NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 6, 2017

3:35 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by the Reverend Thomas Boyd, who is senior pastor of Massapequa Park Church of the Nazarene in Massapequa Park.

REVEREND BOYD: It's a pleasure to be here.

Hey, there was a farmer out in the field and he noticed a county truck coming down the road, and he stopped to watch him. And as he watched, the first man got out and dug a hole. A little time went by, another man got out and filled the hole in. The farmer watched this. They went down the road a little ways, the same process was repeated.

He ran over to the truck and says, "Guys, what are you doing? Why is one of you digging a hole and the other one filling the

hole in?" And he said, "Well, the guy that plants the trees isn't here today."

It's a joke, guys.

(Laughter.)

REVEREND BOYD: In any endeavor in life, if we leave God out of the scenario, it's like forgetting to plant the tree in the first place.

So in Timothy, Paul wrote to Timothy and he said this: Pray for your leaders and those that are in government taking care of you. And he said, If you pray for them, you'll live in peace and your land will live in peace.

Now, understand, Nero was the emperor at the time. They were under Roman occupation. And he told them to pray for their leaders.

Our churches pray for you all -- not necessarily by name, but certainly by the job you do. We pray for our national government, local government and state government. So you are all prayed for on a regular basis.

And let's pray right now. Heavenly Father, we do come into Your presence. We lift

You up, Lord, and thank You for the opportunity to serve in this capacity.

And Father, I just pray for everything that's done, all the business that's taking place here today, Lord, that You will be in the center of it, that we will truly, Lord, do everything that we do for the well-being of the State of New York, for the well-being of our people and, Lord, to do the best that we can do.

Lord, bless each Senator here and bless each person, Lord, involved in this. We ask this in the Lord's name, amen.

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 5th, the Senate met pursuant to adjournment. The Journal of Sunday, June 4th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 31, Senator Bonacic moves to discharge, from the Committee on Judiciary, Assembly Bill Number 6048 and substitute it for the identical Senate Bill 4869, Third Reading Calendar 631.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 58, Senator Boyle moves to discharge, from the Committee on Codes, Assembly Bill Number 2806 and substitute it for the identical Senate Bill 611, Third Reading Calendar 1016.

On page 61, Senator DeFrancisco moves to discharge, from the Committee on Rules, Assembly Bill Number 5950A and substitute it for the identical Senate Bill 2411A, Third Reading Calendar 1061.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, on page 14 I offer the following amendments to Calendar Number 299, Senate Print 2482B, by Senator LaValle, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: On page 42, I offer the following amendments to Calendar Number 790, Senate Print Number 4724, by Senator Akshar, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill will retain its place on third reading.

SENATOR DeFRANCISCO: On page number 61, I offer the following amendments to Calendar Number 1052, Senate Print 4120, by Senator Akshar, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill shall

retain its place on third reading.

SENATOR DeFRANCISCO: On page 61, I offer the following amendments to Calendar Number 1060, Senate Print Number 2083, and ask that said bill retain its place on the Third Reading Calendar. It's a Senator O'Mara bill.

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

SENATOR DeFRANCISCO: I wish to call up Senator Croci's bill, Print 946, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 50, by Senator Croci, Senate Print 946, an act to amend the Civil Service Law.

SENATOR DeFRANCISCO: I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

SENATOR DeFRANCISCO: I now offer

the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I wish to call up Senator Ritchie's bill, Print Number 2119, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 696, by Senator Ritchie, Senate Print 2119, an act to amend the Vehicle and Traffic Law.

SENATOR DeFRANCISCO: I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I wish to call up Senator Phillips' bill, Print Number

5843, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 851, by Senator Phillips, Senate Print 5843, an act to amend the Highway Law.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please call on Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Klein, on

page 45 I offer the following amendments to Calendar 830, Senate Bill 2724A, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR VALESKY: Also on behalf of Senator Klein, on page 89 I offer the following amendments to Calendar 1324, Senate Bill 6369, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now adopt the Resolution Calendar, with the exception of Resolutions 2422, 2465, 2493, 2496, and 2574.

ACTING PRESIDENT GRIFFO: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 2422, 2465, 2493, 2496 and 2574, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now take up Resolution 2422, by Senator Akshar, read the title only, and call on Senator Akshar to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2422, by Senator Akshar, commemorating Sock Out Cancer Day in conjunction with the observance of National Cancer Survivors Day.

ACTING PRESIDENT GRIFFO: Senator Akshar, before you begin, can I get a little quiet in the house, please.

Senator Akshar.

SENATOR AKSHAR: Mr. President, thank you for your indulgence.

Today is a pretty cool day for me and for Assemblywoman Donna Lupardo over in the other house. We're both trying to spread

awareness and support the many families that are affected by cancer on Sock Out Cancer Day in the State of New York.

Each year on June 4th we recognize National Cancer Survivor Day, which is a celebration of life that takes place around the world. National Cancer Survivors Day as well as Sock Out Cancer Day recognizes the emotional, mental and financial burden that is put on families and friends who are touched by cancer.

So Sock Out Cancer is a fundraiser first envisioned by Chairman, president and CEO of Security Mutual Life Insurance Company of New York, which is located in Binghamton, by Bruce Boyea and his loving wife Cheryl Boyea. And this initiative is a way for people to show their love and support by purchasing these multicolored socks that represent the many forms of cancer diagnoses.

I am essentially today bringing this to the forefront, and I want to challenge all of my colleagues to embark on the same thing that we have done in the Southern Tier and in Binghamton. So each of you were given a pair of multicolored socks -- I give my esteemed colleague Jamaal

Bailey a big shout-out for stopping by this afternoon and helping us spread awareness. I appreciate that, Jamaal, as always, Senator Bailey.

So I'm challenging each of you to please visit the website, SockOutCancer.org, to learn more about this. And if your staff is taking pictures of you in your multicolored socks, use the hashtag #SockOutCancer to help us spread awareness.

So again, please help us spread as much awareness to this particular issue as we can by visiting the website. I thank everybody for your support. And Mr. President, thank you for your indulgence.

ACTING PRESIDENT GRIFFO: Thank you, Senator Akshar.

The question is on the resolution. All in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Akshar has opened the

resolution for cosponsorship. If you would like to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now take up Resolution 2496, by Senator Carlucci, read the title only, and call on Senator Carlucci to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2496, by Senator Carlucci, memorializing Governor Andrew M. Cuomo to proclaim June 7, 2017, as Running Day in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

Tomorrow is the first Wednesday in June, and that is National Running Day. And it was started in 2009. And since then, now it's become Global Running Day. In fact, tomorrow, over 169 countries will participate in Global Running Day. And we are, through this resolution, proclaiming June 7th as Running Day

in the State of New York.

So it's become a tradition here in the Capitol where we meet right outside the Capitol, between the Capitol and the Legislative Office Building, at 6 p.m. tomorrow, and we're going to do a fun run. So I'm asking everybody in the chamber to please join us. You know, get your running shoes out tonight. That's why we wanted to do it today so we give you some time to prepare.

But it's going to be a nice little fun run around the plaza, really to get together, to build some camaraderie. Over two and a half million people across the world will be participating in this Global Running Day. So we're looking forward to that, wanted to invite everybody to participate. We have a resolution passing in the Assembly as well.

And our fun run around the Capitol is getting bigger and bigger every year, so we look forward to everybody participating.

Thank you, Mr. President.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Carlucci has opened up the resolution for cosponsorship. If you would like to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up Resolution 2465, by Senator Rivera, read it in its entirety, and call on Senator Rivera to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2465, by Senator Rivera, paying tribute to the life and community service of Francis "Al" Chapman, chair of the board of directors at the Kingsbridge Heights Neighborhood Improvement Association, who passed away on Saturday, February 18, 2017.

"WHEREAS, Citizens across our state and nation continue to be inspired by the efforts of individuals who exhibit a strong commitment in

advocating for the communities they care for; and

"WHEREAS, Francis 'Al' Chapman was a dedicated community leader who spent more than 30 years devoted to helping the Kingsbridge Heights neighborhood in the Bronx; and

"WHEREAS, Francis 'Al' Chapman emerged as a community leader in the mid-1980s and became an advocate in his community; and

"WHEREAS, Francis 'Al' Chapman went beyond this kind of public work and became the chair of the board of directors of the Kingsbridge Heights Neighborhood Improvement Association, a non-for-profit organization dedicated to organizing neighborhood residents to improve the community; and

"WHEREAS, Francis 'Al' Chapman, as the chair of the board of the Kingsbridge Heights Neighborhood Improvement Association, spent many years being a good steward by ensuring that the organization and the community it aimed to serve had the necessary tools to thrive; and

"WHEREAS, Francis 'Al' Chapman is survived by his loving family and his larger Kingsbridge Heights Neighborhood Improvement Association family, as well as by community

members from the Kingsbridge Heights neighborhood who will long cherish his memory; and

"WHEREAS, Throughout his meritorious life, Francis 'Al' Chapman touched the lives of many through his kindness and commitment to service; and

"WHEREAS, It is the sense of this Legislative Body to convey its grateful appreciation and heartfelt regret in recognition of a community leader who dedicated his purposeful life and career in faithful service to his Bronx community; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to pay tribute to the life and selfless community service of Francis 'Al' Chapman, who sadly passed away on Saturday, February 18, 2017; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the colleagues of Francis 'Al' Chapman from the Kingsbridge Heights Neighborhood Improvement Association."

ACTING PRESIDENT GRIFFO: Senator Rivera.

SENATOR RIVERA: Thank you,

Mr. President.

Many times on this floor many of us from the Bronx have stood up to talk about the tough times the Bronx has gone through over its history, how it has been, in the last couple of years, been renovated, been renewed. The fact is that there's many individuals who were there during the tough times and remained in the Bronx during the tough times. And in the toughest of times, instead of leaving, they took it upon themselves to organize their communities and to do something to make sure that the place that they lived was somewhere -- that they were already proud of could be somewhere that other people would want to move to.

One such individual is Mr. Al Chapman, who sadly, as you heard, is no longer with us. Now, I've been in the Senate for seven years. This is my seventh year in the Senate. I was elected in 2010. But I remember Al as a friend, as a neighbor, and as a community leader. Kingsbridge Heights is the neighborhood that I live in to this day.

We are joined by a few of his very good friends and my neighbors as well. If you

could please stand. We are joined by both Liz Thompson as well as Ms. Gardenia Slade. These two fine ladies are part of the Kingsbridge Heights Neighborhood Improvement Association and, along with Al, for many years have fought to make sure that the Bronx is a place that we can all be proud of and that we can live in.

Al is -- when I'm thinking about the fact that I've mentioned many times on this floor that I live in a rent-stabilized apartment myself -- I am a tenant, and that is why I fight for tenants' rights. If it was not for rent stabilization, I would not be able to live in the city, much less thrive.

