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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

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

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

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

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

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

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

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

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

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

3 It's a joke, guys.

4 (Laughter.)

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

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

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

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

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

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

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

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

13 ACTING PRESIDENT GRIFFO: The
14 reading of the Journal.

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

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

23 Presentation of petitions.

24 Messages from the Assembly.

25 The Secretary will read.

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

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

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

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

18 ACTING PRESIDENT GRIFFO: The
19 substitutions are so ordered.

20 Messages from the Governor.

21 Reports of standing committees.

22 Reports of select committees.

23 Communications and reports of state
24 officers.

25 Motions and resolutions.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO:

3 Mr. President, on page 14 I offer the following
4 amendments to Calendar Number 299, Senate Print
5 2482B, by Senator LaValle, and ask that said bill
6 retain its place on the Third Reading Calendar.

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

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: On page 42, I
12 offer the following amendments to Calendar Number
13 790, Senate Print Number 4724, by Senator Akshar,
14 and ask that said bill retain its place on the
15 Third Reading Calendar.

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

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

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

1 retain its place on third reading.

2 SENATOR DeFRANCISCO: On page 61, I
3 offer the following amendments to Calendar Number
4 1060, Senate Print Number 2083, and ask that said
5 bill retain its place on the Third Reading
6 Calendar. It's a Senator O'Mara bill.

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

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

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will read.

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

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll on reconsideration.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 50.

25 SENATOR DeFRANCISCO: I now offer

1 the following amendments.

2 ACTING PRESIDENT GRIFFO: The
3 amendments are received.

4 SENATOR DeFRANCISCO: I wish to
5 call up Senator Ritchie's bill, Print Number
6 2119, recalled from the Assembly, which is now at
7 the desk.

8 ACTING PRESIDENT GRIFFO: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 696, by Senator Ritchie, Senate Print 2119, an
12 act to amend the Vehicle and Traffic Law.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll on reconsideration.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 50.

20 SENATOR DeFRANCISCO: I now offer
21 the following amendments.

22 ACTING PRESIDENT GRIFFO: The
23 amendments are received.

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

1 5843, recalled from the Assembly, which is now at
2 the desk.

3 ACTING PRESIDENT GRIFFO: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 851, by Senator Phillips, Senate Print 5843, an
7 act to amend the Highway Law.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll on reconsideration.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 50.

14 SENATOR DeFRANCISCO: I now offer
15 the following amendments.

16 ACTING PRESIDENT GRIFFO: The
17 amendments are received.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Would you
20 please call on Senator Valesky.

21 ACTING PRESIDENT GRIFFO: Senator
22 Valesky.

23 SENATOR VALESKY: Thank you,
24 Mr. President.

25 On behalf of Senator Klein, on

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

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

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

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

16 Senator DeFrancisco.

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

21 ACTING PRESIDENT GRIFFO: All in
22 favor of adopting the Resolution Calendar, with
23 the exception of Resolutions 2422, 2465, 2493,
24 2496 and 2574, signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT GRIFFO: Opposed?

2 (No response.)

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

5 Senator DeFrancisco.

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

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will read.

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

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

20 Senator Akshar.

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

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

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

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

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

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

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

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

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

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

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

20 (Response of "Aye.")

21 ACTING PRESIDENT GRIFFO: Opposed?

22 (No response.)

23 ACTING PRESIDENT GRIFFO: The
24 resolution is adopted.

25 Senator Akshar has opened the

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

3 Senator DeFrancisco.

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

8 ACTING PRESIDENT GRIFFO: The
9 Secretary will read.

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

15 ACTING PRESIDENT GRIFFO: Senator
16 Carlucci.

17 SENATOR CARLUCCI: Thank you,
18 Mr. President.

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

1 in the State of New York.

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

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

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

22 Thank you, Mr. President.

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

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The
5 resolution is adopted.

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

9 Senator DeFrancisco.

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

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

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

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

1 advocating for the communities they care for; and

2 "WHEREAS, Francis 'Al' Chapman was a
3 dedicated community leader who spent more than
4 30 years devoted to helping the Kingsbridge
5 Heights neighborhood in the Bronx; and

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

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

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

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

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

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

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

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

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

23 ACTING PRESIDENT GRIFFO: Senator
24 Rivera.

25 SENATOR RIVERA: Thank you,

1 Mr. President.

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

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

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

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

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

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

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

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

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

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

25 So Al, wherever you are, thank you

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

3 Thank you, Mr. President.

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

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

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO: Opposed?

10 (No response.)

11 ACTING PRESIDENT GRIFFO: The
12 resolution is adopted.

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

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

19 Senator DeFrancisco.

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

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

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

6 ACTING PRESIDENT GRIFFO: Senator
7 Peralta.

8 SENATOR PERALTA: Thank you,
9 Mr. President.

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

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

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

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

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

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

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

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

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

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

15 Please help me welcome the Lexington
16 School for the Deaf.

17 (Appause.)

