

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 11, 2012

11 3:11 p.m.

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14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: In the
10 absence of clergy, I ask all to bow our heads
11 in a moment of silent reflection and prayer.

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

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

16 THE SECRETARY: In Senate,
17 Sunday, June 10th, the Senate met pursuant to
18 adjournment. The Journal of Saturday,
19 June 9th, was read and approved. On motion,
20 Senate adjourned.

21 ACTING PRESIDENT GRIFFO:
22 Without objection, the Journal stands approved
23 as read.

24 Presentation of petitions.

25 Messages from the Assembly.

1 The Secretary will read.

2 THE SECRETARY: On page 51,
3 Senator LaValle moves to discharge, from the
4 Committee on Corporations and Authorities,
5 Assembly Bill Number 10281 and substitute it
6 for the identical Senate Bill Number 7378A,
7 Third Reading Calendar 946.

8 ACTING PRESIDENT GRIFFO: The
9 substitution is so ordered.

10 Messages from the Governor.

11 Reports of standing committees.

12 Reports of select committees.

13 Communications and reports from
14 state officers.

15 Motions and resolutions.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President,
18 there will be an immediate meeting of the
19 Rules Committee in Room 332. That's an
20 immediate meeting of the Rules Committee in
21 Room 332.

22 The Senate will stand at ease.

23 ACTING PRESIDENT GRIFFO:

24 There's an immediate meeting of the Rules
25 Committee in Room 332.

1 The Senate stands at ease.

2 (Whereupon, the Senate stood at ease
3 at 3:16 p.m.)

4 (Whereupon, the Senate reconvened at
5 3:21 p.m.)

6 ACTING PRESIDENT GRIFFO: The
7 Senate will come to order.

8 Senator Libous.

9 SENATOR LIBOUS: Mr. President, I
10 believe there's a report of the Rules Committee
11 at the desk. I ask that it be read at this time.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read the Committee of Rules
14 report.

15 THE SECRETARY: Senator Skelos,
16 from the Committee on Rules, reports the
17 following bill direct to third reading:

18 Senate Print 7637, by Senator
19 Lanza, an act to amend the Public Health Law.

20 ACTING PRESIDENT GRIFFO: Senator
21 Libous.

22 SENATOR LIBOUS: Mr. President, I
23 move to accept the report of the Rules Committee.

24 ACTING PRESIDENT GRIFFO: All in
25 favor of accepting the Rules Committee report

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT GRIFFO: Opposed,
4 nay.

5 (No response.)

6 ACTING PRESIDENT GRIFFO: The
7 Rules Committee report is accepted.

8 Senator Libous.

9 SENATOR LIBOUS: Mr. President, at
10 this time could we take up the noncontroversial
11 reading of Supplemental Calendar 54A.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 1142, by Senator Lanza, Senate Print 7637, an act
16 to amend the Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 4. This
20 act shall take effect immediately.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Senator
25 Lanza to explain his vote.

1 SENATOR LANZA: Mr. President, on
2 the bill.

3 ACTING PRESIDENT GRIFFO: Senator
4 Lanza to explain his vote.

5 SENATOR LANZA: Mr. President, I'd
6 ask each of my colleagues here in the Senate to
7 think back to that day you decided to run for the
8 New York State Senate. Whether it was two
9 years ago or 20, I know you considered many
10 things, lots of considerations. But I think each
11 of us to a person here, Democrat and Republican,
12 ultimately made the decision because we wanted to
13 make a positive difference in our community and
14 across our state.

15 My colleagues here in the Senate,
16 today we have an opportunity to do just that. We
17 have a problem that is raging across this state
18 from the North Country to New York City, from
19 Western New York to Long Island. And actually
20 it's a problem that is raging across this
21 nation. And of course I'm talking about the
22 prescription drug abuse epidemic.

23 All of us are aware of stories of
24 addiction, violence, suicide and death. And it's
25 all being caused by one of the fastest-growing

1 problems in our state and in this nation, and
2 that is abuse of prescription drugs.

3 Let me put the problem in
4 perspective for you. (Pause.) I'm on the bill.

5 ACTING PRESIDENT GRIFFO: You're
6 explaining your vote, Senator Lanza.

7 SENATOR LANZA: Sorry. Sorry
8 about that. Well, that makes it a little
9 difficult.

10 Last year, overdose from
11 prescription drug abuse, deaths outnumbered car
12 accident fatalities. One in five teenagers have
13 reported that they've tried prescription drugs
14 without a prescription.

15 Last year in the country more than
16 200 million prescriptions were written for
17 painkillers, in a country with a population of
18 300 million. In New York State, 22 million
19 prescriptions were written, with a population of
20 less than 19.5 million.

21 This is an issue that is really
22 destroying families, destroying lives, and
23 ravaging our state. We have a common-sense
24 solution here. This problem is so widespread for
25 a number of reasons. One of those is because of

1 the insidious dynamic that exists with
2 prescription drugs. You don't have to go to a
3 drug dealer behind some burnt-out building to
4 obtain these drugs, you obtain them from a
5 professional wearing a lab coat.

6 This comes about really, this
7 problem I think can be described as a medicinal
8 Trojan horse. On the outside, a medicine born
9 legitimately, something we're all accustomed to
10 seeing in our society as something that helps
11 us. And meanwhile, on the inside, there's a
12 killer lurking.

13 On Staten Island, what has been
14 described as the epicenter of the problem here in
15 New York State, a person dies every 13 days.
16 Across the nation, 50 people every single day die
17 from this type of abuse. Imagine were there a
18 killer lurking through our streets killing one
19 person every 13 days or 50 people every day, what
20 we would do to stop that, to prevent that from
21 happening.

22 Well, this is what we're doing
23 here. This is a common-sense approach. This
24 basically says doctors should have information
25 about the patients to whom they're prescribing

1 these drugs. Pharmacists should have to report
2 each time they dispense those drugs so that we
3 have a system that understands and appreciates
4 whether or not the people who are getting these
5 drugs dispensed to are people that should be
6 getting them.

7 This creates just such a system.
8 Doctors must look, pharmacists must report -- and
9 I know I'm past my two minutes, so let me just
10 finish quickly -- nothing good comes without a
11 lot of effort and a lot of partnership. I urge
12 everyone here to vote in the affirmative so you
13 can do precisely what you set out to do the day
14 you decided to run for the Senate.

15 We have a rare opportunity here.
16 There are a lot of things we do in the Senate
17 that are important, perhaps some not so
18 important. I can't imagine anything more
19 important than what we're doing here today,
20 because this will allow each and every one of us
21 to save lives. And that doesn't come about every
22 single day.

23 So let me thank all the people that
24 were involved here. First let me begin with my
25 leader, Dean Skelos, for providing leadership,

1 who said at the beginning of the session we're
2 not going to leave here until this gets done.