And the fact is that the leadership of people like Al made sure that we have the laws that we have today to protect tenants. Certainly we have much to do to make sure that we protect them more. But if it wasn't for folks that sacrificed like Al, the fact is that people like myself would not have been able to live in the city. The families that I represent probably would not have been able to stay in the city.

And so I stand today, Mr. President, to honor a man who I remember as a tall, elegant

fixture in the neighborhood that I have been calling my home for the last 17 years. I was very shocked to hear of his passing. And I was actually up here in Albany when his funeral happened a few months ago, and so I thought that the very least that I could do was go on the floor, Mr. President, and on the record talk about his great accomplishments -- most importantly, how I wish to emulate him. He was a community leader who never moved from the neighborhood that he helped to change, and hopefully we can take something from that.

So I salute the great leaders of the community that are here to join us to honor his memory, and I salute his family. He leaves behind his loving children, Tommy and Raymond, who could not be with us this afternoon.

But again, I remember him as this tall, elegant man with a slow smile, that always had something to say when he would come into a meeting. And he would always pull me to the side about the next project that he was working on or things that I could be helpful with to the community.

So Al, wherever you are, thank you

for being a leader to us. Thank you for being an example for us. You are sorely missed, sir.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Rivera.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Rivera has opened the resolution up for cosponsorship. If you would like to be a cosponsor, please notify the desk.

And we extended our condolences to the family as well as to the members of the community here today.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now take up Resolution Number 2574, by Senator Peralta, read the title only, and then please call on Senator Peralta.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2574, by Senator Peralta, welcoming the students and faculty of the Lexington School for the Deaf/Center for the Deaf as they visit Albany, New York, on June 6, 2017.

ACTING PRESIDENT GRIFFO: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

I want to welcome the students and faculty of the Lexington School for the Deaf as they visit our state's Capitol. I want to welcome them to Albany. It's an honor to have you here with all of us this afternoon.

The Lexington School for the Deaf has been serving the deaf and hard-of-hearing in New York since 1864. What began as a class of six children back then soon became a well-known school on Lexington Avenue in Manhattan. After many years of expansion and increasing enrollment, the school moved into Jackson Heights in 1968.

It is a privilege to have the school in my district. Currently the Lexington School for the Deaf is the largest school for the deaf

in the entire state. Students live throughout the five boroughs of New York City. The school offers a strong academic program, and it also offers a broad range of physical and cultural education, including its highly regarded basketball team.

The Lexington School for the Deaf ensures the mastery of expressive and receptive communication skills by individuals at every point along the spectrum of deaf and hard-of-hearing, and it is a leading advocate for the deaf and hard-of-hearing communities.

After establishing several affiliates, the Lexington School became the Lexington School for the Deaf/Center for the Deaf in the 1980s. A decade later, the educational institution developed a new approach to teaching, becoming the first mediated learning and educational model in a school for the deaf, which earned it a federal designation of a Most Effective Practices School.

The school provides education and services to over 2500 students year after year, educating students and young adults ages 0 through 21. The school includes the Lexington

Center for Mental Health services, the Lexington Vocational Services Center, and the Lexington Hearing and Speech Center.

Again, I want to thank you for coming up today and I want to thank you for being here. And I know that you have a basketball game today. I would ask you to please take it easy on the State Legislature. Year after year, you guys beat them, and I don't want them to feel bad this year again.

But I thank you for your commitment and your work throughout the years. Thank you for being in my district, and it's a pleasure to represent you.

Please help me welcome the Lexington School for the Deaf.

(Applause.)

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

One second, please. Let us call the question on the resolution first.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Peralta has opened the resolution for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

I believe Senator Gallivan would like to say something. Senator Gallivan.

SENATOR GALLIVAN: Thank you, Mr. President.

Just one point of correction. I too welcome these athletes and friends from Lexington, look forward to seeing them tonight on the court.

Senator Peralta, though, last year we won.

Thank you, Mr. President.

(Laughter; reaction from floor.)

ACTING PRESIDENT GRIFFO: We at this time would like to extend a warm welcome, and we extend the privileges of the Senate to all of the students and faculty who may be here from the Lexington School for the Deaf.

Congratulations, good luck tonight, and good luck in life.

Please stand and be recognized.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator Peralta, do you have an additional comment?

SENATOR PERALTA: Yes. I just want to tell the school -- I want to tell all the players tonight, that was a challenge.

(Laughter.)

SENATOR PERALTA: That was a challenge. So forget what I said earlier: Don't take it easy on them.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now take up Senate Resolution 2493, by Senator Hoylman, title only, and call on Senator Hoylman.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2493, by Senator Hoylman, commemorating the 48th Annual LGBT Pride March in New York City on June 25, 2017, an extraordinary event honoring and celebrating the LGBT community.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise to speak on the resolution commemorating the 48th Annual Pride March in New York City in my district, which will take place on Sunday, June 25th.

You know, it's called the Pride March because it originally began so many years ago as a protest. LGBT folks, a lot of transgender individuals, gays and lesbians of all ages were protesting the treatment by the police at the Stonewall Inn, a historic event that this chamber has recognized.

You know, it's said that if Halloween is gay Christmas and the Oscars is gay Super Bowl, then Pride is the gay Fourth of July. Because there are picnics and fireworks, a lot of imbibing, and it's all about freedom. It's about freedom for a community that, let's face it, for decades had not been recognized as equals.

I'm proud to say that in this chamber many of my colleagues voted for marriage equality in 2011. That was an enormous step

forward for LGBT people, including my family and my daughter. But we have so much more work to do, and that's part of what the Pride March is about on June 25th.

Every float you see will either be dedicated to a charitable organization, some sort of philanthropy, some sort of noble cause, and then you'll see a bunch of men wearing string bikinis and in glitter. But that's the beautiful thing of our community, that it welcomes everyone to say who they are and to recognize each other for what they are.

And, you know, this month, June, is Pride not just in New York City but across the entire state. Senator Kennedy celebrated Pride last week in Buffalo. I think he was fully clothed, but nevertheless he joined my sisters and brothers in the LGBT movement to recognize that great event.

And you know, I want to close by saying this. I recognize that there's great support in our Legislature for the LGBT people, but we can do more. I've said it here on the floor before, and I think I need to say it again. Since 2011, since we did that terrific move of

recognizing marriage equality, the first state in the nation to do so legislatively, we haven't passed a single LGBT-specific piece of legislation on this floor. And that, I think, is something we should all be sorrowful for.

There's so many bills -- whether it be Senator Squadron's legislation to bring transgender people into the fold of humanity in New York, or making certain that we ban the practice of gay conversion therapy, or ensuring that gay kids, you know, aren't subject to discrimination in their schools, there's more work to be done.

And that's what Pride's about. So I hope you'll join me in celebrating the accomplishments that we've made as a Legislature, as New Yorkers, as a community on June 25th. I welcome everyone to come to Pride and feel free to stare.

(Laughter.)

SENATOR HOYLMAN: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman, we really appreciate that depiction of Senator Kennedy's wardrobe, too.

(Laughter.)

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please take up previously adopted Resolution 917, by Senator Kennedy, read the title only, and call on Senator Kennedy to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 917, by Senator Kennedy, celebrating the 100th Anniversary of the Colored Musicians Club of Buffalo, New York.

ACTING PRESIDENT GRIFFO: Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

With June marking African-American Music Appreciation Month, I rise today to honor the 100th anniversary of the Colored Musicians Club of Buffalo.

Since February 3, 1917, the Colored Musicians Association of Buffalo, Musicians Local 533, has been treating the people of Western New York to world-class jazz music. Local 533 wasn't their first choice, however. They initially tried to join the all-white Local 43, but back in the dark days of segregation, they were barred entry.

Prevented from joining the existing local, they instead made Buffalo the eighth American city to have a Colored Musicians Union in the American Federation of Musicians.

In 1934, they found their permanent home at 145 Broadway in Buffalo. They remain there today, in the historic building which now houses a museum and a performance space. Many of the giants of the jazz world played there -- Dizzy Gillespie, Count Basie, Duke Ellington, Billie Holiday, Ella Fitzgerald, and many more.

All took the time to pay a visit to 145 Broadway when they were in town.

In 1941, they threw off any association with Local 43 and became a fully and independently chartered local within the American Federation of Musicians. This American Federation of Musicians group desegregated in 1965 and, four years later, the two locals merged in 1969, becoming Local 92, as they remain today.

Under the leadership of their current president, George Scott, the club continues to thrive. The club not only serves as a home to Local 92, it's also a gathering space for the community. From celebrations to community meetings, it's become a place for everyone to come together.

This July they will be hosting a six-day festival to celebrate a century of jazz in the City of Buffalo.

With that, I want to take the opportunity to thank the Colored Musicians Club for enriching the culture of Buffalo and Western New York and this great state, wish them another successful hundred years of music, and welcome all to come celebrate with us on this festive

occasion.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Thank you, Senator Kennedy.

The resolution was adopted on March 7th of 2017.

Senator Kennedy has opened up the resolution for cosponsorship. If you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now please call on Senator Brooks to reintroduce Reverend Thomas Boyd.

ACTING PRESIDENT GRIFFO: Senator Brooks.

SENATOR BROOKS: Thank you, Mr. President.

Today I have the privilege of welcoming a staple of the Massapequa Park community to our great chamber. Reverend Thomas Boyd has served as the pastor of Massapequa Park Church of the Nazarene since 1993, nearly a quarter of a century. During that time he has made a great and incredible impact on his parish

and his community.

Pastor Boyd recently gave a sermon titled "Ways Not to Worry." In it he said, "Worrying negatively affects the entire being -- body, mind and soul. It does not accomplish anything good." And then he proposed a solution: "Keep yourself busy and active. If you don't have enough things to do, volunteer. You'll be too busy with productive activity in the day, you'll be too tired at night to worry." Hopefully, tonight none of us will worry.

Mr. President, I am so pleased to welcome Reverend Boyd and his wife Jane to this chamber today, and ask that you extend the courtesies of the chamber to them.

Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Brooks.

We welcome Reverend Boyd and his wife Jane to the chamber today. We thank you for your prayer today, Reverend. We thank you for your spiritual guidance. And we're praying for the gift of humor for you.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator

DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up the reading of the noncontroversial calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 192, by Senator Larkin, Senate Print 2391, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 235, by Senator Ranzenhofer, Senate Print 3878, an act to amend the Real Property Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 313, by Senator Funke, Senate Print 1445, an act to amend the Election Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 345, by Senator Marchione, Senate Print 4068, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 353, by Senator Funke, Senate Print 4084A, an act to amend the Parks, Recreation and Historic Preservation Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the

bill aside.

