NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 18, 2018

11:21 a.m.

REGULAR SESSION

SENATOR FRED AKSHAR, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AKSHAR: The Senate will come to order.

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

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

ACTING PRESIDENT AKSHAR: Today we have Reverend Peter G. Young, from the Mother Teresa Community in Albany, to give the invocation.

Reverend?

REVEREND YOUNG: Thank you, Senator.

Today we pray especially for our Senators. By being a Senator, you have been accepted into the leadership position so that you can be more fully able to serve the people of New York State.

In this spirit of community, our prayer today will be to better achieve the goal of dedicated representation in the power that is entrusted to all of our legislative leadership.

May you attain your satisfaction in your services to your constituents. And we pray

that God will support this good cause.

Amen.

ACTING PRESIDENT AKSHAR: Thank you, Reverend.

If I could ask everyone to remain standing. We'll have a moment of silence for former First Lady Barbara Bush, who passed away yesterday at the age of 92.

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

ACTING PRESIDENT AKSHAR: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, April 17th, the Senate met pursuant to adjournment. The Journal of Monday, April 16th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 16, Senator Boyle moves to discharge, from the Committee on Commerce, Economic Development and Small

Business, Assembly Bill Number 6175A and substitute it for the identical Senate Bill 622A, Third Reading Calendar 98.

ACTING PRESIDENT AKSHAR: The substitution is ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, on page 24 I offer the following amendments to Calendar 247, Senate Print 898, by Senator Amedore, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AKSHAR: The amendments are received, and the bill shall retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 3271, by Senator Marchione, read the title only, and call on Senator Marchione to speak.

ACTING PRESIDENT AKSHAR: The

Secretary will read.

THE SECRETARY: Legislative Resolution Number 3271, by Senator Marchione, commemorating the bicentennial of the Town of New Lebanon, New York.

ACTING PRESIDENT AKSHAR: Senator Marchione.

SENATOR MARCHIONE: Mr. President and my colleagues, I rise to speak on my resolution commemorating the bicentennial of the Town of New Lebanon, which is located in Columbia County, the entirety of which resides in the 43rd Senate District.

Almost 200 years ago, on April 21, 1818, the State Legislature passed an act that divided the Town of Canaan, formerly known as the Kings District, to create the Town of New Lebanon.

New Lebanon sits in a beautiful valley halfway between the Hudson and Connecticut Rivers at the base of the Taconic Mountains. It's a wonderful community filled with incredible people and a rich, vibrant past steeped in history, achievements and renowned figures, including Olive Hatch, who, through her

association with Emma Willard, founded the New Lebanon Women's Seminary in 1865, and Lieutenant James Hitchcock, who first used the healing waters of the Warm Spring, named Montepoole by the Mohicans, as early as 1756.

In addition, the area around Warm Spring is home to Columbia Hall, which was opened in 1794. This magnificent hotel towered 300 feet above the valley and could hold 400 guests. In a treasured register of its renowned guests are the signatures of John Quincy Adams, Martin Van Buren, Daniel Webster, Henry Longfellow, and Marquis de Lafayette.

Samuel J. Tilden, born February 9, 1814, in New Lebanon, became the 25th governor of New York and a candidate for president in 1876. Samuel's grandfather, John Tilden, is said to have named the Town of New Lebanon. And the Samuel J. Tilden Monument, inscribed with the phrase "I still trust the people," is listed on the National Register of Historic places and lies in the Cemetery of the Evergreens in New Lebanon.

Thomas Kendall became a prominent business owner in New Lebanon when he invented the modern graduated thermometer and started the

Kendall Shop, the first thermometer-manufacturing company in America.

Established in 1787, the Mount Lebanon Shaker Community led the way in early entrepreneurship activity and innovations. Today this settlement is a mile-long National Historic Landmark District which includes Darrow School, the Abode of the Message, and Mount Lebanon Shaker Museum, as well as the Great Stone Barn, America's largest masonry barn.

I'm honored to have joining me today Colleen Teal -- if you would rise, please -- supervisor for the Town of New Lebanon, who's helping lead this proud community with such an incredible storied past into an even brighter and boundless future. With Supervisor Teal is Ted Salem and Fiona Lally, who are the cochairs of the New Lebanon 200 Committee.

My colleagues and I offer you our congratulations on the Town of New Lebanon's 200th anniversary, and here is to 200 more.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: Thank you, Senator Marchione.

To our guests, we welcome you to the

New York State Senate chamber. We extend all the privileges and the courtesies of this great house. Thank you for being with us.

(Applause.)

ACTING PRESIDENT AKSHAR: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, this resolution is open for cosponsorship.

ACTING PRESIDENT AKSHAR: The resolution is open for cosponsorship. If you would like to be a cosponsor, please notify the desk.

Senator DeFrancisco.

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

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Calendar Number 98, substituted earlier by Member of the Assembly Schimminger, Assembly Print 6175A, an act authorizing.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

I will vote for this bill, but I'd like to point out two things. One, I think we already have a system in place for businesses to use the internet or for people to use the internet to find businesses. It's called Google. So I'm not sure we needed the ESDC to create their own.