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator Peralta.

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

22 The question is on the resolution.

23 All in favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT GRIFFO: Opposed?

1 (No response.)

2 ACTING PRESIDENT GRIFFO: The
3 resolution is adopted.

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

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

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

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

15 Senator Peralta, though, last year
16 we won.

17 Thank you, Mr. President.

18 (Laughter; reaction from floor.)

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

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

1 Please stand and be recognized.

2 (Standing ovation.)

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

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

8 (Laughter.)

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

12 (Laughter.)

13 ACTING PRESIDENT GRIFFO: Senator
14 DeFrancisco.

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

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

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

1 ACTING PRESIDENT GRIFFO: Senator
2 Hoylman.

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

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

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

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

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

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

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

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

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

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

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

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

20 (Laughter.)

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

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

1 (Laughter.)

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

5 (Response of "Aye.")

6 ACTING PRESIDENT GRIFFO: Opposed?

7 (No response.)

8 ACTING PRESIDENT GRIFFO: The
9 resolution is adopted.

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

13 Senator DeFrancisco.

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

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

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

24 ACTING PRESIDENT GRIFFO: Senator
25 Kennedy.

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

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

7 Since February 3, 1917, the Colored
8 Musicians Association of Buffalo, Musicians Local
9 533, has been treating the people of Western
10 New York to world-class jazz music. Local 533
11 wasn't their first choice, however. They
12 initially tried to join the all-white Local 43,
13 but back in the dark days of segregation, they
14 were barred entry.

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

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

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

3 In 1941, they threw off any
4 association with Local 43 and became a fully and
5 independently chartered local within the American
6 Federation of Musicians. This American
7 Federation of Musicians group desegregated in
8 1965 and, four years later, the two locals merged
9 in 1969, becoming Local 92, as they remain today.

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

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

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

1 occasion.

2 Thank you, Mr. President. I vote
3 aye.

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

6 The resolution was adopted on
7 March 7th of 2017.

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

11 Senator DeFrancisco.

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

15 ACTING PRESIDENT GRIFFO: Senator
16 Brooks.

17 SENATOR BROOKS: Thank you,
18 Mr. President.

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

1 and his community.

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

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

16 Thank you.

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

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

24 (Laughter.)

25 ACTING PRESIDENT GRIFFO: Senator

1 DeFrancisco.

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

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 192, by Senator Larkin, Senate Print 2391, an act
9 to amend the Education Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 235, by Senator Ranzenhofer, Senate Print 3878,
22 an act to amend the Real Property Tax Law.

23 SENATOR GIANARIS: Lay it aside.

24 ACTING PRESIDENT GRIFFO: Lay the
25 bill aside.

1 THE SECRETARY: Calendar Number
2 313, by Senator Funke, Senate Print 1445, an act
3 to amend the Election Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 345, by Senator Marchione, Senate Print 4068, an
16 act to amend the Tax Law.

17 SENATOR GIANARIS: Lay it aside.

18 ACTING PRESIDENT GRIFFO: Lay the
19 bill aside.

20 THE SECRETARY: Calendar Number
21 353, by Senator Funke, Senate Print 4084A, an act
22 to amend the Parks, Recreation and Historic
23 Preservation Law.

24 SENATOR GIANARIS: Lay it aside.

25 ACTING PRESIDENT GRIFFO: Lay the

1 bill aside.

2 THE SECRETARY: Calendar Number
3 372, by Senator LaValle, Senate Print 3005, an
4 act to amend the Education Law.

5 SENATOR GIANARIS: Lay it aside.

6 ACTING PRESIDENT GRIFFO: Lay the
7 bill aside.

8 THE SECRETARY: Calendar Number
9 390, by Senator Peralta, Senate Print 478B, an
10 act to amend the Administrative Code of the City
11 of New York.

12 SENATOR GIANARIS: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay the
14 bill aside.

15 THE SECRETARY: Calendar Number
16 404, by Senator Lanza, Senate Print 4407B, an act
17 to amend the Domestic Relations Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 455, by Senator Gallivan, Senate Print 2516, an
5 act to amend the General Municipal Law.

6 SENATOR GIANARIS: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay the
8 bill aside.

9 THE SECRETARY: Calendar Number
10 461, by Senator Carlucci, Senate Print 4723A, an
11 act to amend the Town Law.

12 SENATOR GIANARIS: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay the
14 bill aside.

15 THE SECRETARY: Calendar Number
16 519, by Senator Griffo, Senate Print 3375, an act
17 to amend the Labor Law.

18 SENATOR GIANARIS: Lay it aside.

19 ACTING PRESIDENT GRIFFO: Lay the
20 bill aside.

21 THE SECRETARY: Calendar Number
22 618, by Senator Ranzenhofer, Senate Print 3143,
23 an act to amend the Public Authorities Law.

24 SENATOR GIANARIS: Lay it aside.

25 ACTING PRESIDENT GRIFFO: Lay the

1 bill aside.

