NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:24 p.m.

REGULAR SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT STEWART-COUSINS: The Senate will please come to order.

I ask everyone present to please rise and recite with me the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT STEWART-COUSINS: The invocation today will be delivered by Father Peter Young, of the Mother Theresa Community of Albany.

FATHER YOUNG: Thank you, Senator.

Let us pray.

We are citizens of New York State that respect leadership. Yesterday our heroes were on the football field, but today our prayers are for a young Rochester police officer in critical care, hopefully recovering from a drug-bust shooting, who we now call then our hero.

Our Senators are our elected leadership and the pride of New York State.

May we continue see their greatness during these days of economic stress so that we can call upon You, O God, to bless them, all of these Senators, for their public service to our dedicated kind of call in this office of the Senate of New York State to our citizens.

Amen.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Father Young.

The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Friday, January 30, the Senate met pursuant to adjournment. The Journal of Thursday, January 29, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT STEWART-COUSINS: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a privileged resolution at the desk.

I ask that the resolution be read in its entirety and move for its immediate adoption and to have Senator Thompson have the opportunity to speak on his resolution.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Thompson, Legislative Resolution Number 254, memorializing Governor David A. Paterson to proclaim April 2009 as Electronics Recycling Month in the State of New York.

"WHEREAS, It is the custom of this Legislative Body to proclaim specific events that bring attention and awareness to important issues that affect the lives of the people living in this great Empire State; and

"WHEREAS, Attendant to such

concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to memorialize Governor David A. Paterson to proclaim April 2009 as Electronics Recycling Month in the State of New York; and

"WHEREAS, This Legislative Body finds and declares that electronic equipment, which contains priority contaminants that are a cause of concern such as cathode ray tubes, printed circuit boards, batteries, lead, and other components, can have significant toxicological effects on humans and the environment when improperly disposed; and

"WHEREAS, Beginning June 12, 2009, federal law will require that all full-power television broadcast stations stop broadcasting in analog format and broadcast only in digital format; and

"WHEREAS, In anticipation of the possibility that large quantities of televisions will become obsolete as of said date, it is the duty of the State of New York and its local governments to encourage and

organize electronics recycling events throughout the month of April 2009 and all Aprils thereafter, until legislation is passed making such practice law; and

"WHEREAS, The State of Minnesota Legislature enacted the Minnesota Electronics Recycling Act of 2007, which became effective on July 1, 2007; and

"WHEREAS, Since the enactment of the Minnesota Electronics Recycling Act of 2007, 33.6 million pounds of Covered Electronic Devices have been diverted from the waste stream and properly recycled according to environmental regulations; and

"WHEREAS, From the total amount of Covered Electronic Devices collected and recycled, 45 percent came from special events throughout the State of Minnesota; and

"WHEREAS, Getting in the habit of recycling is of significant importance to the environment and to the people residing in the communities of New York State as well as those living throughout the United States of America; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize Governor David A. Paterson to proclaim April 2009 as Electronics Recycling Month in the State of New York; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the Honorable David A. Paterson, Governor of the State of New York."

ACTING PRESIDENT STEWART-COUSINS: Senator Thompson.

SENATOR THOMPSON: Yes, Madam Chairwoman, I first want to say this is a very important resolution.

I think what we see happening on the national level with our new president, Barack Obama, really promoting the environment, climate change, and so many green-related issues. And this body has long championed issues related to the environment.

We know that the United States of America, since 2005, every year is putting more and more computers into the waste stream. And that's why it's so important to really

complement the efforts of local communities that are promoting electronic recycling. And the state needs to do a better job in leading that charge.

So for example, since 2005, every year -- in 2005 alone, 47 million computers in our nation were thrown away. And so states all across the United States of America are moving forward with this issue.

And the reason why this is also so important in our state is as we think about when these computers are taken out of the garbage, they're actually sent, in many places, overseas. Just last year in 2008, and in addition in 2007, different national publications documented how the individuals were going to third-world nations like Ghana, Nigeria, and the other places where they actually smash these computers, they try to burn them as best they can, so they can get whatever materials that are available.