THE SECRETARY: Calendar Number 372, by Senator LaValle, Senate Print 3005, an act to amend the Education Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 390, by Senator Peralta, Senate Print 478B, an act to amend the Administrative Code of the City of New York.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 404, by Senator Lanza, Senate Print 4407B, an act to amend the Domestic Relations Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 455, by Senator Gallivan, Senate Print 2516, an act to amend the General Municipal Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 461, by Senator Carlucci, Senate Print 4723A, an act to amend the Town Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 519, by Senator Griffo, Senate Print 3375, an act to amend the Labor Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 618, by Senator Ranzenhofer, Senate Print 3143, an act to amend the Public Authorities Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the

bill aside.

THE SECRETARY: Calendar Number 631, substituted earlier by Member of the Assembly Zebrowski, Assembly Print 6048, an act to amend the Civil Practice Law and Rules.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 634, by Senator Funke, Senate Print 4375, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 656, by Senator Savino, Senate Print 3861, an act to amend the Penal Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 724, by Senator Avella, Senate Print 1931, an act to authorize.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 774, by Senator Murphy, Senate Print 299, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 791, by Senator DeFrancisco, Senate Print 5007, an act in relation to authorizing.

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

SENATOR DeFRANCISCO: Lay it aside for the day, please.

ACTING PRESIDENT GRIFFO: The bill

is laid aside for the day.

THE SECRETARY: Calendar Number 879, by Senator Ortt, Senate Print 909A, an act to amend the Navigation Law.

SENATOR GIANARIS: Lay it aside, please.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 929, by Senator Marchione, Senate Print 177B, an act to amend the Agriculture and Markets Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 933, by Senator Marcellino, Senate Print 1137, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1.

Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 934, by Senator Ritchie, Senate Print 1432, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 935, by Senator Tedisco, Senate Print 1712, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 936, by Senator Tedisco, Senate Print 2501, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 937, by Senator Gallivan, Senate Print 2937, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1.

Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 940, by Senator Gallivan, Senate Print 5515, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 941, by Senator Boyle, Senate Print 5599, an act to amend the Agriculture and Markets Law.

SENATOR GIANARIS: Lay it aside, please.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 950, by Senator Alcantara, Senate Print 5500C, an

act to amend the Mental Hygiene Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 990, by Senator Helming, Senate Print 3030, an act to amend the Correction Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1015, by Senator Boyle, Senate Print 594, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1016, substituted earlier by Member of the Assembly Lavine, Assembly Print 2806, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1060 will be laid aside on its own because it's high and it will be amended. So we'll proceed with Calendar Number 1061.

THE SECRETARY: Calendar Number 1061, substituted earlier by Member of the Assembly Lavine, Assembly Print 5950A, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number

1067, by Senator Gallivan, Senate Print 4770A, an act to amend the Correction Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1068, by Senator Lanza, Senate Print 5016, an act to amend the Executive Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1122, by Senator Valesky, Senate Print 6118, an act in relation to removing.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1184, by Senator Little, Senate Print 2644, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1185, by Senator Seward, Senate Print 2964, an

act to amend Chapter 333 of the Laws of 2006.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1186, by Senator Seward, Senate Print 2968A, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1187, by Senator Seward, Senate Print 2969, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1188, by Senator O'Mara, Senate Print 3784, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1189, by Senator O'Mara, Senate Print 3844, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1191, by Senator Amedore, Senate Print 3928, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1193, by Senator Akshar, Senate Print 4088, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1194, by Senator Akshar, Senate Print 4089, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay the bill aside.

THE SECRETARY: Calendar Number 1195, by Senator Seward, Senate Print 4255, an act to amend Chapter 443 of the Laws of 2007.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1230, by Senator Valesky, Senate Print 5598, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1231, by Senator Ortt, Senate Print 5656, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1232, by Senator Ortt, Senate Print 5657, an act to amend the Tax Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1306, by Senator Golden, Senate Print 883A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1364, by Senator Murphy, Senate Print 302, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1374, by Senator Carlucci, Senate Print 716, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 12. This act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1389, by Senator Valesky, Senate Print 1237, an act to amend the State Administrative Procedure Act.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1398, by Senator Avella, Senate Print 1518A, an act authorizing.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1435, by Senator Parker, Senate Print 2847.

SENATOR DeFRANCISCO: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1436, by Senator Young, Senate Print 2900, an act to amend the Agriculture and Markets Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1449, by Senator Breslin, Senate Print 3527, an act to amend the Highway Law.

SENATOR DeFRANCISCO: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1451, by Senator Tedisco, Senate Print 3576, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1460, by Senator Krueger, Senate Print 4000, an act --

SENATOR DeFRANCISCO: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 1495, by Senator Ortt, Senate Print 5938A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1505, by Senator Marchione, Senate Print 6565, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

Senator DeFrancisco, that concludes the noncontroversial reading of today's active list of June 6th.

SENATOR DeFRANCISCO: Could we please take up the controversial reading.

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

The Secretary will read Calendar Number 235.

THE SECRETARY: Calendar Number 235, by Senator Ranzenhofer, Senate Print 3878, an act to amend the Real Property Tax Law.

SENATOR GIANARIS: Explanation.

ACTING PRESIDENT GRIFFO: An explanation has been requested, Senator Ranzenhofer, from Senator Gianaris.

SENATOR RANZENHOFER: Yeah, this allows municipalities to institute a property tax exemption on the increased assessment associated with the repair and redevelopment of certain

dilapidated residential properties to the extent that the assessment would appreciate as a result of the repair and redevelopment.

SENATOR GIANARIS: If the sponsor would yield for a question.

SENATOR RANZENHOFER: Yes.

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer, do you yield?

SENATOR RANZENHOFER: Yes, I do.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR GIANARIS: Mr. President, can the sponsor explain whether this is a policy that exists for any municipality currently?

SENATOR RANZENHOFER: No, this would be a new bill which would allow municipalities to offer this. The purpose is to try to help municipalities which have areas which are rundown, dilapidated. Very often right now people and entities do not improve their properties, and this would be incentive for them to do so.

SENATOR GIANARIS: Okay, if the sponsor would continue to yield.

SENATOR RANZENHOFER: Yes, I will.

SENATOR GIANARIS: Mr. President, would the sponsor -- just to clarify, because it's my understanding that there may be a municipality in the state that currently has a policy like this in place that this bill is attempting to expand statewide, is that not correct?

SENATOR RANZENHOFER: Well, there are many different policies. This particular one was passed I think unanimously in this chamber a number of years ago with the City of Batavia. It was actually very, very successful in that city. And because it was so successful, there are other areas that would like to expand this because it worked so well in those areas.

SENATOR GIANARIS: Thank you. That was my question, Senator Ranzenhofer.

On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Gianaris on the bill.

SENATOR GIANARIS: I thank the sponsor. I just wanted some clarification to know how this was working in the one city where it was already in place. And I think Senator Ranzenhofer made clear that in the City of

Batavia, this has been deemed a success. So I'm happy to be voting in favor of this bill and support its passage.

Thank you.

ACTING PRESIDENT GRIFFO: Hearing and seeing no other Senator that wishes to be heard, debate is closed.

The Secretary -- excuse me. Senator Rivera.

SENATOR RIVERA: If the sponsor would yield for a few questions.

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer, do you yield? Senator Rivera has requested the opportunity to ask a couple of questions.

SENATOR RANZENHOFER: Yes.

SENATOR RIVERA: Thank you, Mr. President. Just a couple of things jumped into my mind when I heard the brief debate.

Through you, Mr. President, could you tell me a little bit about the City of Batavia and this particular program and why you believe it was successful?

SENATOR RANZENHOFER: Yes. Through you, Mr. Chairman, what would you like to know

about the City of Batavia?

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RANZENHOFER: Yes.

SENATOR RIVERA: Particularly, Mr. President -- through you -- I'd like to know the condition of -- the reason why this particular program was necessary. I mean, if I understand it correctly, based on what was said earlier, it's to blighted properties when there's blighted properties in a particular town or city. I'd want to know what the condition was before this program was established in the City of Batavia.

SENATOR RANZENHOFER: Yeah, one of the things that was happening in the City of Batavia -- which was not unique to the City of Batavia -- is that there were many people in the city who really didn't have the incentive to improve the properties. So when multiple homeowners are not improving the property, it creates an area of the city where it gets

rundown, people don't want to improve their homes.

So actually what happened a couple of years ago is the city manager came to me, Jason Molino, and he had this idea. He said, Why don't we provide this type of incentive? It's a win/win situation. It allows residents to improve their property and they don't have to worry that once they improve their property, the assessor is going to come in and automatically increase their taxes. Because then people would say, Well, you know, why am I going to put all this money into my property, my taxes are going to go up.

So the reason why the program was developed and why this Legislature passed this bill is because they thought it would be good for the City of Batavia to improve its community collectively and that the community would be better, because people were improving their homes. It would be good for the individual homeowner, because they would be able to improve their property. And that's -- you know, if that's not expensive enough, they wouldn't have the added concern that as soon as they improved

their property that their taxes were going to go up.

So again, this was good for the homeowner and it was good for the community. And that was the scenario that was going on in the City of Batavia, not unlike many other municipalities -- cities, towns, villages -- all across our great state.

So what happened is after it worked in Batavia and it was successful in Batavia, other communities wanted to do this. They had reached out to me. So we put in a bill that would allow other communities to take advantage of the same benefits that we tried -- you know, it wasn't officially a pilot program, but that worked so well in that city.

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

SENATOR RANZENHOFER: I will continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: Thank you, Mr. President.

Just for my edification, what county is the Town of Batavia in?

SENATOR RANZENHOFER: It is in the County of Genesee, located between the County of Erie, which is the Buffalo area, and the County of Monroe, which is the Rochester area.

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

ACTING PRESIDENT GRIFFO: Is that a good geography lesson for you, Senator Rivera?

SENATOR RIVERA: I take every opportunity that I can, Mr. President, to learn about our beautiful state, particularly about areas of the state that I'm not that familiar with.

But through you, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Will the sponsor yield?

SENATOR RANZENHOFER: I would be happy to continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: Thank you,

Mr. President.

I was wondering if the sponsor -- if this exchange reminds him of anything. But I'm not -- I'm not going to go down that road.

SENATOR RANZENHOFER: I was wondering if the good Senator was going to ask me about yogurt again.

(Laughter.)

SENATOR RIVERA: Through you, Mr. President, I have -- at this particular moment, Mr. President, I do not -- while I might indeed enjoy a snack -- the official state snack of the State of New York, by the way -- I will not talk about it on the floor.

But again through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: The Senator has yielded. You may ask the question.

SENATOR RIVERA: Thank you, Mr. President.

So the type of impact that it had, so I understand it, they came to you -- well, through you, Mr. President, they came to the sponsor, described the situation of their homes

that might be blighted, they were concerned about the potential tax impact if they put some money into making these properties -- into renovating these properties, so this would allow for them to make sure that they would not be hit with that particular tax burden.