2 THE SECRETARY: Calendar Number
3 631, substituted earlier by Member of the
4 Assembly Zebrowski, Assembly Print 6048, an act
5 to amend the Civil Practice Law and Rules.

6 SENATOR GIANARIS: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay the
8 bill aside.

9 THE SECRETARY: Calendar Number
10 634, by Senator Funke, Senate Print 4375, an act
11 to amend the Education Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay the
16 bill aside.

17 THE SECRETARY: Calendar Number
18 656, by Senator Savino, Senate Print 3861, an act
19 to amend the Penal Law.

20 SENATOR GIANARIS: Lay it aside.

21 ACTING PRESIDENT GRIFFO: Lay the
22 bill aside.

23 THE SECRETARY: Calendar Number
24 724, by Senator Avella, Senate Print 1931, an act
25 to authorize.

1 SENATOR GIANARIS: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay the
3 bill aside.

4 THE SECRETARY: Calendar Number
5 774, by Senator Murphy, Senate Print 299, an act
6 to amend the Agriculture and Markets Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

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

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 791, by Senator DeFrancisco, Senate Print 5007,
20 an act in relation to authorizing.

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

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

25 ACTING PRESIDENT GRIFFO: The bill

1 is laid aside for the day.

2 THE SECRETARY: Calendar Number
3 879, by Senator Ortt, Senate Print 909A, an act
4 to amend the Navigation Law.

5 SENATOR GIANARIS: Lay it aside,
6 please.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 929, by Senator Marchione, Senate Print 177B, an
11 act to amend the Agriculture and Markets Law.

12 SENATOR GIANARIS: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 933, by Senator Marcellino, Senate Print 1137, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60. Nays, 1.

1 Senator Montgomery recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 934, by Senator Ritchie, Senate Print 1432, an
6 act to amend the Agriculture and Markets Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT GRIFFO: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 935, by Senator Tedisco, Senate Print 1712, an
14 act to amend the Agriculture and Markets Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60. Nays, 1.

23 Senator Montgomery recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 936, by Senator Tedisco, Senate Print 2501, an
3 act to amend the Agriculture and Markets Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

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

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 937, by Senator Gallivan, Senate Print 2937, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60. Nays, 1.

1 Senator Montgomery recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 940, by Senator Gallivan, Senate Print 5515, an
6 act to amend the Agriculture and Markets Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 941, by Senator Boyle, Senate Print 5599, an act
19 to amend the Agriculture and Markets Law.

20 SENATOR GIANARIS: Lay it aside,
21 please.

22 ACTING PRESIDENT GRIFFO: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 950, by Senator Alcantara, Senate Print 5500C, an

1 act to amend the Mental Hygiene Law.

2 SENATOR GIANARIS: Lay it aside.

3 ACTING PRESIDENT GRIFFO: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 990, by Senator Helming, Senate Print 3030, an
7 act to amend the Correction Law.

8 SENATOR GIANARIS: Lay it aside.

9 ACTING PRESIDENT GRIFFO: Lay it
10 aside.

11 THE SECRETARY: Calendar Number
12 1015, by Senator Boyle, Senate Print 594, an act
13 to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

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

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1016, substituted earlier by Member of the
2 Assembly Lavine, Assembly Print 2806, an act to
3 amend the Criminal Procedure Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 Calendar Number 1060 will be laid
15 aside on its own because it's high and it will be
16 amended. So we'll proceed with Calendar Number
17 1061.

18 THE SECRETARY: Calendar Number
19 1061, substituted earlier by Member of the
20 Assembly Lavine, Assembly Print 5950A, an act to
21 amend the Tax Law.

22 SENATOR GIANARIS: Lay it aside.

23 ACTING PRESIDENT GRIFFO: Lay the
24 bill aside.

25 THE SECRETARY: Calendar Number

1 1067, by Senator Gallivan, Senate Print 4770A, an
2 act to amend the Correction Law.

3 SENATOR GIANARIS: Lay it aside.

4 ACTING PRESIDENT GRIFFO: Lay the
5 bill aside.

6 THE SECRETARY: Calendar Number
7 1068, by Senator Lanza, Senate Print 5016, an act
8 to amend the Executive Law.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT GRIFFO: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 1122, by Senator Valesky, Senate Print 6118, an
14 act in relation to removing.

15 SENATOR GIANARIS: Lay it aside.

16 ACTING PRESIDENT GRIFFO: Lay the
17 bill aside.

18 THE SECRETARY: Calendar Number
19 1184, by Senator Little, Senate Print 2644, an
20 act to amend the Tax Law.

21 SENATOR GIANARIS: Lay it aside.

22 ACTING PRESIDENT GRIFFO: Lay the
23 bill aside.

24 THE SECRETARY: Calendar Number
25 1185, by Senator Seward, Senate Print 2964, an

1 act to amend Chapter 333 of the Laws of 2006.

