17 She explained to me how, through
18 thick and thin, with a lot of problems in her
19 family, at 10 years of age she joined the Boys
20 and Girls Club of Kips Bay. And during that
21 period of time, she has not only been -- she was
22 actually a -- I'm terribly unathletic, as most of
23 you folks know. She was actually the captain of
24 a field hockey team that was all boys. And she's
25 actually a lady who is actually not only a member

1 of the team, but a captain of the team.

2 But more importantly, she told me
3 about how as a Latina girl in the Bronx, she felt
4 that she had much to share about the difficulties
5 that she went through but the possibilities that
6 exist for her. I just met the lady today, but I
7 was immensely impressed by her, and I wanted to
8 make sure that she came by, and to tell you thank
9 you for not only coming here today, but thank you
10 for the work that you do every single day back in
11 the Bronx.

12 I am hoping that you will continue
13 to do it, continue to inspire other young people,
14 particularly young ladies like yourself. And who
15 knows, it is very likely that at some point in
16 the future you might be just sitting in a chair
17 down here, perhaps this one that I'm sitting in
18 right now.

19 But I am glad to say, ladies and
20 gentlemen, she lives in José Marco Serrano's
21 district, so he is going to have to worry about
22 that.

23 (Laughter.)

24 SENATOR RIVERA: But again,
25 Ms. Rodriguez, somebody who has a lot of poise, a

1 lot of purpose, and I know she has a bright
2 future ahead of her. Thank you for joining us,
3 and congratulations.

4 Thank you, Mr. President.

5 (Applause.)

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Senator Rivera.

8 We welcome you and wish you the best
9 of luck.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Yes, for the
12 last introduction, please call on Senator Croci.

13 ACTING PRESIDENT GRIFFO: Senator
14 Croci.

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

17 I'm very pleased today to be joined
18 by a group of seniors, along with their
19 principals and their teachers and their board
20 members, all from the Patchogue-Medford School
21 District on Long Island, New York.

22 Patchogue-Medford has many
23 distinguished graduates, but none more famous
24 than Lieutenant Michael Murphy, who many know
25 from the book Lone Survivor, recipient of the

1 Congressional Medal of Honor for his bravery and
2 heroism. A tremendous district that produces
3 that caliber of individuals.

4 And we're so proud to have them all
5 here today. Many -- almost all of them -- no,
6 all of them are going off to college. They're
7 seniors and they're going to be going off to
8 college in the beginning of the school year next
9 year. But there is one who's going into the
10 United States Coast Guard and will be serving our
11 country in the Coast Guard.

12 So, Mr. President, on a very proud
13 occasion to have these young men and women here,
14 I hope you will welcome them to the house.

15 And to the members of
16 the Patchogue-Medford School District, please
17 take back to all of your administrators and to
18 your families how proud we are of you and your
19 accomplishments.

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Croci.

22 To the students, faculty,
23 administrators at Patchogue-Medford,
24 congratulations. Thanks for being here today.

25 Please stand and be recognized.

1 (Standing ovation.)

2 ACTING PRESIDENT GRIFFO: We wish
3 you the best of luck.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: I have a
6 couple of motions.

7 On page 22, I offer the following
8 amendments to Calendar 436, Senate Print 3567, by
9 Senator Hannon, and ask that said bill retain its
10 place on the Third Reading Calendar.

11 ACTING PRESIDENT GRIFFO: We have
12 returned to motions and resolutions.

13 The amendments have been received,
14 and the bill shall retain its place on third
15 Calendar.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: On page 17, I
18 offer the following amendments to Calendar 353,
19 Senate Print 4084, by Senator Funke, and ask that
20 said bill retain its place on the Third Reading
21 Calendar.

22 ACTING PRESIDENT GRIFFO: Those
23 amendments are also received, and the bill shall
24 retain its place on third reading.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Could we now
2 take up the noncontroversial reading of the
3 calendar.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number 51,
7 by Senator Croci, Senate Print 959, an act to
8 amend the Real Property Tax Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the first of January.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 306, by Senator Avella, Senate Print 1482, an act
21 to amend the Public Housing Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 120th day.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 331, by Senator Lanza, Senate Print 3537, an act
9 to amend the Real Property 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, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 422, by Senator Akshar, Senate Print 3571, an act
22 to amend the Parks, Recreation and Historic
23 Preservation Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 120th day.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 441, by Senator Peralta, Senate Print 592B, an
11 act to amend the Public Health Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act --

16 SENATOR GIANARIS: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay the
18 bill aside.

19 THE SECRETARY: Calendar Number
20 512, by Senator Hamilton, Senate Print 2424B, an
21 act to amend the Executive Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 516, by Senator Ranzenhofer, Senate Print 5158,
9 an act to amend the Private Housing Finance Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the 30th day.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 526, by Senator Ritchie, Senate Print 3016, an
22 act in relation to authorizing.

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: Ayes, 62.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 541, by Senator Jacobs, Senate Print 4464, an act
10 to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 12. This
14 act shall take effect on the 90th day.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 562, by Senator Gallivan, Senate Print 2520A, an
23 act to amend the Real Property 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 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 563, by Senator Croci, Senate Print 5411, an act
11 to amend the Real Property Tax Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 599, by Senator Seward, Senate Print 426, an act
24 to amend the Insurance Law.

25 SENATOR GIANARIS: Lay it aside,

1 please.

2 ACTING PRESIDENT GRIFFO: The bill
3 is laid aside.

4 THE SECRETARY: Calendar Number
5 605, by Senator Croci, Senate Print 936, an act
6 to amend the Executive Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 650, by Senator Hannon, Senate Print 5544, an act
19 to amend a chapter of the Laws of 2017.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the same date and in the
24 same manner as Part E of a chapter of the Laws of
25 2017.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 719, by Senator Young, Senate Print 3939, an act
9 to amend the Public Health Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 4. 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, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 734, by Senator Marchione, Senate Print 200, an
22 act to amend the Executive 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: Ayes, 62.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 775, by Senator Murphy, Senate Print 2098B, an
10 act to amend the Agriculture and Markets Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 5. This
14 act shall take effect two years after it shall
15 have become a law.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Senator
20 Hoylman to explain his vote.

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

23 I just wanted to thank my colleague
24 on the other side of the aisle for this
25 forward-looking piece of legislation. I sponsor

1 similar legislation that would ban the use of
2 bullhooks. This legislation, of course,
3 prohibits the use of elephants in entertainment
4 acts.

5 I think the point of this bill is so
6 clear, which is to protect this very vulnerable
7 species. You know, every 15 minutes an African
8 elephant is slaughtered. Every 15 minutes. And
9 we're likely to see this species completely
10 obliterated in the next couple of decades unless
11 we do something quickly.