3 Let me thank Governor Cuomo for
4 traveling around the state, advancing the idea
5 that we need to address this problem, and his
6 staff, especially Jim Malatris.

7 Let me mention Diane Burman and
8 Rob Mujica's office and Katy Coleman and Tom
9 Wickham, here in the Senate.

10 Of course the Attorney General,
11 Eric Schneiderman, who began leading on this
12 issue when he was here in the Senate, traveled
13 the state as Attorney General advancing the idea
14 that we needed to do this I-STOP legislation. I
15 want to thank his staff: Justin Berhaupt,
16 Melissa DeRosa, John Amodeo, Greg Krakower.

17 Let me thank my good friend in
18 Staten Island, Assemblyman Cusick, the sponsor of
19 the bill over in the Assembly, and the Speaker.

20 And let me take a moment finally to
21 thank Senator Hannon for his extreme wisdom and
22 leadership on this issue. You know, the people
23 of New York are very fortunate and blessed when
24 it comes to issues of health to have such a
25 resource here in the New York State Senate, our

1 friend Senator Hannon.

2 So with that, Mr. President, I vote
3 aye.

4 ACTING PRESIDENT GRIFFO: Senator
5 Lanza to be recorded in the affirmative.

6 Senator Kennedy to explain his
7 vote.

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

10 First of all, let me thank my
11 colleagues on both sides of the aisle for your
12 leadership and steadfastness in helping to bring
13 this legislation to the floor.

14 I want to first and foremost thank
15 the Attorney General, Eric Schneiderman, for his
16 leadership on this issue, putting forth I-STOP
17 legislation at the end of last year's session,
18 and being the driving force in getting this
19 legislation ultimately enacted today.

20 This legislation that I hold in my
21 hands is going to help save lives across New York
22 State. This legislation is going to make
23 New York State a leader in reforming prescription
24 drug laws in the United States.

25 Reforms that are contained within

1 this legislation include online tracking,
2 physician training, patient awareness, electronic
3 prescriptions.

4 This is a major victory for the
5 people of New York State and for the families of
6 this state that understand firsthand the
7 devastation of prescription drug abuse. It's a
8 health crisis that has had far-reaching and fatal
9 consequences.

10 Over the months we've been fighting
11 for action on prescription drug abuse, we've met
12 so many New York families that have lost sons and
13 daughters, brothers and sisters to this growing
14 epidemic. Each death has been a tragedy and,
15 sadly, devastating tragedies like this have been
16 happening across New York State every single
17 day.

18 The families who have channeled
19 their grief into action fueled this movement to
20 combat prescription drug abuse. Without their
21 courage and relentless advocacy, we would not be
22 passing this important legislation today. Their
23 successful lobbying efforts demonstrate the
24 public's power to initiate reform when we stand
25 together to promote positive change.

1 And change is what was desperately
2 needed. In 2007 there were 27,000 unintentional
3 drug overdoses. Since then, this problem has
4 grown progressively worse. One person dies every
5 19 minutes as a result of prescription drug abuse
6 across this nation every single day.

7 This comprehensive legislation is
8 the right solution to curb the skyrocketing
9 number of overdoses, suicides, and crimes
10 connected to prescription drug abuse.

11 When Avi and Julie Israel -- who
12 lost their son, Michael David Israel -- came to
13 my office last year, they outlined how the system
14 had failed their family, how the system had
15 failed their deceased son. They shared their
16 ideas of how things could be improved.

17 We put their ideas to work and
18 introduced the Michael David Israel laws. Many
19 of these concepts are put forward in this
20 comprehensive legislation that we have before us
21 today.

22 For the first time, pharmacists
23 will have access to the Controlled Substance
24 Registry, enabling them to help prevent drug
25 diversion and abuse. This electronic system will

1 also be an effective diagnosis tool for
2 physicians. It will give them the information
3 they need to help save lives.

4 After Michael David Israel's death,
5 Avi and Julie Israel started a group called Save
6 the Michaels of the World. That's exactly what
7 this new law will do. It will prevent addiction
8 and ultimately save lives.

9 Again, I want to thank the Attorney
10 General, Eric Schneiderman, for his leadership.
11 I want to thank the Governor, Andrew Cuomo, for
12 his continued efforts in moving this legislation
13 forward.

14 Mr. President, I vote aye.

15 ACTING PRESIDENT GRIFFO: Senator
16 Kennedy in the affirmative.

17 Senator Libous, why do you rise?

18 SENATOR LIBOUS: I believe that we
19 have quite a few members that want to speak, and
20 that's fine. But they're going to be explaining
21 their votes, and that should be two minutes. I
22 just want to remind everybody of that.

23 ACTING PRESIDENT GRIFFO: Point
24 well taken, Senator Libous.

25 I have exercised some flexibility

1 at this point, but I will ask the remaining
2 members who are speaking to observe the
3 two-minute rule as a rule of the Senate.

4 Senator Maziarz to explain his
5 vote.

6 SENATOR MAZIARZ: Thank you very
7 much, Mr. President.

8 I appreciate the fact that you're
9 going to observe the rules when I'm speaking,
10 Mr. President.

11 (Laughter.)

12 SENATOR MAZIARZ: I just want to
13 join in my support and thank Senator Lanza, who
14 brought this bill from its infancy to the floor
15 here today.

16 I do want to thank -- you know, all
17 too often we as a group are criticized. But we
18 worked very hard to make sure that this day would
19 come. And I want to particularly thank Senator
20 Kemp Hannon, my colleague sitting over here.

21 Senator Hannon, who is, you know,
22 very knowledgeable about healthcare issues, held
23 a roundtable discussion and had everyone there,
24 everyone who normally -- from the industry side,
25 pharmacy side, medical side, the doctors, brought

1 everyone together, but most importantly the
2 families, the families who have suffered the loss
3 of a loved one because of this catastrophic
4 ailment, disease, whatever you want to call it
5 that is taking hold across our state, this
6 addiction to prescription medications.

7 Without the leadership of
8 Senator Hannon, at least on the Senate side, we
9 would never see this day here today.

10 Senator Skelos, who every time my
11 office called him and asked him to meet with the
12 advocates, the families of loved ones, he never
13 once said he was too busy, he never once said
14 that, you know, "We just held a meeting, it's
15 moving." He was always willing to meet with
16 them. So my appreciation to Senator Skelos.

17 And the delegation from Western
18 New York, all of us on the Senate and the
19 Assembly side who met with these families to
20 discuss their tragedies, who listened to their
21 tragic examples, fought very hard.

22 So, Mr. President, it's a great
23 honor for me to be joined by many of the family
24 members that are here today to see this long,
25 long road come to an end, to a positive

1 conclusion.