And could you tell me a little bit about the ultimate result of it, what the -- how many -- through you, Mr. President, how many properties were ultimately impacted positively by this program?

SENATOR RANZENHOFER: Well, you have to remember that this was a law that was just signed into effect in 2015. So it's not a program that has been up and running for, let's say, five years or 10 years. So as we sit here today, I cannot give you the statistics of exactly how many residents in that particular municipality have taken advantage of the program. And we can certainly find out that information for you and be happy to provide it to you.

But I do know that there were other municipalities that were so impressed by what was germinated in Batavia that other municipalities wanted to take advantage of it.

We can certainly, though, get back to you on the number of properties that have actually taken advantage of this program. I'd be happy to do that.

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

ACTING PRESIDENT GRIFFO: Will the sponsor yield?

SENATOR RANZENHOFER: I'd be happy to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: Thank you, Mr. President.

So it sounds like a very positive program. But if there's no data that speaks to its positive impact, how are we to make an assessment about whether it should be expanded as this piece of legislation proposes?

SENATOR RANZENHOFER: Through you, Mr. Chairman, you know, if it's your opinion or your view that it's not, you can certainly vote against the bill.

But I do know that the -- by what's

been told to me from the folks in Batavia, they view it as very positive. And again, you know, it's a program that is in its infancy. But the thing that really speaks strongest to me is the fact that other municipalities have reached out and wanted to do this program.

I mean, what it says to me is that other people have seen the model that was put in place for this particular municipality that had the forethought and really the genius to come up with it, that they want to be able to take advantage of this as well.

But again, you know, there may be some members that may think that, you know, this is not a good program. You know, they may not want to give their communities the opportunity to take advantage of this program by allowing the community to flourish but also the individual property owners to flourish. And it's certainly a member's prerogative to vote no.

But again, from what I've been told about the infancy of the program -- and again, it's just getting off the ground -- it has been very positive.

SENATOR RIVERA: Through you,

Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Sponsor, do you yield?

SENATOR RANZENHOFER: I'd be happy to, Mr. President.

ACTING PRESIDENT GRIFFO: He yields.

SENATOR RIVERA: Thank you, Mr. President. Through you. I have -- I've actually -- I'm actually quite fond of the program as it's been described so far. I don't see anything to not be supportive of. The question that I asked earlier was just to kind of establish whether there was some data that we could rely on to really talk about how real -- how positive it is.

But to ask a question through you, Mr. President, I'm concerned about the need for -- if I'm not mistaken, this piece of legislation -- through you, Mr. President -- would require that the property be owner-occupied; is that correct?

SENATOR RANZENHOFER: It has to be owned by the property owner.

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

SENATOR RANZENHOFER: Yes, Mr. President. I'd be happy to.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: So if the property has to be occupied by its owner, if for some unforeseen reason the owner has to leave the state for an extended period of time, if they -- let's just say if a property owner leases his or her property, then this would no longer apply?

SENATOR RANZENHOFER: Mr. Chairman, I don't know if that's the case, so I wouldn't necessarily agree with that assessment if the owner had to go out of town for a designated period of time.

SENATOR RIVERA: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Rivera on the bill.

SENATOR RIVERA: Thank you, Mr. President.

I thank the sponsor for indulging me

in some questions -- mostly because, Mr. President, I think that when we have a program -- the reason I asked about Batavia, I was not even aware that there was a city or a town called Batavia in the State of New York -- 62 counties, 63 State Senate districts, 20 million people in the state, many towns, villages. And I've not visited most of them, as I have made very clear on this floor many times.

Any time that I can find, Mr. President, to be more educated about a particular part of the state or a particular program or policy that has been tried in a particular part of the state and has been successful, I want to learn more about it. And I wanted to take the opportunity to do so here.

So I thank the sponsor for giving us a little bit of an education about this particular piece of legislation, which to me sounds solid. If you take a municipality that is blighted, that has had properties that unfortunately have fallen into disrepair, any way that we can actually encourage these properties to be renovated, any way that we can encourage the owners of these properties not to give those

properties up but to actually put some money into them, is a positive thing.

And in particular, earlier I spoke about this great leader that we had in the Bronx who passed away just a few months ago. And as I said then, Mr. President, there are places in the state and there are places all around the country that have fallen into disrepair, that have been blighted, that have been impacted negatively by economic downturns. And yet there's individuals who have remained.

So in this case what we have is not only individuals who have remained, but policymakers who took it upon themselves to say there's things that we could do, Mr. President, to make sure that we renovate this part of the city, this part of the state, and make it beautiful again. And make sure that the people who have remained in those locations continue to remain in these locations.

This is why, Mr. President, I asked the question that I did about the ownership -- the owner being the occupier of the property and why it's important to kind of make sure that that is established.

And bottom line, Mr. President, I think it's a solid piece of legislation, it's a solid idea. I would love to discuss it more with the sponsor as well as the idea that it -- what kind of positive impact it could have on other parts of the state. There are many cities and towns -- again, Mr. President, that I have never visited -- who are probably impacted in the same way or a similar way as Batavia was impacted by economic downturn and would need this policy to actually be implemented.

So I think it is a good idea. I am glad that we're speaking about it on the floor. And I'll tell you one more thing, Mr. President. It is not about a snack. It is about making sure that we build up the state again, that we give the opportunity to property owners to make their property better, to make their neighborhood beautiful. And that is a good thing. Any time that we can talk about substantive things like that on the floor, any time that we can take some time to speak about different parts of the state that we've never visited but yet we want to be sure that we hold up, I think that's a good thing, Mr. President.

I also think it's a good thing to talk about snacks if you're hungry and such. But at this point I will just say as far as this piece of legislation, I think it's a solid one. I thank the sponsor for it. And looking forward to many more conversations with many more of my colleagues about many more of the issues that we have on our agenda today.

Thank you, Mr. President. I will be voting in the affirmative.

ACTING PRESIDENT GRIFFO: Senator Rivera, thank you. I'm sure your new-found affinity for Batavia will be warmly welcomed and they would love to see you visit.

SENATOR RIVERA: Do you want me to stand up and talk a few more minutes about that?

ACTING PRESIDENT GRIFFO: No, you've been seated. Senator Stavisky has been recognized. You may speak another time if you would like, but that would be the end.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

And thank you, Senator Ranzenhofer, because I have driven through that area. And I

remember visiting a state park there, the name of which escapes me, but it is the most beautiful state park in the State of New York that I have seen, aside from other -- well, some other state parks. But I recommend it highly. It is a unique area. And somehow I don't remember the name of the park, but you think you're in the Grand Canyon, just a little smaller.

And I commend Senator Ranzenhofer for bringing it to our attention, and I recommend that as part of the Governor's Visit New York program, because we really ought to be visiting all parts of the state, the same way as I think people from upstate should be coming to the city to see some of the sites that we have to offer. Because it's only through personal knowledge that we can intelligently vote on these issues.

So again, I thank Senator Ranzenhofer, and I encourage my colleagues to visit Batavia. Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stavisky.

Is there any other Senator that wishes to be heard? Seeing none, hearing none, the debate is closed and the Secretary will ring

the bell.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

Absent from voting: Senator LaValle.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will read Calendar Number 345, Senate Bill 4068.

THE SECRETARY: Calendar Number 345, by Senator Marchione, Senate Print 4068, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Mr. President, would the sponsor yield for some questions, please?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione, do you yield?

SENATOR MARCHIONE: I do.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR COMRIE: Thank you.

I was concerned regarding this bill. How does this bill, which would affect video lottery terminals, change the Tax Law?

SENATOR MARCHIONE: I'm sorry, I didn't hear your question.

SENATOR COMRIE: How exactly does this bill change the Tax Law?

SENATOR MARCHIONE: What this will allow is the bill increases the threshold of the number of machines to 1900 from the existing 1,100, so that Saratoga Gaming may qualify for full investment, thus being able to reinvest in additional amenities and expanded gaming space.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: First, Senator Marchione, do you continue to yield at the request of Senator Comrie?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Could I

have some order in the house so the members can hear each other. Senator Comrie went from a tenor to a baritone.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Comrie, you may continue.

SENATOR MARCHIONE: I'll try to stay out of my church voice, Mr. President.

What VLT gaming facilities will this impact other than Saratoga? And are there any private VLT gaming facilities that this bill will impact as well?

SENATOR MARCHIONE: This only impacts Saratoga.

SENATOR COMRIE: This only impacts Saratoga?

SENATOR MARCHIONE: It does.

SENATOR COMRIE: Mr. President, will the sponsor continue to yield for some questions?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR COMRIE: Thank you.

Can the sponsor tell us, what would

you max out on the capital award program for Saratoga under this law?

SENATOR MARCHIONE: It's $2.5 million per year.

SENATOR COMRIE: Would the sponsor continue to yield for some questions?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR COMRIE: Thank you, Mr. President.

And that $2.5 million, would that go to -- what specific -- what specifically would those $2.5 million go to or be used for?

SENATOR MARCHIONE: It's for capital investments.

SENATOR COMRIE: Would the sponsor continue to yield for some questions?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor continues to yield.

SENATOR COMRIE: Those capital investments, what types of capital projects are envisioned by this program? And are we talking about capital projects that have been determined

in a particular way, or is it just any capital project that would like to be funded in that area?

SENATOR MARCHIONE: It could be additional amenities, expanding the gaming space. I know that Saratoga is interested in building a parking garage.

SENATOR COMRIE: Would the sponsor continue to yield for some questions?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR COMRIE: Thank you.

Would these VLT facilities that become eligible for the program have to coinvest any amount of funding on their end to qualify for this additional amount of money?

SENATOR MARCHIONE: That's the purpose of this legislation, through you, Mr. President. Saratoga is the only midsized gaming facility that currently does have to coinvest. And this piece of legislation will have them not have to coinvest any longer and make it similar to the way Finger Lakes and Monticello right now don't have a match. So it

will bring them around to be the same as the other midsized facilities.

SENATOR COMRIE: Mr. President, would the sponsor continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione yields.

SENATOR COMRIE: Thank you.

Ultimately, who would -- this $2.5 million that would come out, how would this impact the overall budget? And why wasn't this done within the budget period?

SENATOR MARCHIONE: It doesn't impact the budget at all. The $2.5 million that is utilized is the same. The cap doesn't change.

What would change is that the owners of the facility no longer have to put a match with the $2.5 million.

SENATOR COMRIE: I'm sorry, I -- can --

ACTING PRESIDENT GRIFFO: You want her to repeat?

SENATOR COMRIE: Yes. If the sponsor could repeat, I didn't --

ACTING PRESIDENT GRIFFO: Senator

Marchione, would you kindly repeat that for Senator Comrie?

SENATOR COMRIE: There's a little bit of noise in the room, so it's hard for me to hear.

SENATOR MARCHIONE: The $2.5 million cap does not change. What changes is that the owners of the facility no longer would have to match that $2.5 million. So there's no change in budget.