12 I'll mention to my colleagues that I
13 recently wrote to the CEO of Craigslist. On
14 Craigslist you can actually go online and
15 purchase illegal ivory products. Unlike eBay or
16 other websites, Craigslist does not filter their
17 search results to remove illegal ivory sales.
18 And in New York City, this is an issue because it
19 is the heart of the illegal ivory trade in the
20 world. In fact, last year the district attorney
21 busted a local antiques dealer for a \$4 million
22 illegal ivory trade.

23 So I want to thank my colleague
24 again. I'll be voting in the affirmative.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hoylman in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 775, those recorded in the negative are
5 Senators Comrie, Little, Ranzenhofer and Sanders.
6 Also Senator Seward. Also Senator Ortt.

7 Ayes, 56. Nays, 6.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 839, by Senator Rivera, Senate Print 1100, an act
12 to amend the Vehicle and Traffic Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 7. This
16 act shall take effect one year after it shall
17 have become a law.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 849, by Senator Akshar, Senate Print 5635, an act

1 to amend the Highway Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 SENATOR GIANARIS: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay the
8 bill aside.

9 SENATOR DeFRANCISCO: Lay it aside
10 for the day.

11 ACTING PRESIDENT GRIFFO: Lay the
12 bill aside for the day.

13 THE SECRETARY: Calendar Number
14 854, by Senator Ortt, Senate Print 693, an act to
15 amend the Environmental Conservation Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 856, by Senator Bonacic, Senate Print 998, an act
3 to amend the Environmental Conservation Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 SENATOR GIANARIS: Lay it aside.

9 ACTING PRESIDENT GRIFFO: Lay the
10 bill aside.

11 THE SECRETARY: Calendar Number
12 889, by Senator LaValle, Senate Print 2997A, an
13 act to amend the Executive Law.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay the
16 bill aside.

17 THE SECRETARY: Calendar Number
18 900, by Senator Marchione, Senate Print 5198, an
19 act authorizing.

20 ACTING PRESIDENT GRIFFO: There is
21 a home-rule message at the desk.

22 The Secretary will read the last
23 section.

24 SENATOR GIANARIS: Lay it aside.

25 ACTING PRESIDENT GRIFFO: Lay the

1 bill aside.

2 THE SECRETARY: Calendar Number
3 925, by Senator Robach, Senate Print 1013, an act
4 to amend the Domestic Relations Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 952, by Senator Ortt, Senate Print 5807, an act
17 to amend the Mental Hygiene Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 958, by Senator Marcellino, Senate Print 1181, an
5 act to amend the Vehicle and Traffic Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 Calendar Number 964 is high and
17 ineligible for consideration.

18 The Secretary will read Calendar
19 Number 989.

20 THE SECRETARY: Calendar Number
21 989, by Senator Ranzenhofer, Senate Print 3027,
22 an act to amend the Correction 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 ACTING PRESIDENT GRIFFO: Senator
6 Hoylman to explain his vote.

7 SENATOR HOYLMAN: Thank you,
8 Mr. President. I rise to support my colleague's
9 legislation.

10 Another sex offender bill, another
11 day in the State Senate. This is our 17th this
12 session.

13 I will reiterate my desire to see
14 the Child Victims Act come to the floor of the
15 State Senate, the bill that I think would address
16 a big problem involving sex offenders, which is
17 the inability of survivors to take them to court
18 because our statute of limitations is so
19 restrictive -- the worst in the nation -- that it
20 cuts off civil and criminal claims at the age of
21 23.

22 I'll be voting in the affirmative,
23 sir, but I think we need to do more to address
24 this problem.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hoylman in the affirmative.

2 Senator Kennedy to explain his vote.

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

5 I rise today in support of this bill
6 which would prohibit sex offenders from residing
7 in community residences run by OMH or OPWDD.

8 This bill is badly needed. Just
9 last June, two Level 2 sex offenders were placed
10 in a North Buffalo facility regulated by the
11 Office for People with Developmental
12 disabilities. One of these sex offenders was
13 convicted of crimes against two young boys,
14 actions that are shameful and absolutely
15 horrendous.

16 The families in the area were
17 unaware that sex offenders were moving into an
18 OPWDD facility in their neighborhood. To make
19 matters worse, the facility was within walking
20 distance of schools, a playground and a daycare
21 center. This was unacceptable, and so we
22 mobilized as a community against the placement of
23 these sex offenders.

24 Ultimately, both sex offenders were
25 relocated to other residences, allowing residents

1 to live in peace knowing that convicted offenders
2 were not living in their neighborhood -- and,
3 just as importantly, they weren't living
4 alongside some of the most vulnerable members of
5 our community and our society.

6 By passing this bill, the situation
7 that occurred in North Buffalo last year will be
8 prevented in the future. We're taking a step to
9 make all of the State of New York safer.

10 We need to protect our families and
11 our children, and we need to make sure registered
12 sex offenders are not being placed in OPWDD or
13 OMH facilities anywhere in our respective
14 neighborhoods or districts statewide.

15 With that, Mr. President, I vote
16 aye.

17 ACTING PRESIDENT GRIFFO: Senator
18 Kennedy to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar 989, those recorded in the negative are
22 Senators Bailey, Comrie, Dilan, Hoylman,
23 Montgomery, Parker, Persaud and Rivera. Also
24 Senator Sanders.

25 ACTING PRESIDENT GRIFFO: All

1 right, let's do this one more time. All those in
2 the negative please raise your hands.

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 989, those recorded in the negative are
6 Senators Bailey, Comrie, Dilan, Montgomery,
7 Parker, Persaud, Rivera and Sanders.

8 Ayes, 54. Nays, 8.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1007, by Senator Carlucci, Senate Print 391A, an
13 act to amend the Public Officers Law.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay the
16 bill aside.

17 THE SECRETARY: Calendar Number
18 1022, by Senator Croci, Senate Print 927, an act
19 to amend the Penal Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the 90th day.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar 1022, those recorded in the negative are
4 Senators Hoylman, Montgomery, Parker, Sanders and
5 Squadron.

6 Ayes, 57. Nays, 5.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1024, by Senator Croci, Senate Print 955, an act
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60. Nays, 2.
20 Senators Montgomery and Parker recorded in the
21 negative.

22 ACTING PRESIDENT GRIFFO: Some
23 order in the house, please.

24 The bill is passed.

25 Senator DeFrancisco, that concludes

1 the noncontroversial reading of today's
2 active-list calendar.