2 Thank you, Mr. President. I vote
3 in the affirmative.

4 ACTING PRESIDENT GRIFFO: Senator
5 Maziarz to be recorded in the affirmative.

6 Senator Grisanti to explain his
7 vote.

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

10 I rise proudly in support of this
11 legislation. I commend our conference for
12 pushing it, Senator Skelos and Senator Lanza for
13 keeping this legislation alive and not giving up.

14 Today is a bittersweet day for the
15 family members in Erie County and across this
16 state who are behind me today, who not only met
17 myself and others in our conference -- when we
18 had hearings on this issue, they put their grief
19 aside, after losing a loved one over this, and
20 fought to have legislation that will save others
21 in this state.

22 You cannot get more honorable than
23 that. You cannot get more honorable than what
24 these families have been through and what they
25 have done. It's a selfless act.

1 To these families, I am most proud
2 to vote aye and to be a member of this Senate
3 here today.

4 Thank you, Mr. President.

5 ACTING PRESIDENT GRIFFO: Senator
6 Grisanti to be recorded in the affirmative.

7 Senator Gallivan to explain his
8 vote.

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

11 I too rise to support this
12 legislation, thank my colleagues for their
13 perseverance, all the people involved in putting
14 this together. Clearly we are trying to deal
15 with one of the greatest public health challenges
16 of our generation.

17 I also rise, though, more
18 importantly, to say that this wouldn't be
19 possible without the families, many represented
20 in this room, in the back of the chamber. And I
21 thank you for having the courage to stand up to
22 make this a reality.

23 And I would be remiss if I didn't
24 mention additionally my constituents Mark and
25 Suzanne Crotty, part of this family of families,

1 who also lost their son. Not possible without
2 courageous people.

3 Thank you very much.

4 ACTING PRESIDENT GRIFFO: Senator
5 Gullivan to be recorded in the affirmative.

6 Senator Hannon to explain his vote.

7 SENATOR HANNON: Thank you,
8 Mr. President.

9 Today we are passing one of the
10 most significant public health measures that has
11 ever come to this chamber. And there has been a
12 whole legion of people that are responsible for
13 that, from the Governor, to the leaders, to all
14 my colleagues who have spent innumerable hours
15 bringing this forward and discussing it with me,
16 to the families that have been just unceasing in
17 their devotion to have it changed.

18 And one of the biggest hurdles
19 we've had has been what we have seen in the
20 modern healthcare system in America, is a very
21 complicated labyrinth of policies, of people, of
22 involvement. And in order to change that, it has
23 taken a full amount of time -- of the Governor,
24 of both legislative bodies, the Attorney
25 General -- in order to bring about this change.

1 And I want to make one other
2 point. We have not solved the problem. We are
3 beginning to address the problem. Its breadth
4 and its depth are very pervasive. And what we
5 have as a chore ahead of us is going to require
6 us to continue to be watchful and to continue to
7 be vigilant and innovative in what we propose as
8 future public health policies.

9 Thank you.

10 ACTING PRESIDENT GRIFFO: Senator
11 Hannon to be recorded in the affirmative.

12 Senator Ranzenhofer to explain his
13 vote.

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

16 Obviously there are a lot of proud
17 people in here. Again, I want to give my thanks
18 to Senator Hannon, Senator Lanza, Senator Skelos,
19 obviously the Attorney General and the Governor.

20 But one of the things that just
21 strikes me is that when you look up in the
22 textbook of how a bill becomes a law, it really
23 doesn't mention the true driving force behind
24 this law. It doesn't talk about the families
25 that pushed this. That's not in the textbooks.

1 What's talked about in the
2 textbooks is introducing legislation, committee
3 meetings, and the things like that. It doesn't
4 talk about the tragedies, doesn't talk about the
5 pain, doesn't talk about what these families have
6 been through. But that's what really makes a
7 bill become a law. It's the advocacy, it's the
8 passion, it's the desire to make a change in
9 society for the better. And that's what we have
10 here today.

11 So when they write the next edition
12 of how a bill becomes a law, I think the new
13 edition should include the real driving forces
14 behind these laws, and many like this, is the
15 families that institute the introduction of
16 legislation. Because without these families and
17 without what they have gone through, this bill
18 would not become a law.

19 I vote yes.

20 Thank you, Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Ranzenhofer to be recorded in the affirmative.

23 Senator Klein to explain his vote.

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

1 I want to thank my colleague
2 Senator Lanza and thank the chair of the Health
3 Committee, Senator Hannon, for all of his hard
4 work on this legislation.

5 I think what we're doing here today
6 is a very important first step in our fight
7 against prescription drug abuse. When you look
8 at the numbers, they're off the charts.

9 I mean, if you look at the amount
10 of people across the State of New York over the
11 last several years abusing prescription drugs, we
12 have already rivaled the heroin epidemic of the
13 '70s and the crack epidemic of the '80s. It is
14 very, very clear that for an abuser, the drug of
15 choice are prescription drugs.

16 A couple of years ago I noticed it
17 in my own Senate district, when we had these pill
18 mills, they have people show up as early as
19 7 o'clock in the morning with lines around the
20 block just to get into these places.

21 I think this is a very important
22 first step, as was said. And I was proud to
23 cohost two roundtables on this issue with
24 Senator Hannon.

25 And I think what we're doing today

1 is very important. This is a step in the right
2 direction that will help curb the practice
3 of "doctor shopping" by having doctors look at
4 the prescription histories of patients, something
5 that wasn't necessarily required before.

6 I'm also supportive of the new
7 rules that will have the Department of Health
8 analyze the data they have collected in order to
9 spot possible patterns of abuse.

10 I also applaud the fact that the
11 state will work to create its own drug take-back
12 system. You have many nursing homes and other
13 facilities that really want to get rid of these
14 drugs instead of storing them at these
15 facilities, which can very easily be taken by
16 staff and outsiders.

17 So I think what we're doing here
18 today is very important, and I think the I-STOP
19 legislation I think is a very important first
20 approach. And I'm glad we're finally doing it,
21 because it sounds very simple, but I think the
22 least that we can ask of doctors and pharmacists
23 is that they play a role in tracking prescription
24 drugs in our society.

25 I vote yes, Mr. President.

1 ACTING PRESIDENT GRIFFO: Senator
2 Klein to be recorded in the affirmative.

3 Senator Martins to explain his
4 vote.

5 SENATOR MARTINS: Thank you,
6 Mr. President.

7 I too rise to support this piece of
8 legislation. I want to thank my colleague
9 Senator Lanza for taking the lead on this issue,
10 as well as the Health Committee chair,
11 Senator Hannon, who's worked tirelessly to make
12 this bill a reality.

13 You know, when we talk about
14 21 million prescriptions being written in one
15 year in New York State alone and being filled in
16 one year in New York State alone, and we
17 contextualize that across the board, those are
18 our children. That's an entire generation of
19 New Yorkers that is addicted to this medication.
20 Because it has been abused because there has been
21 the ability to prescribe without there being
22 these necessary controls.