2 SENATOR GIANARIS: Lay it aside.

3 ACTING PRESIDENT GRIFFO: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 1186, by Senator Seward, Senate Print 2968A, an
7 act to amend the Tax Law.

8 SENATOR GIANARIS: Lay it aside.

9 ACTING PRESIDENT GRIFFO: Lay it
10 aside.

11 THE SECRETARY: Calendar Number
12 1187, by Senator Seward, Senate Print 2969, an
13 act to amend the Tax Law.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay it
16 aside.

17 THE SECRETARY: Calendar Number
18 1188, by Senator O'Mara, Senate Print 3784, an
19 act to amend the Tax Law.

20 SENATOR GIANARIS: Lay it aside.

21 ACTING PRESIDENT GRIFFO: Lay the
22 bill aside.

23 THE SECRETARY: Calendar Number
24 1189, by Senator O'Mara, Senate Print 3844, an
25 act to amend the Tax Law.

1 SENATOR GIANARIS: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay the
3 bill aside.

4 THE SECRETARY: Calendar Number
5 1191, by Senator Amedore, Senate Print 3928, an
6 act to amend the Tax Law.

7 SENATOR GIANARIS: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay the
9 bill aside.

10 THE SECRETARY: Calendar Number
11 1193, by Senator Akshar, Senate Print 4088, an
12 act to amend the Tax Law.

13 SENATOR GIANARIS: Lay it aside.

14 ACTING PRESIDENT GRIFFO: Lay it
15 aside.

16 THE SECRETARY: Calendar Number
17 1194, by Senator Akshar, Senate Print 4089, an
18 act to amend the Tax Law.

19 SENATOR GIANARIS: Lay it aside.

20 ACTING PRESIDENT GRIFFO: Lay the
21 bill aside.

22 THE SECRETARY: Calendar Number
23 1195, by Senator Seward, Senate Print 4255, an
24 act to amend Chapter 443 of the Laws of 2007.

25 SENATOR GIANARIS: Lay it aside.

1 ACTING PRESIDENT GRIFFO: Lay it
2 aside.

3 THE SECRETARY: Calendar Number
4 1230, by Senator Valesky, Senate Print 5598, an
5 act to amend the Tax Law.

6 SENATOR GIANARIS: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 1231, by Senator Ortt, Senate Print 5656, an act
11 to amend the Tax Law.

12 SENATOR GIANARIS: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 1232, by Senator Ortt, Senate Print 5657, an act
17 to amend the Tax Law.

18 SENATOR GIANARIS: Lay it aside.

19 ACTING PRESIDENT GRIFFO: Lay it
20 aside.

21 THE SECRETARY: Calendar Number
22 1306, by Senator Golden, Senate Print 883A, an
23 act to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1364, by Senator Murphy, Senate Print 302, an act
11 to amend the Agriculture and Markets Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1374, by Senator Carlucci, Senate Print 716, an
24 act to amend the Penal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1389, by Senator Valesky, Senate Print 1237, an
12 act to amend the State Administrative Procedure
13 Act.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay it
16 aside.

17 THE SECRETARY: Calendar Number
18 1398, by Senator Avella, Senate Print 1518A, an
19 act authorizing.

20 SENATOR GIANARIS: Lay it aside.

21 ACTING PRESIDENT GRIFFO: Lay it
22 aside.

23 THE SECRETARY: Calendar Number
24 1435, by Senator Parker, Senate Print 2847.

25 SENATOR DeFRANCISCO: Lay it aside.

1 ACTING PRESIDENT GRIFFO: Lay it
2 aside.

3 THE SECRETARY: Calendar Number
4 1436, by Senator Young, Senate Print 2900, an act
5 to amend the Agriculture and Markets Law.

6 SENATOR GIANARIS: Lay it aside.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 1449, by Senator Breslin, Senate Print 3527, an
11 act to amend the Highway Law.

12 SENATOR DeFRANCISCO: Lay it aside.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 1451, by Senator Tedisco, Senate Print 3576, an
17 act to amend the Retirement and Social Security
18 Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1460, by Senator Krueger, Senate Print 4000, an
6 act --

7 SENATOR DeFRANCISCO: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay it
9 aside.

10 THE SECRETARY: Calendar Number
11 1495, by Senator Ortt, Senate Print 5938A, an act
12 to amend the Tax Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1505, by Senator Marchione, Senate Print 6565, an
25 act to amend the Agriculture and Markets Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 SENATOR GIANARIS: Lay it aside.

4 ACTING PRESIDENT GRIFFO: Lay it
5 aside.

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

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

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will ring the bell.

13 The Secretary will read Calendar
14 Number 235.

15 THE SECRETARY: Calendar Number
16 235, by Senator Ranzenhofer, Senate Print 3878,
17 an act to amend the Real Property Tax Law.