SENATOR COMRIE: Thank you.

Would the sponsor yield for another question, Mr. President?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione, do you yield?

SENATOR MARCHIONE: I do.

SENATOR COMRIE: Thank you.

Would this bill impact the ability for the thoroughbred operators in the area to continue to get their fair share of the VLT monies, as has been voiced and concerned by the fact that VLTs around the state are taking what they believe are the highest earner VLTs and preventing them from getting the money that they

need to continue to be the best thoroughbred operators in the country?

SENATOR MARCHIONE: This bill doesn't take money away from anyone.

SENATOR COMRIE: Mr. President, would the sponsor continue to yield for some questions?

SENATOR MARCHIONE: I do.

ACTING PRESIDENT GRIFFO: Senator Marchione yields.

SENATOR COMRIE: All right. Did the VLTs -- how would they be designated as to which VLTs would be the VLTs that would be determined to get the 2.5 percent? Would there be a sliding scale depending on the output of the VLTs so that there's not just the highest earning VLTs that go back to Saratoga?

SENATOR MARCHIONE: Through you, Mr. President, this legislation doesn't address the VLT in any of those things.

What it does is allows the owner of Saratoga Gaming not to have to come up with a matching amount of money to access the vendor capital awards program.

SENATOR COMRIE: Thank you.

Mr. President, would the sponsor yield for one more question?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione, do you yield for one more question?

SENATOR MARCHIONE: I do.

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Thank you.

Can you give me an idea of what type of capital program has been invested in Saratoga in the particular area or programs that they're looking to invest immediately?

SENATOR MARCHIONE: As I said with your first question, the one item that I know they're looking to build is a parking garage. They've just invested in a brand-new hotel with the facility, and they're in need of a parking garage.

SENATOR COMRIE: Thank you.

On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Comrie on the bill.

SENATOR COMRIE: I'm concerned about this bill -- I will be voting yes on the

bill -- because of the fact that there's no standard for the types of VLTs that will -- the $2.5 million will be taken from.

I'm concerned that at a hearing earlier this year that thoroughbred operators were concerned about their ability to maintain the income, because their income from VLTs will be cut severely by this that's happening in other parts of the state.

I'm concerned that there is no particular standard to ensure that they will be maintained. And it's important that we maintain all businesses in the State of New York that are trying to provide services.

I'm concerned also that the $2.5 million, this is happening outside of the budget process. There will be an impact on the financial plan since that $2.5 million was already planned for this year's financial plan. While I understand that it may be an insignificant amount of money in a $160 billion budget, we still need to be accurate within a certain area to ensure that the budget can be balanced to the degree that it needs to be to protect all entities.

I appreciate Senator Marchione's desire to help Saratoga by ensuring parking lots are built, by ensuring that there are other amenities for Saratoga Raceway, which we need to keep modernized to keep people to visit because it's an important part of our state as well. But if we're only helping one part of the state and hurting the thoroughbred operators that are trying to provide and continue to provide fresh opportunities to develop another Secretariat, we have to be leery of both.

I will be voting aye. I hope that those amendments can be placed in the bill to ensure that the VLTs are taken fairly and equally so that not just the highest-earning VLTs will be compromised as well.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Comrie.

Senator Krueger.

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

ACTING PRESIDENT GRIFFO: Senator Marchione, do you yield?

SENATOR MARCHIONE: I do.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you.

So I appreciated my colleague's questions and your answers. I just -- I'm still confused on a few things.

So this bill, which would be specific for Saratoga Springs VLT and Casino, it would change a state rule that currently doesn't allow VLT sites with over 1100 VLT machines to participate in this capital award program. So this would expand a current law that applies to some sites to include Saratoga also; is that correct?

SENATOR MARCHIONE: Through you, Mr. President, if I could hear the question. And I'm not sure that I heard her correctly.

The Saratoga Casino and Gaming has been able to partake of the program. They've just had to make a match of -- a 50 percent match.

This will allow them to participate in the program and not have to match. Saratoga is the only midsize gaming facility in New York

State that now does have to match, so this will bring some fairness to Saratoga.

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

SENATOR MARCHIONE: Yes.

SENATOR KRUEGER: Thank you.

So as I understand it, under this law, Saratoga would no longer have to make a match in order to keep $2.5 million annually under what's called the vendor capital award, is that correct? They no longer have to put up $2.5 million in order to get the $2.5 million from the state, is that correct?

SENATOR MARCHIONE: Through you, Mr. President, that is correct. That would put them in line with Finger Lakes and Monticello, who have not had to make a match, and bring some fairness to Saratoga.

ACTING PRESIDENT GRIFFO: Senator Krueger.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione yields.

SENATOR KRUEGER: Through you, Mr. President, the sponsor continues to yield. Does this not mean that the State of New York lets Saratoga Raceway keep $2.5 million of capital money that otherwise would go to our school systems, without Saratoga having to match that money?

SENATOR MARCHIONE: Through you, Mr. President, that means that Saratoga will finally not have to match, similarly to Finger Lakes and Monticello, and bring some fairness to the Saratoga Racing and Casino.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So why would we do this for one site and then not do it for all other VLT and casino sites in the state?

SENATOR MARCHIONE: Through you,

Mr. President, Saratoga is the only medium-sized gaming facility left that is still matching. Finger Lakes and Monticello haven't matched in a number of years.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

Those other two sites she named, Finger Lakes and Monticello, are they also exempted under a special law or are they a different size?

SENATOR MARCHIONE: They're approximately the same size.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So they're also above 1100, below 1900, and they have been

exempted from a -- through previous acts of the Legislature? How did that happen?

SENATOR MARCHIONE: Through you, Mr. President, Finger Lakes was able to get rid of its matching requirement two years ago.

Monticello has no matching requirements because they traded their capital awards away for other revenues.

SENATOR KRUEGER: Through you, Mr. President, Monticello traded their capital away for -- I didn't quite hear the complete answer, and I'm not sure I would understand it if I had heard it. If I could get a clarification.

ACTING PRESIDENT GRIFFO: Senator Marchione?

SENATOR MARCHIONE: I'm sorry, I'm not sure that I heard the question. Would --

ACTING PRESIDENT GRIFFO: Senator Krueger, why don't you pose the question again to allow Senator Marchione to answer.

SENATOR KRUEGER: Thank you. So Senator Marchione answered there were two sites that already had become exempt from this match requirement. And on one of them -- I believe it was Monticello -- she said that they gave away

their capital award program? I didn't quite understand if I heard her correctly. And if I did, what does that mean, to give away your capital award program?

SENATOR MARCHIONE: Through you, Mr. President, they're no longer in the vendor capital awards program.

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

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Okay. So this would not apply to Monticello because they're not drawing down this, is that correct?

SENATOR MARCHIONE: Through you, Mr. President, they chose to get out of the program. So they are no longer in the program. But they are a medium-sized facility like Saratoga.

SENATOR KRUEGER: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: I want to thank the sponsor for her answers.

I'm still confused. I'm particularly confused that the State of New York keeps expanding the gambling options available -- VLTs, casinos, expanded lotteries, who knows about online, the infamous or perhaps very well known now online sports betting -- what's it called, from last year? DFS, thank you.

So we just keep expanding and expanding. As we're seeing in other states around the country, and the research continues to show, it's not actually drawing in these enormous revenues that people were promised when they said, Yes, let's expand our gambling. In fact, the revenues coming into the state are less than projected.

And yet as I did expect, the people who are running gambling, VLT, other casino activities keep coming to their state and local governments saying, We're not making as much money as we thought we were going to. We need you to cough up more. We need to be let off the hook for our fair share into our own businesses. And yeah, I guess there will just be less money

coming into your school systems, which is what in theory -- that's the bargain we make for having approved gambling.

So I don't know whether being for or against this bill for Saratoga Springs is the end all, be all of issues within the context of gambling. But I do know that we keep going down a road and not asking the right questions. Then they keep making more demands on us to keep more and more of the money. We're not asking the questions about the negative impacts and consequences of growing gambling. We certainly are not seeing the pot of gold at the end of the plan that was promised to some people.

And I just don't see why we would just continue to expand laws that are in the favor of the house and against the revenue for the people of New York.

So I'm going to vote no, Mr. President. And I hope that some of my colleagues will consider voting no and asking harder questions about gambling deals in New York State.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Is there

any other Senator that wishes to be heard?

Seeing and hearing none, the debate is closed and the Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Marchione to explain her vote.

SENATOR MARCHIONE: Thank you, Mr. President.

I just want to clarify a few things that were factually incorrect and said on the floor today --

ACTING PRESIDENT GRIFFO: Excuse me, Senator Marchione.

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: May I have some order in the house, please.

Senator Marchione.

SENATOR MARCHIONE: Thank you.

First I'd like to clarify that the monies that we're talking about are 4 percent of

the net win of the gaming facilities strictly put aside for capital investment. So it is not state funds, they actually come right from the casinos.

And there was a lot said about not helping education. I want to state that our New York State gaming facilities generate almost $3 billion in economic activity throughout the state and employ approximately 30,000 people. These facilities also earn about $900 million for education aid, and $238 million to support the horse racing and breeding industry.

This bill will help to keep the gaming industry competitive in our state, which in turn will allow New York State to continue to reap its economic benefit.

I want you to know that Batavia, Hamburg and Finger Lakes have no match; Vernon, no match, under 1100 machines. Tioga, no capital, as it's now a casino. Monticello, no capital, as it gets a special vendor rate. Saratoga is the only required match except for Yonkers, and they did not want to be involved in the bill.

I vote aye, Mr. President.

ACTING PRESIDENT GRIFFO: Senator

Marchione to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 2. Senators Díaz and Krueger recorded in the negative.

Absent from voting: Senators Larkin and LaValle.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could we now call up Calendar 929.

ACTING PRESIDENT GRIFFO: The Secretary will read Calendar 929.

THE SECRETARY: Calendar Number 929, by Senator Marchione, Senate Print 177B, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: May we have an explanation of the bill, please.

ACTING PRESIDENT GRIFFO: Senator Marchione, will you give us an explanation?

SENATOR BOYLE: Thank you, Mr. President. This bill would -- I'm sorry?

SENATOR MARCELLINO: Wrong bill.
SENATOR BOYLE: What's that? Oh, sorry.
(Laughter.)
SENATOR MARCHIONE: You can go ahead if -- it's okay, Senator, if you'd like to do it, go ahead.
(Laughter.)
ACTING PRESIDENT GRIFFO: Senator Boyle, would you like Senator Marchione to yield?
(Laughter.)
ACTING PRESIDENT GRIFFO: Senator Marchione.
SENATOR MARCHIONE: This bill reduces the holding time for adoption of healthy stray cats -- whose owners are not known by the way of collar identification, tag, or microchip -- to three days.
ACTING PRESIDENT GRIFFO: Senator Marchione has provided the explanation requested, Senator Stavisky.
SENATOR STAVISKY: Will the Senator yield?
SENATOR MARCHIONE: Sure. Yes.
ACTING PRESIDENT GRIFFO: Senator

Marchione, do you yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: This legislation refers to cats. Is there a reason why dogs are not included?