23 I do believe that this piece of
24 legislation will be the signature piece of
25 legislation for this session. Because with this

1 piece of legislation, we bend back the curve on
2 the tragedy that has afflicted our families
3 across New York State. It doesn't know any
4 socioeconomic boundaries. It's afflicted every
5 community in each one of our districts.

6 And this is our first step in
7 addressing this issue comprehensively. It is a
8 first step because now we do have to deal with
9 the consequences of the addiction that is
10 reflected in those 21 million prescriptions that
11 were written.

12 But it is an important first step
13 because with this legislation we are able to
14 finally close the door definitively on the
15 rampant abuse of prescription medication in
16 New York State and set a model for the rest of
17 the country on steps to be followed in protecting
18 their citizens as well.

19 Mr. President, I am proud to vote
20 aye. And again, I want to compliment my
21 colleagues Senator Lanza and Senator Hannon for
22 their leadership on this issue.

23 Thank you.

24 ACTING PRESIDENT GRIFFO: Senator
25 Martins to be recorded in the affirmative.

1 Senator Savino to explain her vote.

2 SENATOR SAVINO: Thank you,
3 Mr. President.

4 I also rise in support of this
5 legislation. I'm going to try and do this in the
6 two-minute time frame.

7 I want to thank my colleague from
8 Staten Island, Senator Lanza; Senator Hannon;
9 Senator Klein; Assemblyman Cusick; and the
10 Governor, of course, for working on this
11 important policy.

12 It has been said that this is a
13 crisis that is affecting every corner of the
14 state. And in some respects it's a crisis of
15 privilege, because in order to have access to
16 prescription drugs you have to have good
17 insurance, you need a prescription drug plan. So
18 we see this affecting certain parts of the state
19 worse than others.

20 And it's important that we close
21 that loophole, we shut that door that Senator
22 Martins talked about.

23 But before we walk away from this
24 today and we think we've solved the problem of
25 prescription drug abuse, we may have closed that

1 door, but we have not solved the problem of
2 addiction which is the underlying disease that
3 drives this.

4 Let us not kid ourselves. Do not
5 assume that just because we cut off the supply
6 that we are going to stop the demand. People who
7 are addicts that don't get proper treatment and
8 analysis are going to turn to another form of
9 drug. They're going to start drinking, they're
10 going start buying illegal drugs, they're going
11 to do whatever they have to.

12 Addiction is a disease. It is not
13 a character defect, it is not a moral failing.
14 We need to approach it the way we now understand
15 it to be.

16 So this policy is exactly right for
17 this problem, but it's not the solution to all of
18 the problems of addiction.

19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Senator
21 Savino to be recorded in the affirmative.

22 Senator Fuschillo to explain his
23 vote.

24 SENATOR FUSCHILLO: Thank you very
25 much, Mr. President.

1 I too want to thank my colleague
2 Senator Lanza, who I know has really struggled
3 over this for a long period of time. And today
4 is a great day for him and for all of us. And I
5 want to thank Senator Hannon for his work as
6 well.

7 You know, it seems that where I
8 represent on Long Island, a day doesn't go by, a
9 week doesn't go by where we see an addiction that
10 has led to a death, we read about a pharmacist
11 being killed, we read about a pharmacy being
12 robbed, and we read about other tragic events.

13 This widespread abuse hopefully
14 will start to end once this takes effect. It has
15 to stop. And you have to wonder why it's taken
16 so long when we read about doctors that prescribe
17 over 2 million pills. Why has it gotten this
18 far?

19 Nevertheless, Senator Lanza and
20 Senator Hannon took the helm and knew that a
21 solution had to be addressed, and they reached
22 across party lines to do it. I thank them for
23 their efforts, and I support this legislation.

24 ACTING PRESIDENT GRIFFO: Senator
25 Fuschillo to be recorded in the affirmative.

1 Senator Farley to explain his vote.

2 SENATOR FARLEY: Thank you,
3 Mr. President.

4 I rise in support of this piece of
5 legislation, one of the most massive and
6 important pieces of legislation that we've passed
7 this year or any other year. This is an example
8 of the best functioning legislature, in my
9 judgment, in the United States. They called us
10 dysfunctional. I'll tell you, we are
11 functioning.

12 You know, Senator Lanza has worked
13 for two years on this piece of legislation. And
14 he said to me earlier, "It will take me
15 45 minutes just to begin to explain it." And
16 we're grateful for the effort that you've put
17 into that, my seatmate here.

18 And what do I say about Senator
19 Hannon -- actually, perhaps the most gifted
20 person on healthcare in the United States. This
21 Senate is lucky to have him as the chairman of
22 one of the most complicated committees that we
23 have.

24 And this is a great piece of
25 legislation, and one that everybody can be proud

1 to vote for, because it addresses a problem that
2 is not only sophisticated and difficult to
3 address, but it addresses it well. It might be a
4 start, but it is a magnificent start, and I
5 proudly vote aye.

6 ACTING PRESIDENT GRIFFO: Senator
7 Farley to be recorded in the affirmative.

8 Senator Golden to explain his vote.

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

11 I too am proud of my colleagues
12 Senator Lanza, Senator Hannon, all of our
13 colleagues here on both sides of the aisle, the
14 Assembly, the Attorney General, the Governor, for
15 their input into this bill.

16 This is a serious bill. And as
17 some of my colleagues have stated, we have not
18 put an end to the addiction issue here in the
19 State of New York. But like back when we had the
20 crack epidemic, we went out there and we put into
21 law areas that would cut back on crack and cut
22 back on the use of crack, and we brought down
23 crack usage here in the State of New York and we
24 put people away in jail that were selling crack
25 and using crack to a great deal.

1 Today we have a great bill here. I
2 am a Senator that represents just one district
3 out of 62. And since February of this year, I've
4 lost five kids, 17 to 21 years of age. Five kids
5 since February.

6 The impact on the communities, the
7 impact on the schools, the impact on these family
8 members that stand behind us is overwhelming.
9 It's about time that this state did something.

10 I'm proud that Senator Lanza,
11 Senator Hannon and Senator Saland have worked on
12 this bill, and I'm proud of what they've come up
13 with in requiring the electronic prescribing and
14 updating the Controlled Substance Schedule,
15 similar to what we did with crack years ago, and
16 enhancing the Prescription Pain Medication
17 Awareness Program, and going after and
18 establishing a safe disposal program for all of
19 those prescription pills that are in medicine
20 cabinets across this great state.

21 Ladies and gentlemen, this is a
22 great step forward. We still have a lot to do.
23 Congratulations, though, on this long overdue
24 bill.