18 SENATOR GIANARIS: Explanation.

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

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

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

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

6 SENATOR RANZENHOFER: Yes.

7 ACTING PRESIDENT GRIFFO: Senator
8 Ranzenhofer, do you yield?

9 SENATOR RANZENHOFER: Yes, I do.

10 ACTING PRESIDENT GRIFFO: The
11 Senator yields.

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

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

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

25 SENATOR RANZENHOFER: Yes, I will.

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

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

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

18 On the bill, Mr. President.

19 ACTING PRESIDENT GRIFFO: Senator
20 Gianaris on the bill.

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

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

4 Thank you.

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

8 The Secretary -- excuse me. Senator
9 Rivera.

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

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

16 SENATOR RANZENHOFER: Yes.

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

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

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

1 about the City of Batavia?

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

5 ACTING PRESIDENT GRIFFO: The
6 sponsor yields.

7 SENATOR RANZENHOFER: Yes.

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

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

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

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

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

1 their property that their taxes were going to go
2 up.

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

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

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

20 SENATOR RANZENHOFER: I will
21 continue to yield.

22 ACTING PRESIDENT GRIFFO: The
23 sponsor yields.

24 SENATOR RIVERA: Thank you,
25 Mr. President.

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

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

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

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

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

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

19 ACTING PRESIDENT GRIFFO: Will the
20 sponsor yield?

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

23 ACTING PRESIDENT GRIFFO: The
24 sponsor yields.

25 SENATOR RIVERA: Thank you,

1 Mr. President.

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

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

8 (Laughter.)

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

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

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

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

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

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

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

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

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

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

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

8 ACTING PRESIDENT GRIFFO: Will the
9 sponsor yield?

10 SENATOR RANZENHOFER: I'd be happy
11 to yield.

12 ACTING PRESIDENT GRIFFO: The
13 sponsor yields.

14 SENATOR RIVERA: Thank you,
15 Mr. President.

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

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

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

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

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

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

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

25 SENATOR RIVERA: Through you,

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

3 ACTING PRESIDENT GRIFFO: Sponsor,
4 do you yield?

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

7 ACTING PRESIDENT GRIFFO: He
8 yields.

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

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

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

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

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

6 ACTING PRESIDENT GRIFFO: The
7 Senator yields.

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

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

19 SENATOR RIVERA: On the bill,
20 Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Rivera on the bill.

23 SENATOR RIVERA: Thank you,
24 Mr. President.

25 I thank the sponsor for indulging me

1 in some questions -- mostly because,
2 Mr. President, I think that when we have a
3 program -- the reason I asked about Batavia, I
4 was not even aware that there was a city or a
5 town called Batavia in the State of New York --
6 62 counties, 63 State Senate districts, 20
7 million people in the state, many towns,
8 villages. And I've not visited most of them, as
9 I have made very clear on this floor many times.

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Senator Stavisky.

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

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

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

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

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

21 ACTING PRESIDENT GRIFFO: Thank
22 you, Senator Stavisky.

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

1 the bell.

2 Read the last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 Absent from voting: Senator
10 LaValle.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

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

15 THE SECRETARY: Calendar Number
16 345, by Senator Marchione, Senate Print 4068, an
17 act to amend the Tax Law.

18 ACTING PRESIDENT GRIFFO: Senator
19 Comrie.

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

23 SENATOR MARCHIONE: Yes.

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

1 SENATOR MARCHIONE: I do.

2 ACTING PRESIDENT GRIFFO: The
3 Senator yields.

4 SENATOR COMRIE: Thank you.

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

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

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

12 SENATOR MARCHIONE: What this will
13 allow is the bill increases the threshold of the
14 number of machines to 1900 from the existing
15 1,100, so that Saratoga Gaming may qualify for
16 full investment, thus being able to reinvest in
17 additional amenities and expanded gaming space.

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

20 SENATOR MARCHIONE: Yes.

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

24 SENATOR MARCHIONE: Yes.

25 ACTING PRESIDENT GRIFFO: Could I

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

4 (Laughter.)

5 ACTING PRESIDENT GRIFFO: Senator
6 Comrie, you may continue.

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

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

13 SENATOR MARCHIONE: This only
14 impacts Saratoga.

15 SENATOR COMRIE: This only impacts
16 Saratoga?

17 SENATOR MARCHIONE: It does.

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

21 SENATOR MARCHIONE: Yes.

22 ACTING PRESIDENT GRIFFO: The
23 sponsor yields.

24 SENATOR COMRIE: Thank you.

25 Can the sponsor tell us, what would

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

3 SENATOR MARCHIONE: It's
4 \$2.5 million per year.

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

7 SENATOR MARCHIONE: Yes.

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR COMRIE: Thank you,
11 Mr. President.