3 SENATOR DeFRANCISCO: I'd like to
4 first call up Senate Calendar Number 900, Senate
5 Print 5198, which is Senator Marchione's bill.

6 ACTING PRESIDENT GRIFFO: Can I
7 again have some order in the house, please.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 900, by Senator Marchione, Senate Print 5198, an
11 act authorizing.

12 ACTING PRESIDENT GRIFFO: There is
13 a home-rule message present at the desk.

14 The Secretary will read the last
15 section.

16 THE SECRETARY: Section 5. This
17 act shall take effect immediately.

18 ACTING PRESIDENT GRIFFO: Again,
19 I'm going to ask people to orderly leave the
20 chamber. There's a lot of conversations going
21 on.

22 We'll recognize Senator Sanders to
23 explain his vote.

24 SENATOR SANDERS: Well, I actually
25 have a couple of questions for the -- on this

1 issue, sir.

2 SENATOR DeFRANCISCO: Excuse me,
3 can we withdraw the roll call.

4 And if you want to speak, make sure
5 the chair sees you standing up or raising your
6 hand or something.

7 ACTING PRESIDENT GRIFFO: My
8 understanding is we've gone back to a
9 noncontroversial reading of the bill, so you
10 cannot ask questions on the bill. But we'll
11 allow flexibility if you want to explain the
12 vote.

13 SENATOR DeFRANCISCO: No, no, no.
14 No, that bill was laid aside. We didn't go back
15 to the noncontroversial. I just called it out of
16 order to accommodate a Senator.

17 ACTING PRESIDENT GRIFFO: Okay. So
18 we completed the noncontroversial reading. So
19 are you asking now to go to the controversial
20 reading, Senator DeFrancisco?

21 SENATOR DeFRANCISCO: I'm just
22 asking you to --

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will ring the bell to ensure the
25 members are in the chamber.

1 And the bill has been read, and we
2 can recognize Senator Sanders.

3 SENATOR SANDERS: Thank you,
4 Mr. President. I have a few questions to ask of
5 the sponsor. Will the sponsor yield for a
6 question or two or three?

7 ACTING PRESIDENT GRIFFO: Senator
8 Marchione, would you yield to questions?

9 SENATOR MARCHIONE: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 Senator would yield.

12 SENATOR SANDERS: We all are very
13 concerned about what's happening with the water
14 at Hoosick Falls and how we are going to take
15 care of this, so we are very sympathetic.
16 However, the method that we're going about it may
17 not be one that I could agree to. So I have a
18 couple of questions.

19 And I'll start with how will the
20 Hoosick Falls Village recoup the cost of the
21 damages, including the additional costs from the
22 interest of the loan, if we were to agree to
23 this?

24 SENATOR MARCHIONE: It's expected
25 that Honeywell and Saint-Gobain, as they go

1 through the action and finalize, will end up
2 paying for these costs, but of course
3 negotiations are still ongoing.

4 There is a home-rule message at the
5 desk, which means the village has requested that
6 I carry this resolution for them. This will give
7 them the flexibility to borrow up to \$1.5 million
8 and have 10 years to be able to pay it back,
9 which is helpful to the village. Otherwise, they
10 only have a two-year period.

11 SENATOR SANDERS: I am aware that
12 this has been very controversial inside that
13 village and there have been many votes taken on
14 these issues, and these votes are being debated
15 inside. And I'm also aware that there's a large
16 sentiment that they put all this off until a new
17 election takes place for the mayor.

18 So through you, Mr. President, the
19 loan amount needed to cover approximately a
20 million-plus for extraordinary expenses --
21 operating and capital costs, reductions or
22 elimination of contamination, issuance of
23 notes -- how is this guaranteed that it will be
24 paid back by this company if we were to do this?

25 SENATOR MARCHIONE: First of all,

1 through you, Mr. President, the election for the
2 new mayor has already taken place. The new mayor
3 is acting as the mayor now currently.

4 This request came through the
5 previous mayor and now has come through the new
6 mayor, so it is something that internally the new
7 administration has asked for through a home-rule
8 message. Paying back the loan is going to be
9 paid back by the residents in the short term as
10 the negotiations continue.

11 In addition, the EFC has contributed
12 \$220,000 towards some of the legal fees as a
13 grant. Those monies will be put towards these
14 monies that are owed and will be paid back to the
15 EFC once the negotiations have concluded.

16 SENATOR SANDERS: Through you,
17 Mr. President. I am sure that you've been
18 struggling with this one long and hard, just as
19 all of us have been made aware of this tragedy
20 that the people there are suffering.

21 The home values there are declining,
22 and a tax increase at this point seems
23 counterintuitive. I'm concerned that the people
24 there won't be able to maintain their standard of
25 living. Do you know the median income of Hoosick

1 Falls?

2 SENATOR MARCHIONE: I do not know
3 the median income offhand.

4 I do know, though, that I spoke with
5 the mayor and the town supervisors in both
6 communities -- Petersburg, Hoosick Falls, the
7 village and the town -- and asked if they were
8 looking for property reduction through
9 legislation, and they all have said no.

10 Excuse me, though; I want to
11 clarify. I have not had that conversation with
12 the new mayor yet. He has just taken office.

13 SENATOR SANDERS: Through you,
14 Mr. President.

15 ACTING PRESIDENT GRIFFO: Senator
16 Marchione, do you continue to yield?

17 SENATOR MARCHIONE: Yes, I do.

18 ACTING PRESIDENT GRIFFO: Senator
19 Sanders, pose your question.

20 SENATOR SANDERS: Thank you, sir.

21 What are the long-term plans for the
22 recovery of this area? Not simply the short-term
23 dealing with the water, but -- they've got a host
24 of problems there now. Are there any long-term
25 plans that we can speak of?

1 SENATOR MARCHIONE: The water
2 system is back up and running, with tremendous
3 water that's checked all the time. The people
4 who have individual wells have POET systems,
5 which are filtration systems for each individual
6 well, in place now.

7 They have a committee that has
8 formed of businesspeople to try to get themselves
9 back having more businesses open up, which
10 they've really been kind of successful in seeking
11 new business.

12 The community asked for some money,
13 \$350,000, to expand a water district, which we
14 have been able to provide. The project is not
15 done, but we've helped them there.

16 They've also asked to have a new
17 highway garage done so that they can refurbish
18 that -- \$1.1 million, which has been approved,
19 that I've been able to help them with.

20 They've asked for \$975,000 for an
21 ice skating rink, which they really look at where
22 it's located as economic development, which I
23 believe has also gotten approval.

24 We've given their fire district
25 \$56,000 to help fix their floor in the fire

1 department, and \$90,000 previous to do home tank
2 repairs.