25 Thank you, and I vote aye.

1 ACTING PRESIDENT GRIFFO: Senator
2 Golden to be recorded in the affirmative.

3 Senator LaValle to explain his
4 vote.

5 SENATOR LaVALLE: Thank you very
6 much, Mr. President. Just very briefly.

7 It is very tragic when we have a
8 young life shortened, and the parents who are
9 here today will feel that pain. But what we're
10 doing today maybe will be some relief that we're
11 dealing with a societal problem, we're beginning
12 to address it.

13 The pharmacists -- and Senator
14 Fuschillo talked about it, what has gone on in
15 pharmacies on Long Island is very, very tragic.

16 But yesterday in the New York Times
17 it was brought to our attention how students are
18 using Adderall and Ritalin and other drugs to
19 help them when they take the SATs.

20 So that from a societal standpoint,
21 addiction and the use of drugs has become far too
22 much of a commonplace situation, whether it's
23 following, yielding to peer pressure or to use it
24 to take the SATs.

25 So Senator Hannon and Senator Lanza

1 should be really complimented. As all the
2 colleagues have said here, this is a major piece
3 of legislation for this session.

4 I vote aye.

5 ACTING PRESIDENT GRIFFO: Senator
6 LaValle to be recorded in the affirmative.

7 Announce the results.

8 THE SECRETARY: Ayes, 58.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 At this time I would like to
12 express our appreciation for all those families
13 who have been so persistent and such strong
14 advocates and dedicated to this cause. We
15 appreciate your efforts and acknowledge your
16 presence, some of them, in the chamber today.

17 (Standing ovation.)

18 ACTING PRESIDENT GRIFFO: Senator
19 Libous.

20 SENATOR LIBOUS: Mr. President, we
21 need to return to motions and resolutions,
22 please.

23 ACTING PRESIDENT GRIFFO: We will
24 return to motions and resolutions.

25 SENATOR LIBOUS: Mr. President,

1 there's a resolution at the desk by Senator
2 DeFrancisco, Number 4372. It was previously
3 adopted by this house on May 8th. May we please
4 have the title read, and could you please call on
5 Senator DeFrancisco.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 4372, by Senator DeFrancisco,
10 congratulating the Cicero-North Syracuse Girls
11 Basketball Team and Coach Eric Smith upon the
12 occasion of winning consecutive New York State
13 Class AA championships.

14 ACTING PRESIDENT GRIFFO: Senator
15 DeFrancisco.

16 Can I have some order in the
17 chamber, please.

18 SENATOR DeFRANCISCO: Thank you,
19 Mr. President.

20 I'm very proud and honored to rise
21 to congratulate the Cicero-North Syracuse Girls
22 Basketball Team and Coach Eric Smith, Assistant
23 Coaches Laura Schilly and Bill Aldrich, who are
24 here with us today, for winning two consecutive
25 state championships.

1 These are truly outstanding young
2 athletes. And before I talk a little bit about
3 their athletic prowess, as a scholar-athlete team
4 they had a combined 92 grade-point average, which
5 is quite an accomplishment in view of all the
6 practices, all the games, all the dedication that
7 they had to put into this incredible winning
8 combination.

9 They won the championship game this
10 year 62 to 48, so it wasn't even close. They
11 went on to win the federation championship as
12 well. And they also went on a national
13 championship tournament in Phoenix, Arizona,
14 known as the most competitive tournament in the
15 country, where they were semifinalists. And in
16 the course of the season they beat three top-25
17 nationally ranked teams. It is absolutely
18 unbelievable what they have done.

19 One of the players I'll talk about
20 in a moment, because we have a special resolution
21 for her. But these are truly fine young women,
22 fine young athletes, and fine scholars who are
23 going to be our leaders in the future.

24 So I urge everyone to unanimously
25 support this resolution and congratulate this

1 outstanding group of young women -- and there's a
2 man coach, I guess -- and the man as well who
3 coached the team.

4 Thank you, Mr. President.

5 ACTING PRESIDENT GRIFFO: Senator
6 Valesky.

7 SENATOR VALESKY: Thank you,
8 Mr. President.

9 I want to join my colleague
10 Senator DeFrancisco in congratulating the
11 Cicero-North Syracuse Girls Basketball Team
12 champions, the North Stars.

13 And I'm glad Senator DeFrancisco
14 raised the issue of their academic success as
15 well, because sometimes I think we can think that
16 because a group of young people are successful
17 athletically that that somehow means that there's
18 less of an attention on academics. And that's
19 clearly not the case with our championship team
20 here today.

21 So I join in congratulations and
22 would just simply point out that this is their
23 second consecutive New York State championship.
24 And as difficult as I'm sure it was to win the
25 first time, I'm sure the second time around was

1 even more difficult, and you came through and you
2 did it once again.

3 So congratulations to each and
4 every one of you, and thanks to your parents as
5 well, who certainly make a lot of sacrifices on
6 your behalf.

7 Thank you.

8 ACTING PRESIDENT GRIFFO: As
9 indicated, the resolution has been previously
10 adopted.

11 We would like to extend our
12 congratulations and best wishes to the Girls
13 Hoops Team from C-NS, and their coaching staff
14 and all the people that are here with them.

15 Congratulations. Please stand.

16 (Applause.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Libous.

19 SENATOR LIBOUS: Thank you,
20 Mr. President.

21 There is a second resolution by
22 Senator DeFrancisco at the desk, it's Number
23 4311. This resolution was previously adopted on
24 May 1st. Could we please have the title read and
25 again call on Senator DeFrancisco.

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read.

3 THE SECRETARY: Legislative
4 Resolution Number 4311, by Senator DeFrancisco,
5 congratulating Breanna Stewart upon the occasion
6 of being named the 2011-2012 National Girls
7 Basketball Player of the year by Gatorade.

8 ACTING PRESIDENT GRIFFO: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: Yes, I'm
11 also very proud to rise to congratulate Breanna
12 Stewart, who is the best female basketball player
13 in the entire country.

14 And since she's the best, she's
15 going to be going to the University of
16 Connecticut next year and lead the University of
17 Connecticut to another national championship in
18 their long history of national championships.

19 She not only was named this year's
20 Player of the Year by Gatorade, but listen to
21 this information about her. She's a 6'4"
22 forward -- and by the way, I played basketball at
23 the Syracuse YMCA with her father. He's about a
24 head shorter, and I'm about a head shorter than
25 him.

1 (Laughter.)

2 SENATOR DeFRANCISCO: But she not
3 only started playing basketball, playing for the
4 team as an eighth-grader, she continued on after
5 that time and during this season she led the team
6 to a 23 and 3 record. And I told you about the
7 other accomplishments of the team.