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

15 SENATOR MARCHIONE: It's for
16 capital investments.

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

19 SENATOR MARCHIONE: Yes.

20 ACTING PRESIDENT GRIFFO: The
21 sponsor continues to yield.

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

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

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

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

10 SENATOR MARCHIONE: Yes.

11 ACTING PRESIDENT GRIFFO: The
12 sponsor yields.

13 SENATOR COMRIE: Thank you.

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

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

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

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

5 SENATOR MARCHIONE: Yes.

6 ACTING PRESIDENT GRIFFO: Senator
7 Marchione yields.

8 SENATOR COMRIE: Thank you.

9 Ultimately, who would -- this
10 \$2.5 million that would come out, how would this
11 impact the overall budget? And why wasn't this
12 done within the budget period?

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

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

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

21 ACTING PRESIDENT GRIFFO: You want
22 her to repeat?

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Marchione, would you kindly repeat that for
2 Senator Comrie?

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

6 SENATOR MARCHIONE: The
7 \$2.5 million cap does not change. What changes
8 is that the owners of the facility no longer
9 would have to match that \$2.5 million. So
10 there's no change in budget.

11 SENATOR COMRIE: Thank you.
12 Would the sponsor yield for another
13 question, Mr. President?

14 SENATOR MARCHIONE: Yes.

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

17 SENATOR MARCHIONE: I do.

18 SENATOR COMRIE: Thank you.
19 Would this bill impact the ability
20 for the thoroughbred operators in the area to
21 continue to get their fair share of the
22 VLT monies, as has been voiced and concerned by
23 the fact that VLTs around the state are taking
24 what they believe are the highest earner VLTs and
25 preventing them from getting the money that they

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

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

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

8 SENATOR MARCHIONE: I do.

9 ACTING PRESIDENT GRIFFO: Senator
10 Marchione yields.

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

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

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

25 SENATOR COMRIE: Thank you.

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

3 SENATOR MARCHIONE: Yes.

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

6 SENATOR MARCHIONE: I do.

7 ACTING PRESIDENT GRIFFO: Senator
8 Comrie.

9 SENATOR COMRIE: Thank you.

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

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

20 SENATOR COMRIE: Thank you.

21 On the bill, Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator
23 Comrie on the bill.

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

1 bill -- because of the fact that there's no
2 standard for the types of VLTs that will -- the
3 \$2.5 million will be taken from.

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

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

15 I'm concerned also that the
16 \$2.5 million, this is happening outside of the
17 budget process. There will be an impact on the
18 financial plan since that \$2.5 million was
19 already planned for this year's financial plan.
20 While I understand that it may be an
21 insignificant amount of money in a \$160 billion
22 budget, we still need to be accurate within a
23 certain area to ensure that the budget can be
24 balanced to the degree that it needs to be to
25 protect all entities.

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

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

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator Comrie.

20 Senator Krueger.

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

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

1 SENATOR MARCHIONE: I do.

2 ACTING PRESIDENT GRIFFO: The
3 Senator yields.

4 SENATOR KRUEGER: Thank you.

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

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

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

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

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

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

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

6 SENATOR MARCHIONE: Yes.

7 SENATOR KRUEGER: Thank you.

8 So as I understand it, under this
9 law, Saratoga would no longer have to make a
10 match in order to keep \$2.5 million annually
11 under what's called the vendor capital award, is
12 that correct? They no longer have to put up
13 \$2.5 million in order to get the \$2.5 million
14 from the state, is that correct?

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

20 ACTING PRESIDENT GRIFFO: Senator
21 Krueger.

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

25 SENATOR MARCHIONE: Yes.

1 ACTING PRESIDENT GRIFFO: Senator
2 Marchione yields.

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

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

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

18 SENATOR MARCHIONE: Yes.

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

21 SENATOR KRUEGER: Thank you.

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

25 SENATOR MARCHIONE: Through you,

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

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

8 SENATOR MARCHIONE: Yes.

9 ACTING PRESIDENT GRIFFO: The
10 sponsor yields.

11 SENATOR KRUEGER: Thank you.
12 Those other two sites she named,
13 Finger Lakes and Monticello, are they also
14 exempted under a special law or are they a
15 different size?

16 SENATOR MARCHIONE: They're
17 approximately the same size.

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

21 SENATOR MARCHIONE: Yes.

22 ACTING PRESIDENT GRIFFO: The
23 sponsor yields.

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

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

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

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

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

14 ACTING PRESIDENT GRIFFO: Senator
15 Marchione?

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

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

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

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

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

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

11 SENATOR MARCHIONE: Yes.

12 ACTING PRESIDENT GRIFFO: The
13 sponsor yields.

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

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

22 SENATOR KRUEGER: On the bill,
23 Mr. President.

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

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

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

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

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

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

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

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

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

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Is there

1 any other Senator that wishes to be heard?

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

4 Read the last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator
11 Marchione to explain her vote.

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

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

17 ACTING PRESIDENT GRIFFO: Excuse
18 me, Senator Marchione.

19 SENATOR MARCHIONE: Yes.

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

22 Senator Marchione.

23 SENATOR MARCHIONE: Thank you.

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

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

4 And there was a lot said about not
5 helping education. I want to state that our
6 New York State gaming facilities generate almost
7 \$3 billion in economic activity throughout the
8 state and employ approximately 30,000 people.
9 These facilities also earn about \$900 million for
10 education aid, and \$238 million to support the
11 horse racing and breeding industry.