3 Previous to that, I was able to
4 secure enough money for their fire departments to
5 all get new pagers to help them.

6 On top of all of this, their nursing
7 home has had serious issues, with 100 employees
8 and 70 residents that may have to be displaced,
9 that I have been working with them for over
10 six months to make sure that that doesn't happen.
11 Thanks to Senator Hannon and others who have
12 assisted, we've been able to give them short-term
13 monies as they change from the rehabilitation to
14 a Vermont center.

15 So there's a lot of things
16 happening. The DEC and the DOH have really been
17 phenomenal through this entire process. And they
18 are looking, although the water is clean and
19 potable, probably some of the best in the state,
20 at this point they are looking for a new water
21 source to be able to get out of the source that
22 they're in. And they've been making improvements
23 as they have gone forward with that.

24 SENATOR SANDERS: Will the sponsor
25 continue to yield, Mr. President?

1 SENATOR MARCHIONE: Yes.

2 ACTING PRESIDENT GRIFFO: The
3 sponsor yields.

4 I would ask individuals with mobile
5 devices to ensure that they're silent.

6 Senator Sanders, you may continue.

7 SENATOR SANDERS: Thank you, sir.

8 The situation there was as dangerous
9 as -- perhaps as dangerous as the infamous Flint,
10 Michigan, water that we spoke of, that the nation
11 was speaking of. Sadly, this situation did not
12 get as much attention as Flint. This is as
13 problematic for our nation as any other area.

14 And I'm sure that there has been
15 consideration on how to do this. Has there been
16 much consideration of why isn't the state giving
17 them a grant to deal with this issue instead of
18 saddling them with additional debt that they did
19 not deserve? They didn't bring this on
20 themselves. Have we considered requesting --
21 have they considered, rather, requesting a grant
22 from the state in this sum or the necessary sum
23 necessary to get them out of this hole that they
24 did not put themselves in and they don't deserve
25 to be in?

1 SENATOR MARCHIONE: Through you,
2 Mr. President, they have requested monies.
3 That's where the \$220,000 grant from the EFC has
4 come from. So they have done what they can do,
5 we all have done what we can do to assist them as
6 negotiations continue with Saint-Gobain and
7 Honeywell.

8 SENATOR SANDERS: Will the sponsor
9 yield, Mr. President?

10 SENATOR MARCHIONE: Yes.

11 ACTING PRESIDENT GRIFFO: Senator
12 Marchione yields.

13 SENATOR SANDERS: I'm understanding
14 that the \$200,000 that the state has put forward,
15 they would have to pay back after all of these
16 things.

17 It seems to me that we would really
18 work on trying to get a proper settlement. I
19 understand also that the company that put us all
20 in this situation has allegedly low-balled their
21 figure of restitution, and this is leading to the
22 confusion, the slow movement here.

23 I'm very concerned that these folk
24 may not be able to get their full money back,
25 that if they can't make a fair settlement or

1 there's not a fair settlement by the company,
2 then the people of New York and these people in
3 particular will be saddled with paying for what
4 is not theirs.

5 ACTING PRESIDENT GRIFFO: Senator
6 Sanders, do you have a a question? Or are you on
7 the bill?

8 SENATOR SANDERS: Well, I guess I'm
9 on the bill then, sir.

10 ACTING PRESIDENT GRIFFO: Senator
11 Sanders on the bill.

12 SENATOR SANDERS: I would say
13 that -- thank you very much to the sponsor.

14 I would say that in Niagara Falls
15 when there was a place of contamination, the
16 federal government bought an entire neighborhood
17 out. And I'm not saying that that is needed
18 here, but I'm not saying it's not needed here. I
19 would need more information. But it's a model
20 that we need to have where, if a community did
21 not cause its problem, they should not be saddled
22 with the responsibility of dealing with it.

23 All this shows is that we need a
24 federal movement on this. We need a type of
25 Marshall Plan to deal with the entire bad

1 infrastructure that the U.S. has. This will not
2 be the only place -- Flint and Hoosick Falls will
3 not be the only places where we're going to have
4 this type of problem. We're going to have it all
5 over as our infrastructure continues to
6 deteriorate.

7 So as much as I am in sympathy for
8 the people there, I'm going to be against this --
9 not because I don't think that there is a
10 settlement or a needed settlement, but because I
11 don't think that they deserve to have to pay for
12 that settlement that they didn't put themselves
13 in, and the company that did may not pay their
14 fair share to get them out of this one.

15 Thank you very much, Mr. President.
16 And thank you to the sponsor.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Sanders.

19 Senator Hoylman.

20 SENATOR HOYLMAN: Yes, thank you,
21 Mr. President. Would the sponsor yield for a few
22 questions?

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

25 SENATOR MARCHIONE: Yes.

1 ACTING PRESIDENT GRIFFO: The
2 Senator yields.

3 SENATOR HOYLMAN: Thank you.
4 Through you, Mr. President.

5 As we know, the bill allows the
6 village to issue bonds to pay for the water
7 contamination issue. Would the bond money be
8 repaid if the companies are found to be liable?

9 SENATOR MARCHIONE: The bond money
10 will be paid back over a 10-year period of time.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hoylman.

13 SENATOR HOYLMAN: Will the sponsor
14 continue to yield?

15 SENATOR MARCHIONE: Yes.

16 ACTING PRESIDENT GRIFFO: Senator
17 Marchione yields.

18 SENATOR HOYLMAN: The bond money
19 would be repaid to whom, is my question. By
20 whom? Who would pay?

21 SENATOR MARCHIONE: The bond is
22 going to be paid for by the residents of
23 Hoosick Falls. That's why I'm bringing the
24 legislation. If not bringing this legislation,
25 they would need to pay that back within a

1 two-year period. That's what finance law
2 determines.

3 With this legislation they will have
4 10 years to pay it back, which is much better for
5 the community. That's why the village requested
6 that I carry the legislation for them.

7 SENATOR HOYLMAN: Will the sponsor
8 continue to yield?

9 SENATOR MARCHIONE: Yes.

10 ACTING PRESIDENT GRIFFO: Senator
11 Marchione yields.

12 SENATOR HOYLMAN: Could the sponsor
13 explain what the financing mechanism to repay the
14 bond is?

15 SENATOR MARCHIONE: All bonds were
16 paid for through the community when I was a
17 supervisor, and I can only speak with regard to
18 that. It's over a certain period of time, with
19 interest, you pay the bond back.