8 She was selected to the USA
9 Basketball Women's Under 16 National Team at the
10 age of 14. She was the leading scorer and
11 rebounder for the USA Basketball Women's Under 19
12 National Team that won the 2011 World
13 Championships. She participated in the McDonalds
14 All-American Game. And she has a school career
15 number of points -- listen to this -- 2,367. She
16 was named the Morgan Wootten Player of the Year
17 and the USA Basketball's Female Athlete of the
18 Year. And it goes on.

19 And she's just a wonderful young
20 woman as well. I met her on a prior occasion.

21 And so with that said, I proudly
22 move this resolution. And in doing so, I would
23 ask Breanna to please stand up so that the whole
24 chamber can recognize her.

25 (Applause.)

1 ACTING PRESIDENT GRIFFO: We
2 extend our congratulations to Breanna Stewart on
3 her award.

4 And also, as noted earlier, the
5 resolution has been previously adopted.

6 Senator Libous.

7 SENATOR LIBOUS: Ladies,
8 Mr. President -- Senator DeFrancisco continues to
9 tell me that he was a basketball player, but I
10 don't believe him.

11 (Laughter.)

12 SENATOR LIBOUS: Mr. President, at
13 this time I think Senator Carlucci would like to
14 be recognized for a statement.

15 ACTING PRESIDENT GRIFFO: Senator
16 Carlucci.

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

19 I rise today to talk about a very
20 important resolution that we'll have coming to
21 the floor tomorrow in commemoration of one of the
22 worst tragedies that happened in Olympic
23 history. This year marks 40 years since the
24 Munich 1972 politics, where, tragically,
25 11 Israeli athletes and coaches were taken

1 hostage and then murdered.

2 And this year we're asking the
3 Olympic Committee to pause for one minute to
4 remember those athletes that lost their lives.

5 And with us today in the chamber in
6 the gallery we have some real activists that have
7 been working hard at the grassroots level from
8 the JCC of Rockland. They've been on a mission
9 to have this moment of silence during the 2012
10 Summer Olympics.

11 And we have with us our Clarkstown
12 Councilwoman Stephanie Hausner, we have Steven
13 Gold, Joe Allen, and the executive director of
14 the JCC of Rockland, David Kirschtel.

15 And they have been doing terrific
16 work. And one of the things that they've done is
17 they've started Change for Change, which is a
18 program where they're trying to collect
19 11 million coins from throughout the County of
20 Rockland to commemorate and remember those
21 11 Israeli athletes and coaches that were
22 murdered in the 1972 Summer Olympics.

23 So I thank Senator Skelos and
24 Senator Storobin for their work in bringing this
25 resolution to the floor tomorrow.

1 Thank you, Mr. President.

2 ACTING PRESIDENT GRIFFO: Thank
3 you, Senator Carlucci.

4 And we extend the courtesies of the
5 house to our guests.

6 Senator Libous.

7 SENATOR LIBOUS: Mr. President, as
8 Senator Carlucci said, tomorrow we will do the
9 full resolution.

10 There's a resolution at the desk by
11 Senator Martins, Number 4690. It was previously
12 adopted by this house on May 22nd. May we please
13 have the title read and then call on
14 Senator Martins.

15 ACTING PRESIDENT GRIFFO: The
16 Secretary will read.

17 THE SECRETARY: Legislative
18 Resolution Number 4690, by Senator Martins,
19 commemorating the observance of Portugal Day in
20 the State of New York, on June 10, 2012.

21 ACTING PRESIDENT GRIFFO: Senator
22 Martins.

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

25 I rise to recognize Portugal Day,

1 which is held June 10th each year, and in doing
2 so celebrate not only the rich history and close
3 collaboration of Portugal and the United States,
4 but also the tremendous contribution of
5 Portuguese Americans throughout our great state.

6 Now, we've heard a lot, growing up,
7 in the history books about the discoveries, how
8 Portugal discovered the world and brought the
9 world together as the first country to create
10 really a global village. As the Portuguese poet
11 widely recognized to be the preeminent poet in
12 Portuguese literature, Luis Vas de Camões,
13 stated: "If there had been more of the world,
14 the Portuguese would have reached it."

15 Through their discoveries, they
16 brought different cultures together,
17 Mr. President. And in celebrating Portugal Day
18 each year we have an opportunity to celebrate the
19 rich history that that country has.

20 In our own state, we have
21 communities from Suffolk County, from
22 Farmingville and my own village of Mineola, but
23 also throughout New York State. Manhattan,
24 Brooklyn, Mount Vernon, Yonkers, Tarrytown,
25 Ossining, New Rochelle all have significant

1 Portuguese communities and Portuguese sectors.

2 These are communities that came to
3 the United States, recent immigrant populations
4 for the most part, but that are integral to the
5 fabric of those communities, contribute to the
6 economic development of those communities, but
7 also provide a tremendous amount of community
8 service in those communities.

9 So it is with great pride that I
10 have the opportunity today to celebrate
11 Portugal Day and to take a moment to celebrate
12 not only the rich history but the rich
13 contribution of Portuguese Americans here in
14 New York State.

15 Thank you, Mr. President.

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

18 Senator Hassell-Thompson.

19 SENATOR HASSELL-THOMPSON: Thank
20 you, Mr. President.

21 I rise to congratulate Senator
22 Martins on his resolution and also to endorse
23 it.

24 As a community that has in excess
25 of 10,000 Portuguese living in that community, I

1 too must stand with him to acknowledge this day
2 and the contributions of all people, but
3 certainly to our Portuguese community for the
4 steadfastness with which they have participated
5 in government as well as civic life in our city.

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Thank
8 you, Senator Hassell-Thompson.

9 As mentioned earlier, the
10 resolution has been previously adopted. Thank
11 you very much.

12 Senator Fuschillo, we have
13 completed the Senate supplemental calendar and
14 competed the motions and resolutions that were
15 before the desk.

16 SENATOR FUSCHILLO: Mr. President,
17 we're on motions and resolutions?

18 ACTING PRESIDENT GRIFFO: We will
19 continue on motions and resolutions.

20 SENATOR FUSCHILLO: On behalf of
21 Senator Farley, I wish to call up Senate Print
22 Number 5765, recalled from the Assembly, which is
23 now at the desk.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 251, by Senator Farley, Senate Print 5765, an act
3 relating to permitting.

4 SENATOR FUSCHILLO: I now move to
5 reconsider the vote by which the bill was passed.

6 ACTING PRESIDENT GRIFFO: Call the
7 roll on reconsideration.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 58.

10 SENATOR FUSCHILLO: I now offer
11 the following amendments.

12 ACTING PRESIDENT GRIFFO: The
13 amendments are received.

14 SENATOR FUSCHILLO: On behalf of
15 Senator Nozzolio, I wish to call up Senate Print
16 Number 5208B, recalled from the Assembly, which
17 is now at the desk.