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

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

24 I vote aye, Mr. President.

25 ACTING PRESIDENT GRIFFO: Senator

1 Marchione to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 58. Nays, 2.

4 Senators Díaz and Krueger recorded in the
5 negative.

6 Absent from voting: Senators Larkin
7 and LaValle.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Could we now
12 call up Calendar 929.

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will read Calendar 929.

15 THE SECRETARY: Calendar Number
16 929, by Senator Marchione, Senate Print 177B, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT GRIFFO: Senator
19 Stavisky.

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

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

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

1 SENATOR MARCELLINO: Wrong bill.

2 SENATOR BOYLE: What's that? Oh,
3 sorry.

4 (Laughter.)

5 SENATOR MARCHIONE: You can go
6 ahead if -- it's okay, Senator, if you'd like to
7 do it, go ahead.

8 (Laughter.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Boyle, would you like Senator Marchione to yield?

11 (Laughter.)

12 ACTING PRESIDENT GRIFFO: Senator
13 Marchione.

14 SENATOR MARCHIONE: This bill
15 reduces the holding time for adoption of healthy
16 stray cats -- whose owners are not known by the
17 way of collar identification, tag, or
18 microchip -- to three days.

19 ACTING PRESIDENT GRIFFO: Senator
20 Marchione has provided the explanation requested,
21 Senator Stavisky.

22 SENATOR STAVISKY: Will the Senator
23 yield?

24 SENATOR MARCHIONE: Sure. Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Marchione, do you yield?

2 SENATOR MARCHIONE: Yes.

3 ACTING PRESIDENT GRIFFO: The
4 Senator yields.

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

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

13 What they have told us is that only
14 4 or 5 percent of the cats that come into
15 New York shelters are reclaimed by their owners,
16 and reclamation is usually within 48 hours.
17 Ninety percent of stray cats or owned stray
18 cats brought into shelters are adopted. So this
19 bill will hopefully get them adopted quicker.

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

23 SENATOR MARCHIONE: Yes.

24 ACTING PRESIDENT GRIFFO: Senator
25 Marchione yields.

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

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

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

11 Will the Senator continue to yield?

12 SENATOR MARCHIONE: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 Senator yields.

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

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

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

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

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

11 SENATOR MARCHIONE: Yes.

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

16 SENATOR MARCHIONE: I do not.

17 SENATOR STAVISKY: Thank you.
18 Will the Senator continue to yield?

19 SENATOR MARCHIONE: Yes.

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

1 population?

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

5 SENATOR STAVISKY: If the Senator
6 would continue to yield.

7 SENATOR MARCHIONE: Yes.

8 ACTING PRESIDENT GRIFFO: The
9 Senator yields.

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

14 SENATOR MARCHIONE: The average
15 length of shelter stay for a cat is 32 days for
16 cats less than one year old and 124 days for
17 those over one year old, at a cost of about
18 \$10 per day per cat. The cost to 90 sheltering
19 organizations across the state is about
20 \$19.4 million annually.

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

24 SENATOR MARCHIONE: Yes.

25 ACTING PRESIDENT GRIFFO: The

1 Senator yields.

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

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

9 SENATOR STAVISKY: Will the Senator
10 continue to yield?

11 SENATOR MARCHIONE: Yes.

12 ACTING PRESIDENT GRIFFO: The
13 Senator yields.

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

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

24 SENATOR STAVISKY: Will the Senator
25 continue to yield?

1 SENATOR MARCHIONE: Yes.

2 ACTING PRESIDENT GRIFFO: The
3 Senator yields.

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

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

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

14 ACTING PRESIDENT GRIFFO: Senator
15 Stavisky on the bill.

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

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

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

5 Thank you, Mr. President.

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

8 Is there any other Senator that
9 wishes to be heard?

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

12 Senator DeFrancisco.

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

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

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

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

4 Read the last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Results?

11 THE SECRETARY: Ayes, 60.

12 Absent from voting: Senators
13 LaValle and Larkin.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: Can we now
18 take up Calendar 941.

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

21 THE SECRETARY: Calendar Number
22 941, by Senator Boyle, Senate Print 5599, an act
23 to amend the Agriculture and Markets Law.

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

1 (Laughter.)

2 ACTING PRESIDENT GRIFFO: Senator
3 Hoylman.

4 SENATOR HOYLMAN: Explanation,
5 please.

6 ACTING PRESIDENT GRIFFO: Senator
7 Hoylman would like an explanation.

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

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

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

19 ACTING PRESIDENT GRIFFO: Senator
20 Boyle yields.

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

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

1 Hoylman.

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

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

7 ACTING PRESIDENT GRIFFO: Senator
8 Boyle.

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

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

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

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Boyle, do you yield?