20 SENATOR HOYLMAN: Will the sponsor
21 continue to yield?

22 ACTING PRESIDENT GRIFFO: Senator
23 Marchione, do you yield?

24 SENATOR MARCHIONE: Yes.

25 ACTING PRESIDENT GRIFFO: The

1 Senator yields.

2 SENATOR HOYLMAN: Through you,
3 Mr. President. Does the legislation authorize
4 the imposition of a property tax?

5 SENATOR MARCHIONE: I'm sorry, I
6 didn't hear.

7 SENATOR HOYLMAN: Does the
8 legislation authorize the imposition of a
9 property tax to help pay the bond?

10 SENATOR MARCHIONE: I don't think
11 the village needs authorization for a property
12 tax. They need authorization to borrow the
13 funds.

14 ACTING PRESIDENT GRIFFO: Senator
15 Hoylman.

16 SENATOR HOYLMAN: Will the sponsor
17 continue to yield?

18 ACTING PRESIDENT GRIFFO: Do you
19 continue to yield?

20 SENATOR MARCHIONE: I do.

21 ACTING PRESIDENT GRIFFO: Senator
22 Marchione yields.

23 SENATOR HOYLMAN: In Section 3 of
24 the bill it says that the village is authorized
25 to levy an annual tax on the properties of the

1 village in an amount sufficient to pay the annual
2 debt service on such serial bonds.

3 SENATOR MARCHIONE: Oh, it does say
4 it. Yes, it does say it, then.

5 SENATOR HOYLMAN: Will the sponsor
6 continue to yield?

7 SENATOR MARCHIONE: I do.

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR HOYLMAN: Through you,
11 Mr. President, what is the interest rate on these
12 bonds?

13 SENATOR MARCHIONE: That will be
14 negotiated, I'm sure, when they get the bonds.
15 Interest rates change on a daily basis.

16 SENATOR HOYLMAN: Will the sponsor
17 continue to yield?

18 SENATOR MARCHIONE: Yes.

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

21 SENATOR HOYLMAN: Can the sponsor
22 point to any direct money that the village
23 received in this year's State Budget?

24 SENATOR MARCHIONE: There were some
25 monies relative to the \$220,000. Not all of that

1 came through EFC. The DEC commissioner has said
2 there are additional funds in the budget.

3 I can tell you that I asked for
4 \$30 million, which is the long-term project to
5 fix all of the individual wells in Hoosick Falls,
6 as part of the 2017-2018 project.

7 SENATOR HOYLMAN: Will the sponsor
8 continue to yield?

9 SENATOR MARCHIONE: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR HOYLMAN: Through you,
13 Mr. President. All due respect, would the
14 sponsor agree, though, that none of that money
15 that she just mentioned is actually specifically
16 named for the Village of Hoosick Falls?

17 SENATOR MARCHIONE: Through you,
18 Mr. President. The bill that I've brought before
19 us this afternoon is a bill to borrow funds for
20 10 years, not to discuss -- it doesn't discuss
21 additional funds, how the Hoosick Falls extra
22 projects are going to take place. It is a
23 home-rule message by the village. I'm assisting
24 the community that asked me to in Hoosick Falls.
25 They have been through a great deal. And to be

1 asked to assist is exactly what I'm doing.

2 SENATOR HOYLMAN: On the bill,
3 Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator
5 Hoylman on the bill.

6 SENATOR HOYLMAN: I want to thank
7 my colleague on the other side of the aisle and
8 my colleague on my side of the aisle for this
9 conversation.

10 I don't have an objection with the
11 granting of the authority to take out bonds for
12 this issue. What I object to is that we're not
13 doing more.

14 What I object to is that there isn't
15 anything specific directed for the Village of
16 Hoosick Falls. What I object to is the fact that
17 we're asking and authorizing the village to take
18 out bonds to pay for an environmental catastrophe
19 that wasn't of their own making.

20 What I object to is that we have
21 hundreds of millions of dollars for worthy
22 projects across the State of New York in this
23 year's budget, but then we're asking the good
24 folks of the village to borrow to pay for this
25 dark chapter in New York State environmental

1 history.

2 I'll be voting in the affirmative,
3 but I don't think we should be putting the
4 liability on the taxpayers, many of the
5 taxpayers who are sick and worried sick, as my
6 colleague knows, about the lingering effects of
7 the PFOA crisis. I'll be voting in the positive.

8 Thank you, Mr. President.

9 ACTING PRESIDENT GRIFFO: Seeing
10 and hearing no other Senator that wishes to be
11 heard, the debate is closed.

12 The Secretary will ring the bell.

13 (Pause.)

14 ACTING PRESIDENT GRIFFO: I would
15 remind members that we have a number of bills on
16 the controversial calendar, to please stay close
17 to the chamber.

18 Read the last section.

19 THE SECRETARY: Section 5. This
20 act shall take effect immediately.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: I'm going
25 to remind members to stay close to the chamber.

1 We have a number of other bills on the
2 controversial calendar.

3 Announce the results.

4 THE SECRETARY: Ayes, 60. Nays, 2.
5 Senators Parker and Sanders recorded in the
6 negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: Now could you
11 take up, in order, the controversial reading of
12 the calendar.

13 ACTING PRESIDENT GRIFFO: We'll
14 continue the controversial reading of the
15 calendar.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 441, by Senator Peralta, Senate Print 592B, an
19 act to amend the Public Health Law.

20 ACTING PRESIDENT GRIFFO: Senator
21 Krueger.

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

24 If the sponsor would please yield
25 for some questions.

1 ACTING PRESIDENT GRIFFO: Senator
2 Peralta, do you yield?

3 SENATOR PERALTA: Yes, I do,
4 Mr. President.

5 ACTING PRESIDENT GRIFFO: The
6 Senator yields.

7 SENATOR KRUEGER: Thank you.

8 So this bill has gone through a
9 number of prints. Could the sponsor please tell
10 me what this bill now mandates?

11 SENATOR PERALTA: Sure. Through
12 you, Mr. President. This bill mandates that the
13 city develop a letter grading system for street
14 vendors selling food, but also gives the city
15 lots of leeway in how to actually implement that
16 program.

17 It talks about letter grades will be
18 issued in accordance with the existing sanitary
19 code and will be similar in nature to what
20 actually happens now with restaurants. Mobile
21 vendors are already inspected by the City
22 Department of Health, as you know, but this will
23 have the added benefit of informing consumers of
24 how a particular vendor has scored on its
25 inspection.

1 It also mandates the City Department
2 of Health to notify each vendor of what their
3 grade is based on the inspection.

4 It also gives the city permission to
5 implement rules relative to the geographic
6 location of the street vendors, similar to what's
7 done in Los Angeles. And it also requires that
8 if a vendor is to have their license suspended or
9 revoked for failing to file location information
10 eventually required by the city, that a hearing
11 will be provided the vendor prior to any
12 revocation.