And you can see them in Time magazine, National Geographic, where these individuals with no protective gear are trying

to get all of the things that are salvageable and then wind up harming themselves and getting all types of illnesses.

So anything that the states can do, particularly like New York State, to promote electronic recycling I think can be extremely helpful.

One of the other things that I wanted to note as well. Whether you look at countries like Nigeria or Ghana or Pakistan or China or India where children are often seen sorting through computers, inhaling all types of toxic materials. And if we can work hard at this issue, I think we will make the world a better place.

Let me also say that there are a lot of different things that we can do outside of having our own law in the state. Many of our members, through their various newsletters, through working with environmental groups and their local governments, we can also play a role during the month of April in promoting electronic recycling. It's extremely important.

If we look at our cellphones, if we look at our computers, every month there's a new computer that comes out. And as computers become obsolete, we throw our old printers in the garbage, we throw those old ink cartridges in the garbage. We look at those monitors as well.

These things we must do a better job of protecting. And if we think about what's going to happen this year in June with all these outdated televisions -- you know, I personally like my old TV that I got in 1989 for $120. I've lost two televisions since then, but the one I bought secondhand for $120 when I was a student at SUNY Brockport, it's still working.

But you know what? That television is not environmentally friendly. Many of these old TVs have lead in them. And those TVs, many of them will be thrown away right at the curbside today, tomorrow, and every day over the next few days and the next coming months.

We have to do a better job of

trying to contain these materials and trying to find a way so that we can dispose of them in an environmentally friendly way.

So I thank you. I won't take any more of your time. But I think this is a very important resolution. We have to make sure that we "green" New York. I know that last year the Senate Democrats talked about the Green Apple Initiative. Well, we want to grow that Green Apple tree this year so that we can make New York State a better place.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Thompson.

Senator Oppenheimer.

SENATOR OPPENHEIMER: I'd like to commend the sponsor of this resolution.

This is an issue that I first started studying about six years ago when Inform, which is an environmental think tank in New York City, put out a large study, which was written by one of my best friends, concerning electronic recycling in Europe, particularly specifically in Germany.

And at that time it interested me, and I started to pursue it. It turns out that cellphones, there are millions and millions of cellphones that are being discarded along with our regular garbage waste. And computers are larger and more significant to see, but the number of cellphones that is going to contaminate our landfills is amazing. I've lost track of the multiples of millions.

In my community we started recycling many, many years ago when I was the mayor there. And we now do have electronic recycling. We have it once a month, and we have it on a day that is easy to see because it is the fifth Wednesday of each month, which comes around like every three months you'll have a fifth -- whatever, a fifth Tuesday, a fifth Wednesday. And that is when we take all electronic products. And we have been able to sell them back to the originators.

But I think what is done in Europe, which I think is very interesting, is that the responsibility to return the products is to the manufacturer. And we might have some

difficulty selling this concept to some of our businesses, but I think it really makes great sense. Because then they can reprocess pieces of this electronic equipment and it can be of value to them.

So I think that's something that we all should be looking at, perhaps thinking for legislation during this year.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Oppenheimer.

Are there any other Senators who wish to be heard on the resolution?

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

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

At the request of the sponsor, the resolution is open for multisponsorship by the

entire house. Any member wishing not to be a multisponsor of the resolution should so inform the desk.

Senator Klein.

SENATOR KLEIN: Madam President, is there any other business at the desk?

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, the desk is clear.

SENATOR KLEIN: There being none, Madam President, I move we adjourn until tomorrow, Tuesday, February 3rd, at 3:00 p.m.

ACTING PRESIDENT STEWART-COUSINS: There being no further business to come before the Senate, on motion, the Senate stands adjourned until Tuesday, February 3rd, at 3:00 p.m.

(Whereupon, at 3:39 p.m., the Senate adjourned.)