2 SENATOR BOYLE: Yes.

3 ACTING PRESIDENT GRIFFO: The
4 Senator yields.

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

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

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

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

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

3 SENATOR BOYLE: I do, yes.

4 ACTING PRESIDENT GRIFFO: Senator
5 Boyle yields.

6 SENATOR HOYLMAN: Through you.

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

12 SENATOR BOYLE: Right.

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

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

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

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

4 SENATOR HOYLMAN: Would the sponsor
5 continue to yield?

6 ACTING PRESIDENT GRIFFO: Senator
7 Boyle, do you yield?

8 SENATOR BOYLE: I do.

9 ACTING PRESIDENT GRIFFO: The
10 Senator yields.

11 SENATOR HOYLMAN: Thank you,
12 Mr. President.

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

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

21 SENATOR HOYLMAN: Would the sponsor
22 continue to yield.

23 ACTING PRESIDENT GRIFFO: Do you
24 yield, Senator Boyle?

25 SENATOR BOYLE: I continue.

1 ACTING PRESIDENT GRIFFO: Continue.

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

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

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

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

1 this case.

2 SENATOR HOYLMAN: If the sponsor
3 would continue to yield.

4 ACTING PRESIDENT GRIFFO: Senator
5 Boyle, do you yield?

6 SENATOR BOYLE: I continue to
7 yield, yes.

8 ACTING PRESIDENT GRIFFO: He
9 yields.

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

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

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

24 SENATOR HOYLMAN: Will the sponsor
25 continue to yield?

1 SENATOR BOYLE: I do.

2 ACTING PRESIDENT GRIFFO: Senator
3 Boyle yields.

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

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

9 SENATOR HOYLMAN: Will the sponsor
10 continue to yield?

11 SENATOR BOYLE: Yes.

12 ACTING PRESIDENT GRIFFO: Senator
13 Boyle yields.

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

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

25 But importantly, if they do not

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

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

8 ACTING PRESIDENT GRIFFO: A final
9 question?

10 SENATOR BOYLE: Absolutely.

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

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

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

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

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

19 SENATOR HOYLMAN: On the bill.

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

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

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

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

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

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

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

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

21 SENATOR PARKER: I'm doing well.
22 (Laughter.)

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

1 SENATOR PARKER: On the bill.

2 ACTING PRESIDENT GRIFFO: Senator
3 Parker on the bill.

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

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

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

19 Pets are really important in the
20 context of our communities. There is probably no
21 community in the State of New York, out of
22 20 million people -- if there's 20 million people
23 in the State of New York, there's probably at
24 least 40 million pets being kept. Especially if
25 you're counting fish and lizards and all kinds of

1 nontraditional pets.

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

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

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

25 One of the best pets I ever had.

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

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

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

17 (Laughter.)

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

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

22 SENATOR DeFRANCISCO: Would the
23 Senator yield to a question?

24 SENATOR PARKER: Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Parker yields.

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

7 (Laughter.)

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

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

21 (Laughter.)

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

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

1 ACTING PRESIDENT GRIFFO: Senator
2 Parker.

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

14 And we went there, we looked at cats
15 for like 45 minutes. That was probably about
16 40 minutes longer than I expected to be looking
17 at cats that day. But my at the time probably
18 7-year-old goddaughter finally had her moment
19 when she connected with this cat. Got the cat --
20 you know, this place was licensed, a licensed
21 dealer. They cleaned the cat up, they gave her
22 shots, they gave us all the paperwork that we
23 needed to say that we adopted -- you know, that
24 we had rescued this cat.

25 And I sat her down and I told her

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

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

12 (Laughter.)

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

15 (Laughter.)

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

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

25 And we don't nearly have, I think,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 ACTING PRESIDENT GRIFFO: Thank
10 you, Senator Díaz.

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

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

15 ACTING PRESIDENT GRIFFO: Senator
16 Parker on the bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 ACTING PRESIDENT GRIFFO: Senator
15 Krueger.

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

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

22 Senator Krueger, why do you rise?

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

25 I believe at the beginning of his

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

7 (Laughter.)

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

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

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

15 Thank you. Thank you, Senator
16 Parker.

17 ACTING PRESIDENT GRIFFO: Your
18 point is well taken.

19 Senator Parker.

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

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

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

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

11 (Laughter.)

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

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

18 SENATOR PARKER: Yes, absolutely.

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

1 again, need to be on task.

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

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

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

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

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

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

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

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

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

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

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

6 SENATOR GIANARIS: Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Gianaris.

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

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

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

25 SENATOR GIANARIS: Thank you,

1 Mr. President.

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

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

6 SENATOR DeFRANCISCO: There being
7 none, I move that we adjourn until Wednesday --
8 that's tomorrow -- June 7th, at 12:00 p.m.,
9 12:00 p.m.

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

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

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