SENATOR MARCHIONE: The bill was requested by the New York State Animal Protection Federation, which of course is the voice for the -- New York's Humane Society SPA, a nonprofit. They requested cats.

What they have told us is that only 4 or 5 percent of the cats that come into New York shelters are reclaimed by their owners, and reclamation is usually within 48 hours. Ninety percent of stray cats or owned stray cats brought into shelters are adopted. So this bill will hopefully get them adopted quicker.

SENATOR STAVISKY: Thank you, Mr. President. Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: Senator Marchione yields.

SENATOR STAVISKY: In other words, you're suggesting that the cats will be put up within three days instead of five, but the dogs will continue to stay at the shelter for more than the three-day -- for five days or more?

SENATOR MARCHIONE: Through you, Mr. President, this bill has nothing to do with dogs.

SENATOR STAVISKY: That's why I asked the question.

Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: You gave the figure that there were certain -- whatever the percentage was of cats that are being adopted. What is the progression? In other words, on the first day, the second day, and the fifth day, can you tell us the cat adoption rate?

SENATOR MARCHIONE: I can tell you that we've been told that the longer holding times for cats does not serve the best interests of the animal. It's very stressful for them and has a negative impact on their health and

well-being. And of course they have a high risk of contagious disease as well.

So, you know, I've got 4 to 5 percent, as I said earlier, of cats that come into New York shelters are reclaimed by their owner -- if they're going to be reclaimed -- within 48 hours.

SENATOR STAVISKY: Thank you, Mr. President. Will the sponsor continue to yield?

SENATOR MARCHIONE: Yes.

SENATOR STAVISKY: Do you have any idea how many cats in the State of New York will be moved out of the custody of the shelter if this bill is enacted into law?

SENATOR MARCHIONE: I do not.

SENATOR STAVISKY: Thank you.

Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

SENATOR STAVISKY: Assuming that the cats are adopted within the three-day period, are there any provisions if people become unhappy with the cat? In other words, we have a lemon law for dogs where they can be returned within a certain period. Does this extend to the cat

population?

SENATOR MARCHIONE: Through you, Mr. President, this bill does not address those concerns at all.

SENATOR STAVISKY: If the Senator would continue to yield.

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Do you have any idea what the cost involved in -- that the shelter encounters in maintaining the feeding and the care for the cats?

SENATOR MARCHIONE: The average length of shelter stay for a cat is 32 days for cats less than one year old and 124 days for those over one year old, at a cost of about $10 per day per cat. The cost to 90 sheltering organizations across the state is about $19.4 million annually.

SENATOR STAVISKY: Thank you, Mr. President. Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The

Senator yields.

SENATOR STAVISKY: Are there any provisions in your legislation for the neutering and spaying of animals, which is really a major -- a necessity for the animal shelters.

SENATOR MARCHIONE: Through you, Mr. President, this bill does not address spaying and neutering.

SENATOR STAVISKY: Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: If the cats are not adopted or the owner is not located within the three-day period, if this bill is enacted, what happens to the cats?

SENATOR MARCHIONE: Well, under the current law any pound under contract with a municipality or duly incorporated humane society may, after five days, put the cat up for adoption. This is currently; hopefully it will be three.

SENATOR STAVISKY: Will the Senator continue to yield?

SENATOR MARCHIONE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Isn't it true that many cats and dogs are euthanized if they are not claimed within the specified period of time?

SENATOR MARCHIONE: Through you, Mr. President, this law does not change any waiting period for euthanizing any cats. That's a five-day period.

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

ACTING PRESIDENT GRIFFO: Senator Stavisky on the bill.

SENATOR STAVISKY: It seems to me that this is an improvement to the existing law. I thank Senator Marchione for her responses to the questions.

I think we really have to also take a look at letting the shelters kill the animals after such a short period of time -- I believe it's a five-day period -- and then the animals are euthanized as prescribed in the Agriculture and Markets Law.

But the real situation here I think is one of prevention. And I will vote for this bill, and I certainly hope it's extended to the dog population as well.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stavisky.

Is there any other Senator that wishes to be heard?

Seeing and hearing none, debate is closed and the Secretary will ring the bell.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I get asked a question quite frequently. And the question is, How long is this going to take and how come my bill doesn't come up quicker?

Well, that could be at least mitigated if people would stick around so we don't have to waste time in between bills. So if you're in my hearing by the remote electronic devices of this day and age, would you please come in and vote and stick around for the next one.

ACTING PRESIDENT GRIFFO: We have a number of bills that are before the house. We

would request, at the urging of the floor leader, to please remain in the chamber or close to the chamber so we can continue to have votes.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results?

THE SECRETARY: Ayes, 60.

Absent from voting: Senators LaValle and Larkin.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up Calendar 941.

ACTING PRESIDENT GRIFFO: The Secretary will read Calendar Number 941.

THE SECRETARY: Calendar Number 941, by Senator Boyle, Senate Print 5599, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Senator Boyle, your time has come.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Explanation, please.

ACTING PRESIDENT GRIFFO: Senator Hoylman would like an explanation.

SENATOR BOYLE: Mr. President, this bill would require all nonmunicipal animal sheltering and rescue organizations to register with the Department of Agriculture and Markets prior to receiving exemptions from licensing and inspection under the New York State Pet Dealer Program.

SENATOR HOYLMAN: Would the sponsor respond to a few questions?

SENATOR BOYLE: I will, Mr. President, yes.

ACTING PRESIDENT GRIFFO: Senator Boyle yields.

SENATOR HOYLMAN: He would yield. Oh, thank you. Thank you. Through you, Mr. President.

ACTING PRESIDENT GRIFFO: I thought you were doing calisthenics there, Senator

Hoylman.

SENATOR HOYLMAN: No, I lose my glasses like ten times a day. But that's okay.

Could the sponsor describe under existing law what the ramifications are for being a pet dealer?

ACTING PRESIDENT GRIFFO: Senator Boyle.

SENATOR BOYLE: I'm sorry, I missed the question. Could you repeat that?

SENATOR HOYLMAN: Oh, yeah. Through you, Mr. President, could the sponsor describe what the ramifications are for being a pet dealer? Currently.

SENATOR BOYLE: Well, the current pet dealers are not what we're talking about. We're talking about those that are animal rescue and nongovernmental shelters who are transporting the animals. The pet dealers, licensed pet dealers, are already covered under the existing law.

SENATOR HOYLMAN: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator

Boyle, do you yield?

SENATOR BOYLE: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR HOYLMAN: So what does the legislation do in terms of exemption for municipal pounds, shelters, non-for-profit animal rescue organizations?

SENATOR BOYLE: Through you, Mr. President. What we're seeing is a lot of these organizations do tremendous work rescuing and transporting animals. Unfortunately, there have been a few bad actors. And what some of the dealers have done, they've basically retired, if you will, and gone into not-for-profit status, and they're no longer regulated by State Ag Department.

And that's what we want to do. It's basically a loophole that we're trying to close to require that these not-for-profits are covered when they're transporting animals so we can make sure that they're being treated humanely.

SENATOR HOYLMAN: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Boyle, do you yield?

SENATOR BOYLE: I do, yes.

ACTING PRESIDENT GRIFFO: Senator Boyle yields.

SENATOR HOYLMAN: Through you.

So this loophole that you say exists would require, as I understand it, these entities -- nonprofits, animal rescue organizations, adoption organizations -- to register with the State Ag Department.

SENATOR BOYLE: Right.

SENATOR HOYLMAN: Does it establish any standards of care for these animals?

SENATOR BOYLE: They would come under the same standard of care as the organizations and pet dealers that are regulated now.

We've had a number of organizations supporting and advocating for this, including the ASPCA, New York State Animal Protection Federation, New York Veterinary Medical Society, and a number of other organizations throughout the State of New York, looking to make sure that these animals that are being covered by

not-for-profits, by the rescue organizations and nonmunicipal shelters, are being treated correctly.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Boyle, do you yield?

SENATOR BOYLE: I do.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR HOYLMAN: Thank you, Mr. President.

But isn't this new standard, isn't it lower than the pet dealer standard? Is that correct?

SENATOR BOYLE: It's not complete licensing, it is a slightly lower standard. But we just want to make sure we know who these entities are. Right now there's no record of them whatsoever.

SENATOR HOYLMAN: Would the sponsor continue to yield.

ACTING PRESIDENT GRIFFO: Do you yield, Senator Boyle?

SENATOR BOYLE: I continue.

ACTING PRESIDENT GRIFFO: Continue.

SENATOR HOYLMAN: So I understand, the sponsor's memo states that many have called for the establishment of animal care and facility standards in law to improve minimum requirements for those currently regulated and cover a much larger percentage of animal shelters and rescues, if not the full spectrum.

So you're suggesting something less than the current pet dealer standard, just to be clear, for the municipal adoption organizations and non-for-profit rescue entities and such?

SENATOR BOYLE: Through you, Mr. President, the nonmunicipal entities, yes. We want to make sure the State Ag Department has a record and knows who these individuals are.

And as I say, the vast majority of them are doing great work with these animals. Unfortunately, we've had a couple of cases throughout our state of organizations that are not doing the right thing, and we have no record of them. This would allow State Agriculture and Markets oversight with them. Maybe not to the extent we have with pet dealers, but we don't want to make the perfect the enemy of the good in

this case.

SENATOR HOYLMAN: If the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Boyle, do you yield?

SENATOR BOYLE: I continue to yield, yes.

ACTING PRESIDENT GRIFFO: He yields.

SENATOR HOYLMAN: Through you, Mr. President. But why not just establish the same standards for animal care? After all, this is Animal Protection Week. Why not establish the same standards for those nonmunicipal shelters, not-for-profit animal rescue organizations, or adoption organizations? Why not just make all animals treated equally?

SENATOR BOYLE: Through you, Mr. President, I'm very much supportive of it. This is what we could get passed in both houses of the Legislature at this point in time.

But I'd be happy to work with the good Senator in doing just that.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR BOYLE: I do.

ACTING PRESIDENT GRIFFO: Senator Boyle yields.

SENATOR HOYLMAN: Who would oversee the actual new standards, lesser than they are for pet dealers, for this new class of shelters?

SENATOR BOYLE: It's the Department of Agriculture and Markets.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR BOYLE: Yes.

ACTING PRESIDENT GRIFFO: Senator Boyle yields.

SENATOR HOYLMAN: Is there anything envisioned in the legislation that would set forth -- since it is an entirely new area of oversight for the department, anything that sets forth what those standards might be, how often they have to, you know, seek oversight from the adoption organization, in the bill? Or is it left unwritten?