But under the belief that ESDC is already wasting such an enormous amount of money on useless economic development projects, I'm willing to give this one a try. So I vote yes.

Thank you, Mr. President.

ACTING PRESIDENT AKSHAR: We agree. You'll be recorded in the affirmative.

Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AKSHAR: The bill

is passed.

THE SECRETARY: Calendar Number 305, by Senator Lanza, Senate Print 2602, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 448, by Senator Little, Senate Print 1676A, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT AKSHAR: Read the last section.

THE SECRETARY: Section 4. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT AKSHAR: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 495, by Senator Murphy, Senate Print 6313A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AKSHAR: The bill is passed.

THE SECRETARY: Calendar Number 687, by Senator Ritchie, Senate Print 1466, an act to amend the Education Law.

ACTING PRESIDENT AKSHAR: Read the last section.

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

ACTING PRESIDENT AKSHAR: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AKSHAR: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT AKSHAR: The bill is passed.

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

SENATOR DeFRANCISCO: On behalf of Senator Flanagan, there's a hand-up making various committee assignments.

ACTING PRESIDENT AKSHAR: The hand-up is received and will be filed in the Journal.

SENATOR DeFRANCISCO: Now there's a privileged resolution at the desk, by Senator Larkin. Would you please read it in its entirety and call on Senator Larkin, Senator Serino, and then Senator Helming.

ACTING PRESIDENT AKSHAR: The Secretary will read.

THE SECRETARY: Legislative resolution by Senator Larkin celebrating the life and accomplishments of Frank K. Skartados, a well-respected New York State Assemblyman, distinguished citizen and devoted member of his community.

"WHEREAS, This Legislative Body is moved to recognize and pay tribute to the life and accomplishments of New York State Assemblyman Frank K. Skartados, an individual of distinguished purpose and enduring commitment, whose lifework and civic endeavors served to enhance the quality of life in the Hudson Valley and this great Empire State; and

"WHEREAS, Frank K. Skartados of Milton, New York, a more than four-term New York State Assemblyman, died on Sunday, April 15, 2018, at the age of 62; and

"WHEREAS, Frank K. Skartados, the seventh of eight children, was born on the Greek island of Astypalaia; on July 4, 1970, 14-year-old Frank arrived in New York City with his mother, and six years later, on November 24,

1976, he became a citizen of the United States of America; and

"WHEREAS, After graduating from George Washington High School in Upper Manhattan, Frank K. Skartados worked in the restaurant industry and eventually became the proprietor of his own business; and

"WHEREAS, His valuable knowledge and understanding of the restaurant business earned him the means necessary to put himself through college at the State University of New York at New Paltz; and

"WHEREAS, Frank K. Skartados graduated with honors and a degree in political science; at the same time, he worked at the commandant's office of the New York Military Academy in Cornwall, New York; and

"WHEREAS, This remarkable man went on to achieve a master's degree in international studies at the State University of California at Sacramento; he later completed an internship at the United Nations Center Against Apartheid; and

"WHEREAS, Frank K. Skartados returned to the New York Military Academy to serve as chairman of the health department for

the next eight years; in addition, he was a teacher of environmental studies and American history; and

"WHEREAS, In 2000, Frank K. Skartados made a career change and devoted his life to renovating properties in downtown Poughkeepsie, including building the Aegean Entertainment Center, the largest entertainment venue between Albany and New York City; at this time, he also moved to a farm in Milton, New York, where he raised goats, sheep and chickens; and

"WHEREAS, After being elected, Frank K. Skartados' next career move was to serve as an Assemblyman within the New York State Assembly, beginning in January of 2009; he lost the seat two years later by less than 20 votes but, in March of 2012, he regained the office in a special election; and

"WHEREAS, The death of Assemblyman Frank K. Skartados, a highly respected and regarded public servant, leaves a great void in the New York State Assembly and in the communities of the 104th Assembly District he served with such passion and dedication; and

"WHEREAS, His district, located in the Mid-Hudson Valley, includes the cities of Newburgh, Beacon and Poughkeepsie and the towns of Newburgh, Marlborough and Lloyd; and

"WHEREAS, Assemblyman Frank K. Skartados was proud to represent the only district in New York whose cities and towns all border the Hudson River; as a result, he focused his attention on the Hudson's environmental protection, and helped to fund the creation of several riverside parks and trails; and

"WHEREAS, Furthermore, Assemblyman Frank K. Skartados secured numerous grants to lower school and municipal taxes by investing in equipment, infrastructure, workforce housing and libraries; by devoting his time to these and other important community-related issues and concerns, he thereby left upon them his own indelible and lasting mark; and

"WHEREAS, Assemblyman Frank K. Skartados' popularity grew as he was elected by large majorities ranging from 60 to 80 percent of the vote; a man of strong convictions, he was best known for his humble demeanor and for giving passionate speeches on issues such as education

reform, support of immigrants and worker rights; and

"WHEREAS, Frank K. Skartados is survived by his loving daughter, Alyssa, and brothers, Russos and George (Tina), both living in the United States; he is also survived by his beloved in-laws Myrna, Selma, Matt, Nivia and Rodrigo, and other family members who reside in Greece; and

"WHEREAS, Every citizen in New York State has most certainly benefited, in one way or another, from the deep dedication, intelligence and commitment that Assemblyman Frank K. Skartados brought to his work as a legislator and public policy-maker; loyal friend and trusted advisor, he will be deeply missed and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations in a moment of silent tribute to Frank K. Skartados, whose unselfish concern for the welfare of others enhanced the lives of those so fortunate to have called him family, colleague and friend, and to express its deepest condolences to his family;

and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Frank K. Skartados."