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 44, by Senator Nozzolio, Senate Print 5208B, an
22 act to amend the Real Property Tax Law.

23 SENATOR FUSCHILLO: I now move to
24 reconsider the vote by which the bill was passed.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll on reconsideration.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58.

4 SENATOR FUSCHILLO: I now offer
5 the following amendments.

6 ACTING PRESIDENT GRIFFO: The
7 amendments are received.

8 SENATOR FUSCHILLO: On behalf of
9 Senator Ritchie, I wish to call up Senate Print
10 Number 5160, recalled from the Assembly, which is
11 now at the desk.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 85, by Senator Ritchie, Senate Print 5160, an act
16 to amend the Agriculture and Markets Law.

17 SENATOR FUSCHILLO: I move to
18 reconsider the vote by which the bill was passed.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll on reconsideration.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 58.

23 SENATOR FUSCHILLO: I offer the
24 following amendments.

25 ACTING PRESIDENT GRIFFO: The

1 amendments are received.

2 SENATOR FUSCHILLO: On behalf of
3 Senator Gallivan, I wish to call up Senate Print
4 Number 5557A, recalled from the Assembly, which
5 is now at the desk.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 168, by Senator Gallivan, Senate Print 5557A, an
10 act to amend the Real Property Tax Law.

11 SENATOR FUSCHILLO: I move to
12 reconsider the vote by which the bill was passed.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll on reconsideration.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58.

17 SENATOR FUSCHILLO: I now offer
18 the following amendments.

19 ACTING PRESIDENT GRIFFO: The
20 amendments are received.

21 SENATOR FUSCHILLO: On behalf of
22 Senator Ball, I wish to call up Senate Print
23 Number Print 6305A, recalled from the Assembly,
24 which is now at the desk.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 239, by Senator Ball, Senate Print 6305A, an act
4 to amend the Public Health Law.

5 SENATOR FUSCHILLO: I move to
6 reconsider the vote by which the bill was passed.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll on reconsideration.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 58.

11 SENATOR FUSCHILLO: I offer the
12 following amendments.

13 ACTING PRESIDENT GRIFFO: The
14 amendments are received.

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

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

19 SENATOR FUSCHILLO: On behalf of
20 Senator Hannon, I wish to call up Senate Print
21 Number 6550A, recalled from the Assembly, which
22 is now at the desk.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 360, by Senator Hannon, Senate Print 6550A, an
2 act to authorize.

3 SENATOR FUSCHILLO: I move to
4 reconsider the vote by which the bill was passed.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will call the roll on reconsideration.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 58.

9 SENATOR FUSCHILLO: I offer the
10 following amendments.

11 ACTING PRESIDENT GRIFFO: The
12 amendments are received.

13 SENATOR FUSCHILLO: On behalf of
14 Senator Ranzenhofer, I wish to call up Senate
15 Print Number 6690, recalled from the Assembly,
16 which is now at the desk.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will read.

19 THE SECRETARY: Calendar Number
20 610, by Senator Ranzenhofer, Senate Print 6690,
21 an act to amend the Public Authorities Law.

22 SENATOR FUSCHILLO: I now move to
23 reconsider the vote by which the bill was passed.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll on reconsideration.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58.

3 SENATOR FUSCHILLO: I offer the
4 following amendments.

5 ACTING PRESIDENT GRIFFO: The
6 amendments are received.

7 SENATOR FUSCHILLO: On behalf of
8 Senator Griffo, I wish to call up Senate Print
9 Number 3880B, recalled from the Assembly, which
10 is now at the desk.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 726, by Senator Griffo, Senate Print 3880B, an
15 act to amend the Education Law.

16 SENATOR FUSCHILLO: I now move to
17 reconsider the vote by which the bill was passed.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll on reconsideration.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 58.

22 SENATOR FUSCHILLO: I now offer
23 the following amendments.

24 ACTING PRESIDENT GRIFFO: The
25 amendments are received.

1 SENATOR FUSCHILLO: On behalf of
2 Senator Young, I wish to call up Senate Print
3 Number 6585, recalled from the Assembly, which is
4 now at the desk.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 828, by Senator Young, Senate Print 6585, an act
9 to authorize.

10 SENATOR FUSCHILLO: I move to
11 reconsider the vote by which the bill was passed.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll on reconsideration.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58.

16 SENATOR FUSCHILLO: I now offer
17 the following amendments.

18 ACTING PRESIDENT GRIFFO: The
19 amendments are received.

20 SENATOR FUSCHILLO: Mr. President,
21 on behalf of Senator Flanagan, I move that the
22 following bills be discharged from their
23 respective committees and be recommitted with
24 instructions to strike the enacting clause:
25 Senate Print 5315A and Senate Print Number 5819.

1 ACTING PRESIDENT GRIFFO: So
2 ordered.

3 SENATOR FUSCHILLO: On behalf of
4 Senator Grisanti, on page number 31 I offer the
5 following amendments to Calendar Number 534,
6 Senate Print Number 5155C, and ask that said bill
7 retain its place on Third Reading Calendar.

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

11 SENATOR FUSCHILLO: Mr. President,
12 amendments are offered to the following Third
13 Reading Calendar bills.

14 Sponsored by Senator Martins, page
15 number 25, Calendar Number 357, Senate Print
16 number 5227A;

17 By Senator Flanagan, page number
18 29, Calendar Number 501, Senate Print Number
19 5508A;

20 By Senator Robach, page number 35,
21 Calendar Number 635, Senate Print Number 6429;

22 By Senator Martins, page number 44,
23 Calendar Number 834, Senate Print Number 7047A;

24 By Senator Martins, page number 44,
25 Calendar Number 835, Senate Print Number 7048A;

1 By Senator DeFrancisco, page number
2 47, Calendar Number 887, Senate Print Number
3 4640A;

4 By Senator Lanza, page number 52,
5 Calendar Number 958, Senate Print Number 6285;

6 By Senator Fuschillo, page number
7 20, Calendar Number 162, Senate Print Number
8 2917;

9 By Senator Flanagan, page number
10 31, Calendar Number 543, Senate Print Number
11 2481;

12 By Senator Zeldin, page number 49,
13 Calendar Number 924, Senate Print Number 6954A;

14 By Senator Zeldin, page number 49,
15 Calendar Number 926, Senate Print Number 6956;

16 By Senator Zeldin, page number 49,
17 Calendar Number 927, Senate Print Number 6957A;

18 By Senator Zeldin, page number 49,
19 Calendar Number 928, Senate Print Number 6958B;

20 By Senator Zeldin, page number 49,
21 Calendar Number 929, Senate Print Number 6959A;

22 And by Senator McDonald, page
23 number 56, Calendar Number 1004, Senate Print
24 Number 5771.

25 I now move that these bills retain

1 their place on the order of third reading.