SENATOR BOYLE: Through you, Mr. President, it is just a certification. So the standards are not there.

But importantly, if they do not

register -- the registration fee is only $100. It's a nominal amount, about the amount of perhaps one adoption. But the penalties are similar to the current legislation, between $100 and $1000 per act.

SENATOR HOYLMAN: Final question, if the sponsor will yield.

ACTING PRESIDENT GRIFFO: A final question?

SENATOR BOYLE: Absolutely.

SENATOR HOYLMAN: So we're exempting from the definition of pet dealers these entities that provide -- they're not-for-profit, duly incorporated Societies for the Prevention of Cruelty to Animals, Humane Societies, animal protective associations. Again, why not just put them all under the same standard? Your response was that it's the only thing we could get moving in the other house. But why not introduce a bill to that effect in this chamber?

SENATOR BOYLE: Through you, Mr. President, Senator Hoylman is saying that we're exempting. We're actually -- they're exempted now. And that's what we're trying to

do, we're trying to avoid them being exempted. We want to make them certified so officials at the Agriculture and Markets Department know who they are and can keep on an eye on them.

Do I think we should go further in terms of the standards? Absolutely. But this will allow us at least to start watching them and looking into what they're doing, because right now it's a blank sheet out there. They don't know what's going on.

And we found that 40 percent of the pet dealers in this state have gone under in the last few years. So there's a huge number of animals being transported that the state government has no idea who is doing it and under what circumstances. So this will not really exempt, it will actually create more oversight and protect the animals.

SENATOR HOYLMAN: On the bill.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the bill.

SENATOR HOYLMAN: I wanted to thank the sponsor for his responses.

I think we should be reconsidering whether to exempt these entities that many of us

have had contact with in terms of adopting pets. We should reconsider whether we should be exempting them from the standards of pet dealers.

I think today is all about protecting animals, not exempting organizations that may have the best intentions but may not be meeting the standards in the State of New York for the care and oversight of animals.

I'll be voting in the negative. I'm hopeful that the sponsor would bring forward legislation that would set forth the comparable standard for all pet dealers across the board. I think that is the intention, but we should not be meeting anyone halfway when it comes to protecting animals.

So I'll be voting in the negative, Mr. President. Thank you.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator -- oh, Senator Parker. How are ya?

SENATOR PARKER: I'm doing well.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Parker, do you want to ask some questions or are you on the bill?

SENATOR PARKER: On the bill.

ACTING PRESIDENT GRIFFO: Senator Parker on the bill.

SENATOR PARKER: Thank you very much, Mr. President.

First let me thank Senator Boyle for, one, bringing this important bill to the floor and for also his patience in terms of answering some of the questions. I think there's a lot of issues as relates to pets.

As some of you may know, today Senator Tedisco sponsored Animal Day here in the State Legislature. Me myself was able to in fact get a chance to in fact pose with a couple of really good animals -- a nice pony, a redtail hawk, an owl. None of them smiled for the picture, but it certainly I think made me broaden my ideas about the possibilities of having a pet.

Pets are really important in the context of our communities. There is probably no community in the State of New York, out of 20 million people -- if there's 20 million people in the State of New York, there's probably at least 40 million pets being kept. Especially if you're counting fish and lizards and all kinds of

nontraditional pets.

I've had a number of pets myself growing up, mostly dogs. You know, dogs are man's best friend. My first dog was a dog named Dana. Really nice pet. She was a mix between a German shepherd and a Doberman Pinscher. They're more gentle than you might think given the cross of the breeds. And she was not much of a watchdog. I never felt that safe in the house with her, but she was fun to play with when I was, you know, 10 or 12 years old.

I then had a Siberian Husky named King. And King was beautiful -- had these blue eyes, kind of almost translucent eyes. Had a great hunting instinct.

I'll never forget, my brother -- I have an older brother. And anybody who has an older brother knows there's nothing meaner on earth than an older brother. So my brother, to punish me, took my dog away from me. He lived in Queens. Took my dog away. And my dog escaped from his house, and we thought that the dog was gone. A month later we come outside and there's king sitting on the porch wagging his tail.

One of the best pets I ever had.

Loyalty was a big part of why I think I liked having dogs.

Then I had a German Shepherd named Apollo. Apollo was a beautiful, beautiful German Shepherd. Purebred German Shepherd, very, very feisty, very strong dog. Again, I think an important pet. We got that pet from a dealer that was locally in Brooklyn. I'll never forget going to the dealer and looking at several different dogs. And, you know, just -- we had that moment where you just connect. Anybody that's had a pet knows that. Like you just have this moment. Especially if you've like rescued a pet, right? Just had that moment with Apollo.

And she unfortunately -- I actually named her Apollo before I knew she was a girl.

(Laughter.)

SENATOR PARKER: And she unfortunately was struck by a car.

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

SENATOR DeFRANCISCO: Would the Senator yield to a question?

SENATOR PARKER: Yes.

ACTING PRESIDENT GRIFFO: Senator

Parker yields.

SENATOR DeFRANCISCO: I'll make it into one question; I'll combine two parts. Can you tell me where in Brooklyn you bought Apollo and whether that place was licensed by the State of New York?

(Laughter.)

SENATOR PARKER: Through you, Mr. President. I bought this dog in a place that actually no longer exists, and I was probably about 15 years old. I'm guessing that they were licensed, because they had like a storefront and stuff. But I don't know whether they in fact -- I can't testify to whether they were in fact licensed.

But being I was a minor and it was probably 40 years ago, I'm sure that the statute of limitations are gone. So I don't feel like I'm allocuting on the floor of the Senate right now.

(Laughter.)

SENATOR DeFRANCISCO: Thank you. That was very informative, thank you.

SENATOR PARKER: You're very welcome, Senator DeFrancisco.

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: So as we talk about pets and pet dealers, my most recent interaction had been about -- actually now about almost 15 years ago. I have a goddaughter named Valencia who's now in college. How fast they grow up is really amazing to me. And she wanted a cat. And so there's a place -- I want to say this is in Senator Persaud's district on Linden Boulevard that's a cat rescue -- like an animal rescue place. It's over where the overpass is for the No. 3. Right?

And we went there, we looked at cats for like 45 minutes. That was probably about 40 minutes longer than I expected to be looking at cats that day. But my at the time probably 7-year-old goddaughter finally had her moment when she connected with this cat. Got the cat -- you know, this place was licensed, a licensed dealer. They cleaned the cat up, they gave her shots, they gave us all the paperwork that we needed to say that we adopted -- you know, that we had rescued this cat.

And I sat her down and I told her

the facts of life. I told her that getting this cat cost me $32, with the shots and everything else that it needed to get. I informed her that a $32 cat cannot get a $200 operation and if, God forbid, something happened to this cat, that we were going to give it the best burial that money could buy in my backyard and we were to come back here and buy her another $32 cat.

But like this cat can't get nothing catastrophic, it had no insurance. It was indigent -- this was before Obamacare --

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Parker, you're beginning to stray.

(Laughter.)

SENATOR PARKER: Yes, sorry. Sorry. Thank you, Mr. President, for keeping me on track.

But I remember the dealers there and them being licensed, us checking this at the time I was serving. I thought that it was important for all of us, as we look for and look through our pet options, that we use dealers that were licensed here in the State of New York.

And we don't nearly have, I think,

enough dealers around the state. We certainly don't have enough in the City of New York. I don't think that we have enough in Brooklyn, to be sure.

And so I have some concerns about this bill that exempts -- you know, that creates exemptions from pet dealers. We certainly want to make sure that the pets that we have are well taken care of, that animals -- you know, it's about humanity. And that when we talk about pets, we may use the word "pet," but it really doesn't go forward enough to talk about the relationships that families and individuals have with their animals.

I mean, you know, most of my friends with dogs and cats, you know, don't refer to themselves as pet owners, they refer to themselves as mommies and daddies of dogs, and members of their family.

And so I think that our own humanity begs us to in fact make sure that we give the best possible care not just to people -- which I've always stood up here and waxed poetic several times about, you know, taking care of the least of those in our communities, the sick, the

infirm, senior citizens -- but also to make sure that our humanity speaks to taking care of the animals in our communities, the animals in our state, the pets in our lives, those extended family members that are there to help us, you know, to lick our faces when -- I don't take with the dog licking me in the face thing. That's maybe a cultural thing. I know in my community we don't really, you know, do a lot of that. But I know some people go for that kind of thing.

But to have the dog there if you're not feeling well or if you're home alone -- the routine, I know that it's been important -- I represent -- in my district, in the 21st District in Brooklyn, which is Flatbush and East Flatbush, Midwood, Ditmas Park, Windsor Terrace and Park Slope, I actually represent the largest numbers of seniors -- check this out; some of you don't believe me -- I have the largest number of seniors of any district in the State of New York.

And I know for many of the seniors in my district that oftentimes the only person that's home with them consistently has been a pet. Right? A cat, a dog, typically, but sometimes other kinds of pets. I have a senior

in my district who has rabbits. A lot of them. I don't know where they come from. I guess maybe other people here are more familiar with, you know, rabbits. But she has rabbits. And that's, I know, her companions. She lives by herself, but with her and these rabbits.

And so as we consider this pet dealer bill, there's actually two parts of this. There's obviously a business part of this, right, that we're talking about and how do we in fact help organizations and nonprofits and shelters that are doing this work, how do we help them in terms of the standards that they have and making sure that they're both accountable but also that the standards and the criteria don't stand in the way of the work that they're -- the important work that they're trying to do or the business that they're running.

That we want to be a place in which business can happen. Whether that's nonprofit business or whether it's for-profit business, the State of New York should always be striving to be a place where these rules, regulations and criteria don't stand in the way of achieving the missions of the organizations.

But simultaneously, we as members of the State Legislature must make sure that we create an accountability system in which people understand their responsibility -- in this case to these animals, to these pets, to these future members of people's families throughout the State of New York.

And so I've heard the sponsor's answers to the questions. You know, I'm not sure that we should be exempting any entities from the rules and regulations. I think that the rules and regulations exist for a reason. We certainly don't want these pets to be in any harm's way. We certainly don't want any danger to come to them, you know, particularly while they're in the care of these different agencies.

And so we're hoping that maybe that we would set this bill aside for today, that we can hold some public hearings in which we could further discuss the importance of pets and pet dealers in the State of New York. It would be important to have pet dealers from around the state come in front of us and talk about how their different entities run, how the shelters are run, how many cages they have.

You know, I mean, you know, I think people in this room know probably a lot about a lot of different things. Certainly Senator Boyle in his research has gained a lot of knowledge about this and certainly should be leading us in this expedition to understand how we better serve both the pets and the families which these pets go to every single day. Let's make sure that we're doing the best thing that we can in terms of the process. You know, if we don't have a good process, how can we expect to have a good product?