13 And lastly, the bill exempts soup
14 kitchen carts and any other charitable food
15 distribution carts.

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

18 ACTING PRESIDENT GRIFFO: The
19 sponsor yields.

20 SENATOR PERALTA: Yes, I do.

21 SENATOR KRUEGER: Thank you.

22 So the sponsor just listed out what
23 the bill would do. My understanding is the city
24 does inspect the carts already. So are there
25 further inspections called upon by this bill?

1 SENATOR PERALTA: There are no
2 further inspections called upon on this bill.
3 The city does -- you're right, Senator, the city
4 does currently inspect, but they don't provide a
5 letter grade similar to what the restaurants have
6 currently in place.

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

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR PERALTA: Yes.

13 SENATOR KRUEGER: My understanding
14 is the City Council is working on their own bill.
15 Does this bill have a home-rule message from the
16 City Council?

17 SENATOR PERALTA: The City Council
18 has been working on a similar bill for many, many
19 years. And in fact, I've been working on this
20 bill for over five years. And who knows when the
21 City Council is going to bring something up when
22 it comes to this.

23 But I have been working with the
24 City Department of Health, with the commissioner,
25 and the city is very aware that this is

1 happening. In fact, I've been working closely
2 with the city to make this a reality, and they
3 are very supportive of this piece of legislation.

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

7 ACTING PRESIDENT GRIFFO: The
8 sponsor yields.

9 SENATOR PERALTA: Yes.

10 SENATOR KRUEGER: So based on news
11 reports, while the City of New York has 4,250
12 permits out for the food carts and food trucks,
13 the common wisdom is that there may be as many as
14 10,000 of these pushcarts and food trucks
15 operating in the City of New York.

16 How will this bill address the
17 illegal carts and trucks currently operating in
18 the City of New York?

19 SENATOR PERALTA: Well, this is
20 going to address -- through you, Mr. President,
21 this is going to address the carts that are
22 registered currently. And the idea here is to
23 make sure that the consumers have a grade that
24 they can look at and see if it's in their best
25 interest to eat at that cart or that food truck.

1 Similar to what restaurants have today.

2 And we're all aware that one of the
3 big items of coming to New York City and one of
4 the big attractions is really to either have a
5 hot dog or have a pretzel or have something from
6 a street vendor.

7 So the idea here is that if we have
8 letter grades at these food carts, then the
9 consumer will understand and know what are the
10 best places to eat from.

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

14 SENATOR PERALTA: Yes.

15 ACTING PRESIDENT GRIFFO: The
16 sponsor yields.

17 SENATOR KRUEGER: Thank you. Okay.

18 So this bill will give letter
19 grades, it won't do anything to catch the illegal
20 vendors who are currently running food carts and
21 food trucks. Does this bill assist the
22 Department of Health to enforce their system any
23 better, and how?

24 SENATOR PERALTA: Well, that's the
25 idea. I mean, an illegal vendor will not have a

1 letter grade, and that will inform the consumer
2 that therefore they shouldn't buy anything from
3 the vendor. Right?

4 If there is a letter grade that they
5 can look at and say, Hey, this is safe, I can eat
6 here, because there's an A or a B or whatever the
7 letter grade is, then it's important for them to
8 know. And if they don't have a grade, if they're
9 not showing a grade, then why would they purchase
10 anything at the street vendor?

11 In fact, we just released a report
12 today that's "Grades on the Go." We're talking
13 about the eight worst street vendors in the City
14 of New York. And last year there was a total of
15 violations issued of 7,861. And in fact,
16 25 percent of those in 2016 were multiple
17 violations. And if you like, I can even read to
18 you which ones in whose district has the worst.
19 Senator Hoylman has a few.

20 SENATOR KRUEGER: I don't think I
21 want you to read the whole list, but thank you
22 for offering.

23 The complaints I actually get in my
24 district are about the --

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger, are you on the bill.

2 SENATOR KRUEGER: I'm sorry,
3 Mr. President. Through you, if the sponsor would
4 continue to yield.

5 SENATOR PERALTA: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor yields. Go ahead, Senator Krueger.

8 SENATOR KRUEGER: Thank you.

9 So complaints that I've been getting
10 in my district involve street trucks that set up
11 and have propane tanks polluting the air, have
12 engines running all day to run the cooking
13 facility, the cooking stove on the truck.

14 Is there anything in this bill that
15 addresses the problems being caused by trucks
16 running all day, polluting propane tanks, and the
17 noise of some of those vehicles parked in the
18 same locations for hours and hours on end?

19 SENATOR PERALTA: Well, this bill
20 will give the city an opportunity to look into
21 that. And that's something that should be
22 addressed, I agree with you.

23 In fact, according to the report
24 that we just released, that I just released, I
25 have a listing of the 10 most common

1 food-safety-related violations issued in 2016.
2 And that's across the City of New York, within
3 all boroughs.

4 But if specifically you're talking
5 about the propane gas, this is why it's important
6 for the City of New York and the Department of
7 Health to be able to inspect these food vendors,
8 these food trucks. Because if there is no
9 inspection, then you're going to have problems
10 that are going to occur like the problems that
11 are occurring in your district.

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

15 SENATOR PERALTA: Yes.

16 ACTING PRESIDENT GRIFFO: The
17 sponsor yields.

18 SENATOR KRUEGER: Thank you.

19 So again, yes, if they inspect they
20 can find those things, although again, as the
21 sponsor already answered my question, they do
22 inspect. And this doesn't increase the number of
23 inspections, it just offers letter grades upon
24 inspection. So I'm not sure that it does expand
25 inspection and discovery.

1 But there's a section of the bill
2 that describes electronic tracking of the trucks
3 and carts. Could the sponsor please explain to
4 me how that's going to work and why that will be
5 valuable?

6 SENATOR PERALTA: This happens in
7 Los Angeles. So basically it's the city gives
8 permission -- the city -- we're giving the city
9 permission to implement rules relative to the
10 geographic location of street vendors. And
11 basically what this means is that they will give
12 the City Department of Health their routes so
13 that they can inspect the food carts.

14 Now, if we don't know or the city
15 doesn't know where the carts are, then they won't
16 be able to inspect them.

17 And this, by the way, has been very
18 successful in Los Angeles.

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

22 SENATOR PERALTA: Yes.

23 ACTING PRESIDENT GRIFFO: The
24 sponsor yields.

25 SENATOR KRUEGER: Could the sponsor

1 just clarify to me the system that will be used
2 to track? So are we going to microchip or put
3 some kind of tracking device on each vehicle? I
4 just don't quite understand.