ACTING PRESIDENT AKSHAR: Senator Larkin on the resolution.

SENATOR LARKIN: Thank you, Mr. President.

If those in attendance listened to the outline on the resolution, it pictures, totally, Frank. Here's a man that came from Greece at age 14. And if you look at his education, if you look at what he did locally, nationally -- he loved this country. He loved his community.

I want to tell you, I've been here 40 years -- the best Assemblymember I've ever had. Because he didn't care about who got the credit. What he cared about, are we working harder together to make sure that we're accomplishing what we want?

We've done many projects together in the district that I share with him, with my colleague Senator Serino. But Frank was different. Frank would go out and make you think

that he was just a kid that came off of a back alley street. And then when you started discussing the issue with Frank, you knew that he knew exactly what he was talking about.

And he always looked at -- thinking of the young kids that we talked -- Sue and I talked to him about the Armory. And when he sees all these kids, 400 and 500 kids coming and trying to learn a language, trying to learn a trade, something to do, and working with one another, he said to me before he went to the hospital, he said: "You know, wouldn't it be fine to get up and look around and learn something that we have not been able to achieve, which is everybody respecting one another."

Frank loved this country. He loved his community. And there was no such thing as a different person of color with Frank. With Frank was one thing: What can I do to make your quality of life better? What can I do to help you, Mr. Supervisor, Mr. Mayor, Mr. Councilman, Mr. Legislator? What can I do to help you make your community more accessible, more desirable, and more wanted to be living in?

Frank Skartados took away a long

life in a short time, at age 62. I got to know him when he became an Assemblyman the first time, and right away we hit things off. Because he was a people person, and his main issue was let us do what's right, and we'll sort out the credit later.

May God bless him and bring him by His side.

ACTING PRESIDENT AKSHAR: Thank you, Senator Larkin.

Senator Serino.

SENATOR SERINO: Thank you, Mr. President.

That was beautifully said, Colonel.

Assemblyman Skartados was a tireless advocate for our local community. He was a friend who truly helped me when I first took office. He's a person who truly put our neighbors first, and he wasn't afraid to take on the tough issues if he knew that it would benefit our community, like he did when he took up the fight to pass a bill that we share relating to consecutive sentencing.

Frank was an honest representative who embodied the American dream. Some knew him

as a goat herder, some knew him as a Latin club owner, an Assemblyman, but always a true friend.

My heart goes out to his family, his beautiful daughter especially, and his dedicated team who helped him achieve so much for our local area. He will truly be missed.

Thank you.

ACTING PRESIDENT AKSHAR: Thank you, Senator Serino.

Senator Helming on the resolution.

SENATOR HOYLMAN: Thank you, Mr. President.

Assemblyman Skartados was an incredible advocate for upstate New York and our rural communities. Together we chaired the Legislative Commission on Rural Resources and fought for the interests of rural New Yorkers.

Frank's love for his community and for the greater New York State agricultural community was very, very evident. Assemblyman Skartados leaves behind a legacy of public service we can all be very proud of. His positive impact on New York State will not be forgotten.

Mr. President, I offer my deepest

condolences to Mr. Skartados's daughter, his family, and his friends.

Thank you.

ACTING PRESIDENT AKSHAR: Thank you, Senator Helming.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I too want to say a word about Frank Skartados. I served with him briefly in the Assembly.

But his story is a great American story. And as the child of Greek immigrants myself, I wanted to pay honor to his accomplishments as an immigrant from Greece who came to this country, not only established himself as a successful businessman, but rose to represent his community in this State Legislature.

And we will miss him. We mourn him today. And certainly I know that the Greek-American community respects his accomplishments and his sacrifices.

Thank you.

ACTING PRESIDENT AKSHAR: Thank

you, Senator Gianaris.

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

(Response of "Aye.")

ACTING PRESIDENT AKSHAR: Opposed, nay.

(No response.)

ACTING PRESIDENT AKSHAR: The resolution is adopted.

Madam Floor Leader.

SENATOR RITCHIE: The sponsor would like to open this up for cosponsorship. If you'd like to cosponsor, please notify the desk.

ACTING PRESIDENT AKSHAR: The resolution is open for cosponsorship. If you'd like to be a cosponsor, please notify the desk.

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

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

SENATOR RITCHIE: Then can we adjourn until Monday, April 23rd, at 12:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AKSHAR: On motion, the Senate stands adjourned until Monday,

April 23rd, at 12:00 p.m., intervening days being legislative days.

(Whereupon, at 11:41 a.m., the Senate adjourned.)