So I'm standing here united with Senator Boyle in the notion that we ought to be able to make the institutions work a little bit more efficiently, but also stand with my colleagues who believe that we should make sure that pets have the best opportunity to be in the best care that the State of New York can ensure vis-a-vis these different entities.

So I'd like to suggest that we lay this bill aside, as a friendly suggestion, that we as quick as possible bring together a public hearing on this matter, that we bring forward pet dealers from around the State of New York to

discuss this matter, to get some testimony, you know, from the commissioner of the Department of Agriculture and others who are in charge of this issue, and to make sure that we are -- you know, even the commissioner of the Department of Health we should hear from. We certainly want to make sure that we're complying with the rules and regulations around health to make sure things like rabies are contained and make sure that other animal-borne illnesses don't come into our populations, particularly as we, you know, again struggle with the issues around healthcare and the danger to our healthcare system that is being borne to us from the federal government. And as we in this chamber consider a single-payer system, let us continue to make sure that we're not creating preexisting conditions, you know, for the animals or for the families that adopt these wonderful new members of their families.

I also think that we should, you know, look at the penalties. I think that some of the penalties here may be a little low. We obviously should have some conversations about that to see what the right penalties are. We want to having something in the sweet spot.

Again, we're talking about pet dealers. You know, many of these are small businesses. We don't want to put them out of business, but we certainly want to create a disincentive for them to skirt the rules or to trespass upon the rules in any way to make sure again that these pets have the best possible care that would be available to them.

Animal health is a huge issue. We have a lot of animals in the State of New York. Many, many farms, you know, throughout the state in which we need to make sure that animal health is being considered and being -- you know, is being respected not just from the perspective of animals -- right? We want to do the humane thing for the animals in the State of New York and make sure that they're healthy, that they're clean, that they're happy, that they're well taken care of.

But in addition to that, we want to make sure that there aren't illnesses that are coming from animals -- swine flu, bird flu, you know, rabies, other things that may be coming from animals that then get passed on to the population. Because as much as we want to do for

animals, our first responsibility are to the taxpayers and the citizens of the State of New York.

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

SENATOR DÍAZ: I just want to congratulate Senator Parker. He's a great filibuster. Congratulations.

ACTING PRESIDENT GRIFFO: Thank you, Senator Díaz.

And do you want to continue with the secret lives of pets?

SENATOR PARKER: Thank you, Mr. President. To continue on the bill.

ACTING PRESIDENT GRIFFO: Senator Parker on the bill.

SENATOR PARKER: So under the current law, we actually have a great deal of very specific regulations as it relates to pet dealers. Right? Exactly for the reasons that I've outlined -- for public health, for happiness, for safety. Right? Some of the animals that these pet dealers are dealing with aren't new animals. They're not necessarily born into great situations. Some of them have been

rescued from situations in which the animals have been exposed to stress and trauma. Right?

And so one of the things that we also have to pay a great deal of attention to is safety. And again, the first and foremost is safety to the public. We want to make sure that animals are not posing a significant danger to the public. Right? And especially children, who oftentimes will see an animal and, you know, think of them as being, you know, cuddly or whatever, and run to them and wind up getting bitten or something like that.

The second thing is we obviously want to make sure that there's some safety between that animal and other animals. Right? And making sure that there's some guidelines to make sure these animals are not causing trauma and then, you know, trauma creates trauma that creates trauma, that we create kind of generational trauma amongst animals in the State of New York.

And so we -- those kind of concerns are already dealt with in the current law. But what this bill does -- and I do again want to applaud Senator Boyle for, you know, the research

and his leadership on this issue. I know this is an important thing out where he's from, in the hinterlands of Long Island. That, you know, the animals in Long Island and other places are safe.

Again, I can't stress enough that New York is a place that we want to make sure is open for business. And we want people to understand that rules and regulations and the criteria that we're setting up are not arbitrary and capricious, but that these are really important criteria, standards and regulations that are there to protect communities, that protect other animals, that make sure that those businesses actually themselves are reliable and safe.

They in fact -- these pet dealers actually do better when they're following the rules and regulations, because then at that point they become trusted. And people know that they're trusted, then word gets out and that grows their business. So we don't necessarily always need to think about the rules and regulations as being an enemy, but sometimes they are there to in fact to create an environment in which there is trust and accountability,

transparency and a surety in communities. That these pet dealers hopefully will become, you know, anchors of their communities as relates to business and grow and create jobs and create stable communities that we really need.

And so, you know, this exempting entities from the definition of pet dealer may not be the best thing that we do right now at this point in our legislative history.

However, I think that again, going back to my point around, you know, doing a public hearing -- which we have not had on this bill as of yet -- would really be an important process in the context of making sure that we got the right legislative message and the right legislative intent.

From what I can tell, this bill does not even have an Assembly sponsor. And so even though we're putting it forward with good faith that we -- even though we're putting it forward in good faith, it doesn't appear to me that it has an opportunity to become law, because it has no Assembly sponsor. But, you know, again, bringing it forward in the context of a public hearing would certainly, you know, bring the kind

of attention to this bill that it really needs to let pet owners know that when they go to a dealer of pets, that they in fact are getting a product that they paid for that is a healthy pet, a happy pet, a stress-free pet.

You know, people don't know this, but pets can have PTSD. Right? Posttraumatic stress syndrome can occur in pets. Right? Animals experience that, and that can be present in animals.

We want to make sure here in the State of New York -- and we're currently doing that in the current law -- that the animals that we're allowing dealers to issue to other people are in fact, you know, solidly vetted in the ways that we want them -- that we're prescribing vis-a-vis the state agencies that deal with this important issue.

You know, I think that this actually should be put together with a number of other issues around pets that we're dealing with. There's a lot of issues right now with the funding of shelters and especially the public money that goes into some of these shelters. We certainly could be doing more around that.

And so I think there's probably lots of things that we should be doing in terms of maybe pet reform, Mr. President. I certainly would stand with colleagues to look into the notion of pet reform in the State of New York to make sure that we do have the best pets and that people's pets, again, are happy and healthy, that they come out of safe environments, that they're going into safe environments. I mean, I don't even know that we do enough to actually look at the backgrounds of the families that in fact are buying these pets oftentimes. Right? We might want to look at a SAFE Act for pets --

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR PARKER: -- in which we have some kind of cooling-off period.

ACTING PRESIDENT GRIFFO: Senator Parker, one second, please. Your soliloquy has earned you a starring role in Jaws, a great movie.

Senator Krueger, why do you rise?

SENATOR KRUEGER: I just wanted to clarify something for Senator Parker.

I believe at the beginning of his

soliloquy he was talking about the visiting pets and animals we had today, and he referenced a pony. I just wanted to point out it was actually a miniature horse, not a pony. So if you want to pull together your thoughts and redo what you've said so far today --

(Laughter.)

SENATOR KRUEGER: -- that you have all your facts correct --

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

SENATOR KRUEGER: -- because in fact miniature horses and ponies are actually very different.

Thank you. Thank you, Senator Parker.

ACTING PRESIDENT GRIFFO: Your point is well taken.

Senator Parker.

SENATOR PARKER: Thank you. Thank you, Senator Krueger.

Continuing on the bill, Mr. President. And I thank Senator Krueger for her point, point well taken. And there is a significant difference between horses --

miniature horses and ponies. You can't really ride a miniature horse, although you would think that. Counterintuitive as it seems, right? As a pet, actually what I understand is that miniature horses are actually better pets, better pets than -- actually than ponies are.

Ponies, believe it or not, are not necessarily well tempered. They're really not necessarily a great pet. They actually bite. I'm not sure people knew that.

(Laughter.)

SENATOR PARKER: And this is not at all in the spirit to disparage ponies --

ACTING PRESIDENT GRIFFO: Senator Parker, I'm going to have to ensure that you stay on the essence of the bill dealing with the definition of a pet dealer, please.

SENATOR PARKER: Yes, absolutely.

When we look at the definition of pet dealers, Mr. President -- and there are not a lot of pet dealers, unfortunately, in this state that have things like miniature ponies and -- sorry, miniature horses and ponies. They're different, sorry -- miniature horses and ponies, especially in Brooklyn. Those definitions,

again, need to be on task.

I also believe that we should be looking at some federal standards as relates to pets. There are in fact some things that as relates to cruelty to animals, animal health, that are actually dictated by the Department of Agriculture on the federal level. We certainly should be looking to make sure that we have some consistency -- as we do this pet reform in the State of New York, that we have some consistency between those animals that are -- what's being regulated on the federal level as relates to animals, as relates to farms, as relates to pets, and what we're doing here in the State of New York.

That consistency constitutionally I think makes our law stronger. I think it allows us to act in a national market in which no longer are people just buying pets in their neighborhoods, people are going online and buying pets. And so, you know, part of what we want to make sure -- and this legislation unfortunately is mute on the issue of Internet pet sales, Internet pet dealers. And certainly we're concerned about pets coming from other states not

necessarily guarded under the shield of the State of New York's pet laws.

And so we want to make sure, I think, as we do these public hearings around this issue that we look at, you know, this issue of Internet pet sales and Internet pet dealers. Do we have the ability, if somebody is licensed in another state, to require that they live up to the standards of the State of New York's standard? They may be coming from a place in the country in which their pet dealers definitions may be very different than ours. And so we've created now another health and safety issue --

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

SENATOR DeFRANCISCO: I rise to raise a point of order.

I would like to lay this bill aside for the day, despite the riveting discussion that we're having here, and we can maybe hear the end of it another day. At least start the clock.

ACTING PRESIDENT GRIFFO: The bill will be laid aside for the day.

SENATOR DeFRANCISCO: Secondly, I would like to lay aside the rest of the bills

that were laid aside -- I'd like to lay all of those aside for the day.

ACTING PRESIDENT GRIFFO: The calendar for June 6, 2017, has been laid aside for the day.

SENATOR GIANARIS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Gianaris.

SENATOR GIANARIS: I'd like to just point out that included in those bills are bills from our conference. So I don't know that we've ever been in a situation that the Majority has laid aside for the day bills from another conference.

SENATOR DeFRANCISCO: Well, I'm sure we've done it. And if we haven't, it will be the first day we have. Because we have the authority to control the calendar, and we've laid all bills aside for the day.

ACTING PRESIDENT GRIFFO: The entire calendar has been laid aside for the day. And it is within the prerogative of the floor leader to make that determination, to lay the entire calendar aside for the day.

SENATOR GIANARIS: Thank you,

Mr. President.

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

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

SENATOR DeFRANCISCO: There being none, I move that we adjourn until Wednesday -- that's tomorrow -- June 7th, at 12:00 p.m., 12:00 p.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Wednesday, June 7th, at noon. The Senate stands adjourned until 12:00 p.m., June 7th.

(Whereupon, at 5:58 p.m., the Senate adjourned.)