5 SENATOR PERALTA: No. The answer
6 is no.

7 The city has actually asked for this
8 provision. In fact, the mayor has asked for this
9 provision, the Department of Health has asked for
10 this provision.

11 And this is completely within the
12 purview of the city in how they implement it.
13 They can use the example of what's happening in
14 Los Angeles, or they can use something else, as
15 long as they have a route of where the inspectors
16 can meet the street vendors or the food trucks so
17 they can give them their inspections.

18 So we're not mandating anything.
19 The only thing that we're doing is we're giving
20 the city the opportunity to create a system.

21 SENATOR KRUEGER: Through you,
22 Mr. President, on the bill.

23 ACTING PRESIDENT GRIFFO: Senator
24 Krueger on the bill.

25 SENATOR KRUEGER: I want to thank

1 the sponsor for his answers to my questions.

2 I have to say I've been advised the
3 City Council intends to move their own
4 legislation very soon. And I think this is the
5 type of bill that is more appropriately done at
6 the local level.

7 Having said that, I'm not sure that
8 I actually have opposition to the concept of a
9 grading system for the food carts. I just don't
10 think there's enough meat in this bill to
11 actually accomplish any real change.

12 As the sponsor answered, it will
13 allow consumers to see a letter grade, A, B, C,
14 so to some degree it offers a -- you know, the
15 equivalent of a food review, so to speak. But I
16 don't believe it goes far enough in ensuring that
17 the carts and the trucks on the streets of
18 New York City are in fact licensed at all. I
19 don't think that it offers any penalties if you
20 violate not having the license but you're out on
21 the streets of New York City.

22 I'm concerned that it doesn't seem
23 to include penalties if you are violating food
24 safety standards and also air quality, noise, and
25 overutilization of parking place standards --

1 another complaint in my district, that the trucks
2 set up and they stay there forever, and there
3 might be three or four of them all together
4 staying there forever on a particular block.

5 So I have to say I think there is a
6 problem, that increased regulation and food
7 safety and air quality and environmental
8 standards and licensing actually are important
9 and should be promulgated. I'm just not
10 convinced that this bill will actually get me any
11 of the things that I think we need to have in
12 New York.

13 Having said that, I also understand
14 the way this bill is written it sort of gives a
15 roadmap for the city to then decide what kinds of
16 promulgating rules and regs it might apply, what
17 kind of tracking, I guess geographic, GPS
18 tracking it might do. And perhaps ultimately the
19 City of New York, the City Council, and the
20 Legislature will come up with a plan that
21 actually does make a difference. So I appreciate
22 that the sponsor has some of the similar concerns
23 as I hear from the people of my district.

24 I don't think this bill in its
25 current form is going to get us where we need to

1 go, but I actually don't see it doing harm
2 either. And perhaps the City Council will
3 quickly move a bill that goes further,
4 supersedes.

5 So I don't have a reason for people
6 to vote no, now that I understand what the bill
7 does and doesn't do. I just wish it actually did
8 more than offer a grade.

9 So I'll vote yes, Mr. President.

10 Thank you.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hoylman.

13 SENATOR HOYLMAN: Would the sponsor
14 yield for a few questions?

15 ACTING PRESIDENT GRIFFO: Or as
16 Senator Díaz would say, Holy-man.

17 SENATOR HOYLMAN: Yes. I'm not a
18 holy man. He's the holy man. I'm the Hoylman.

19 (Laughter.)

20 ACTING PRESIDENT GRIFFO: Senator
21 Hoylman on the bill?

22 SENATOR HOYLMAN: No. Would the
23 sponsor yield to a couple of questions?

24 ACTING PRESIDENT GRIFFO: Sponsor,
25 will you yield?

1 SENATOR PERALTA: Yes.

2 ACTING PRESIDENT GRIFFO: Okay.

3 Senator Hoylman.

4 SENATOR HOYLMAN: I only rise
5 because the sponsor mentioned that a report was
6 issued -- what was it, today?

7 SENATOR PERALTA: Yes.

8 SENATOR HOYLMAN: And would the
9 sponsor continue to yield?

10 SENATOR PERALTA: Yes.

11 ACTING PRESIDENT GRIFFO: The
12 sponsor yields.

13 SENATOR HOYLMAN: Through you,
14 Mr. President, you mentioned my district in
15 particular. Could you tell me what your report
16 says? I'm sincerely curious.

17 SENATOR PERALTA: Sure.

18 There are -- so that you're aware,
19 there are three locations in your district that
20 have a score of 39 or higher in terms of health
21 inspection violations. There's one at 115
22 Central Park West, there's one at 101 West 35th
23 Street, another one on 1293 Broadway. And they
24 would have received a letter grade of C if they
25 were to have gotten an actual letter grade.

1 So I mean the idea here is that if
2 they receive a letter grade, and now they receive
3 potentially a letter grade of C or lower, the
4 street vendor would want to improve his or her
5 letter grade, so that way your constituents and
6 all the tourists that pass by your district will
7 be more than happy to purchase food at those
8 street vendors.

9 SENATOR HOYLMAN: On the bill,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hoylman on the bill.

13 SENATOR HOYLMAN: I thank the
14 sponsor for his answers. And I appreciate the
15 fact that a report was done.

16 I would urge us to hit the pause
17 button. I mean, the report was just issued. We
18 need time to digest the results, no pun intended.

19 In terms of which level of
20 government is better suited, I think this is an
21 example of why we have the city, in its wisdom,
22 the City Council, in its wisdom, examine this
23 issue. While there was a report issued just
24 today, we're voting on this bill just today.
25 We've had no hearings. The report has not been

1 shared with the entire Senate -- certainly not me
2 or my office.

3 And I would think that the City
4 Council, which is on the verge of addressing this
5 issue itself, would do a better job.

6 So I would urge the sponsor to
7 consider working in collaboration with our
8 colleagues at the city level. The intentions, of
9 course, I think we all support, but the
10 mechanism -- the way this was rolled out, the
11 fact that we're getting a report the same day
12 that a bill is introduced -- I think is not the
13 most effective way, with all due respect, to
14 legislate New York City's local laws hundreds of
15 miles away here in Albany.

16 ACTING PRESIDENT GRIFFO: Senator
17 Stavisky.

18 SENATOR STAVISKY: On the bill,
19 Mr. President.

20 ACTING PRESIDENT GRIFFO: Senator
21 Stavisky on the bill.

22 SENATOR STAVISKY: Yeah, I just
23 want to point out the fact that the City Council
24 reported the bill out of committee today and it's
25 on the calendar tomorrow at their stated meeting.

1 So the City Council is going to act very promptly
2 on this legislation.

3 Secondly, I haven't heard any reason
4 why the City Council bill is preferable to this
5 bill {sic}. And I think it's going to be a lot
6 easier -- if there are going to be changes made
7 to the local law passed by the City Council, it's
8 going to be a lot easier to change it than to get
9 a chapter and change it up here.

10 There is no home rule message from
11 the city on this legislation. And I'm inclined
12 to vote against it for these reasons, that the
13 City Council is taking care of the problem. We
14 have other things that are perhaps even more
15 important that affect our state.

16 Thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 Comrie.

19 SENATOR COMRIE: On the bill.

20 ACTING PRESIDENT GRIFFO: Senator
21 Comrie on the bill.

22 SENATOR COMRIE: Mr. President, I'm
23 very concerned about this bill because it would
24 create an opportunity to make even more --
25 legitimize these food vendors that are becoming a

1 scourge in many parts of the city. They line up
2 next to businesses and stay there all day and
3 actually take away business from people that are
4 paying taxes, that are employing people, that are
5 legitimately trying to make a small business work
6 in the city.

7 I'm afraid that this bill will not
8 address any of those issues but will legitimize
9 vendors that should not be located in these
10 places. We had many hearings when I was in the
11 City Council about the fact that these vendors
12 put themselves anywhere they want to be in the
13 city, and it has not been addressed by any part
14 of government as of yet.

15 I'm concerned that this bill would
16 also continue to create opportunities for these
17 vendors to just be anywhere that they would like
18 to be in the city, hurting supermarkets, hurting
19 people that are paying their fair share and also
20 providing jobs in the city that can be accounted
21 for, that can be tallied, and that can be -- that
22 people can relate to.

23 While the food vendors are a
24 cultural icon and some of them do well, some of
25 them are even famous in what they do, there are

1 far too many of them that put themselves in
2 places that are hurting legitimate businesses.

3 So I'm very concerned about this
4 bill. The City Council is voting on it tomorrow.
5 I hope that they do the things necessary to
6 ensure that these vendors are located in places
7 that are not hurting small businesses in the
8 city.

9 I'll be voting no on this bill,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Thank
12 you, Senator Comrie.

13 Senator Peralta.

14 SENATOR PERALTA: Thank you,
15 Mr. President. On the bill.

16 ACTING PRESIDENT GRIFFO: Senator
17 Peralta on the bill.

18 SENATOR PERALTA: I respect all of
19 the concerns that are being brought up.

20 And I do know that the City Council
21 is trying to introduce or trying to pass
22 something tomorrow. I've been working on this
23 bill now for five years with the City of
24 New York.

25 And unfortunately, with the city's

1 bill for tomorrow, it doesn't address the whole
2 issue of routes. And the Councilwoman Koslowitz
3 bill does not give the authority to the
4 Department of Health to find a street vendor so
5 that they can get the letter grade. And that's
6 why the City Department of Health has worked with
7 us on this piece of legislation.

8 So that's why the mayor is
9 supportive, that's why the City Department of
10 Health is supportive, because it's taken so long
11 for this to move in the city. And not to mention
12 that this particular bill tomorrow does not allow
13 the City Health Department to find out the routes
14 of the vendors.

15 So with that, I also appreciate some
16 of the concerns that were mentioned and also want
17 to say that there were some of the members who
18 have concerns who were actually on the bill
19 previously. So I appreciate their support in
20 years past.

21 Thank you.

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

25 The Secretary will ring the bell.

1 Senator DeFrancisco.

2 May I have some order, please.

3 SENATOR DeFRANCISCO: If anyone is
4 within the hearing of my voice and they're not in
5 chambers, please have the courtesy to come down
6 so that we can vote on this bill and continue to
7 do some work. We're going to wait about 30 more
8 seconds.

9 Thank you.

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

12 THE SECRETARY: Section 2. This
13 act shall take effect one year after it shall
14 have become a law.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 441, those recorded in the negative are
22 Senators Comrie, DeFrancisco, Murphy, O'Mara and
23 Tedisco.

24 Ayes, 57. Nays, 5.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, could we
4 return to motions and resolutions, please.

5 ACTING PRESIDENT GRIFFO: We will
6 return to motions and resolutions.

7 SENATOR DeFRANCISCO: On page 19 I
8 offer the following amendments to Calendar 394,
9 Senate Print 3651, by Senator Felder, and ask
10 that said bill retain its place on the Third
11 Reading Calendar.

12 ACTING PRESIDENT GRIFFO: The
13 amendments are received, and the bill shall
14 retain its place on third reading.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO:
17 Mr. President, could you please lay aside the
18 balance of the bills that are on the calendar for
19 the day.

20 ACTING PRESIDENT GRIFFO: The
21 balance of the bills that were on the
22 controversial reading of the active list have
23 been laid aside for the day.

24 SENATOR DeFRANCISCO: Is there any
25 further business at the desk?

1 ACTING PRESIDENT GRIFFO: Senator
2 DeFrancisco.

3 SENATOR DeFRANCISCO: Is there any
4 further business at the desk?

5 ACTING PRESIDENT GRIFFO: There is
6 no further business currently at the desk.

7 SENATOR DeFRANCISCO: I think he
8 ran out, but it's Senator Ortt's birthday today.
9 You can clap for him when you see him next.

10 (Applause.)

11 ACTING PRESIDENT GRIFFO: We
12 extend our best wishes to Senator Ortt on his
13 birthday.

14 SENATOR DeFRANCISCO: And it's not
15 my birthday.

16 All right, no further business
17 before the Senate?

18 ACTING PRESIDENT GRIFFO: At your
19 age you don't want any more birthdays, right,
20 Senator DeFrancisco?

21 (Reaction from floor.)

22 SENATOR DeFRANCISCO: Oh, I don't
23 know.

24 ACTING PRESIDENT GRIFFO: He's a
25 very spry young man.

1 SENATOR DeFRANCISCO: I understand
2 that there's no further business at the desk.

3 ACTING PRESIDENT GRIFFO: There is
4 no further business before the desk.

5 SENATOR DeFRANCISCO: In that case,
6 I move to adjourn until Wednesday, May 24th, at
7 11:00 a.m.

8 ACTING PRESIDENT GRIFFO: On
9 motion, the Senate will stand adjourned until
10 Wednesday, May 24th, at 11:00 a.m.

11 The Senate is adjourned.

12 (Whereupon, at 5:26 p.m., the Senate
13 adjourned.)

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