2 ACTING PRESIDENT GRIFFO: The
3 amendments are received, and all the bills shall
4 retain their place on the Third Reading Calendar.

5 Senator Fuschillo.

6 SENATOR FUSCHILLO: Will you
7 please recognize Senator Breslin.

8 ACTING PRESIDENT GRIFFO: Senator
9 Breslin.

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

12 On behalf of Senator Oppenheimer,
13 on page number 19 I offer the following
14 amendments to Calendar Number 137, Senate Print
15 Number 2429, and ask that said bill retain its
16 place on the Third Reading Calendar.

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

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

22 ACTING PRESIDENT GRIFFO: Thank
23 you, Senator Breslin.

24 Senator Fuschillo.

25 SENATOR FUSCHILLO: Mr. President,

1 will you please recognize Senator Valesky.

2 ACTING PRESIDENT GRIFFO: Senator
3 Valesky.

4 SENATOR VALESKY: Thank you,
5 Mr. President. Thank you, Senator Fuschillo.

6 On page 45, I offer the following
7 amendments to Calendar Number 848, Senate Print
8 Number 6866A, and ask that said bill retain its
9 place on the Third Reading Calendar.

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

13 Senator Fuschillo.

14 SENATOR FUSCHILLO: Will you
15 please recognize Senator DeFrancisco.

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco.

18 SENATOR DeFRANCISCO: I've been
19 here for 20 years. I just want to compliment
20 Senator Fuschillo for the finest set of motions
21 that were ever read in my short history here in
22 the Senate. It was truly remarkable.

23 ACTING PRESIDENT GRIFFO: So
24 noted.

25 Senator Fuschillo.

1 SENATOR FUSCHILLO: Thank you very
2 much, Senator DeFrancisco.

3 Mr. President, may we please have
4 the reading of the noncontroversial calendar now.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 698, by Senator Seward, Senate Print 5905, an act
9 to authorize.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 711, by Senator Griffo, Senate Print 6075A, an
22 act to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56. Nays,
6 2. Senators Duane and Rivera recorded in the
7 negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 740, by Senator Young, Senate Print 7408, an act
12 to amend Chapter 375 of the Laws of 1999.

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, 58.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 853, by Senator LaValle, Senate Print 1858, an
25 act to amend the Tax Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 57. Nays,
9 1. Senator Ball recorded in the negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 858, by Senator Young, Senate Print 6602, an act
14 to amend Chapter 98 of the Laws of 2009.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Announce
23 the results.

24 THE SECRETARY: Ayes, 57. Nays,
25 1. Senator Ball recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 862, by Senator Marcellino, Senate Print 7207, an
5 act to amend the Alcoholic Beverage Control Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 57. Nays,
14 1. Senator Diaz recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 863, by Senator Ranzenhofer, Senate Print 4486,
19 an act to amend the Education Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the first of July.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 57. Nays,

3 1. Senator Duane recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 900, by Senator LaValle, Senate Print 1462D, an
8 act to amend the Real Property Tax Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 904, by Senator DeFrancisco, Senate Print 6435,
21 an act to amend the General Municipal Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 58.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 917, by Senator Golden --

9 SENATOR FUSCHILLO: Lay the bill
10 aside for the day.

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

13 THE SECRETARY: Calendar Number
14 918, by Senator Hannon, Senate Print 1924, an act
15 to amend the Real Property Tax Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 58.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 920, by Senator Ranzenhofer, Senate Print 3337,
3 an act to amend the Elder 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, 58.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 921, by Senator LaValle, Senate Print 3576, an
16 act to amend the Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 58.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 940, by Senator Ranzenhofer, Senate Print 7190A,
4 an act to amend the Criminal Procedure Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 944, by Senator Zeldin, Senate Print 7109A, an
17 act to amend the Public Authorities Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 946, substituted earlier by Member of the
5 Assembly Canestrari, Assembly Print 10281, an act
6 to amend the Business Corporation Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 58.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 948, by Senator Diaz, Senate Print 285A, an act
19 to amend the State Finance Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 955, by Senator Ball, Senate Print 5295A, an act
7 to amend the Alcoholic Beverage Control Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar Number 955, those recorded in the
19 negative are Senators Avella, Diaz, Duane,
20 Fuschillo, Perkins and Rivera.

21 Ayes, 52. Nays, 6.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 959, by Senator Grisanti, Senate Print 6664, an

1 act to amend the Real Property Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Grisanti to explain his vote.

11 SENATOR GRISANTI: Yes, thank you,
12 Mr. President. Just briefly.

13 My fellow colleagues, this is a
14 piece of legislation where this exemption will
15 help create green neighborhoods that contain one,
16 two, three-story homes and are designated a green
17 development that are LEED-certified. They have
18 renewal energy sources -- example, wind, solar,
19 geothermal.

20 I have actually seen some of
21 these. And could you imagine owning a house
22 where you do not have a gas or electric bill?
23 That's what some of these projects have.

24 Now, this exemption is done at
25 local option. And you've got to look at this as

1 green building is a way of looking at buildings
2 in terms of reducing energy use, conserving
3 water, improving indoor air quality, reducing
4 dependence on our natural resources.

5 And the basic concepts for the
6 green building have been around for decades, but
7 it's only been in the last few years that it's
8 now started to take hold in an explosive growth
9 and the greening of the construction industry.
10 Once only of interest to hard-core
11 environmentalists, the rise in energy prices, our
12 dependence on fossil fuel, and the growing
13 concerns over the damage done to our planet have
14 boosted green building into the spotlight of
15 mainstream interest.

16 I urge all my colleagues to vote
17 yes. As I said, it's a local option. And if you
18 have the opportunity to visit one of these by a
19 developer that is going up out there, you'll
20 truly be amazed at the effects that these houses
21 can have and these buildings on the environment.

22 I vote aye, Mr. President. Thank
23 you.

24 ACTING PRESIDENT GRIFFO: Senator
25 Grisanti to be recorded in the affirmative.

1 Announce the results.

2 THE SECRETARY: Ayes, 58.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 961, by Senator Huntley, Senate Print 3168A, an
7 act to amend the Mental Hygiene Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 978, by Senator Marcellino, Senate Print 7253, an
20 act to amend the Alcoholic Beverage Control Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 980, by Senator Golden, Senate Print 7462, an act
8 to amend the Tax Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 981, by Senator Griffio, Senate Print 6835, an act
21 to establish.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 7. This
25 act shall take effect immediately.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 58.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 983, by Senator Flanagan, Senate Print 7331, an
9 act to amend the Education Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1000, by Senator Ball, Senate Print 6351, an act
22 to amend the Election Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Senator
6 Gianaris to explain his vote.

7 SENATOR GIANARIS: Thank you,
8 Mr. President.

9 I will be voting in the negative on
10 this bill. I'm a big advocate of enhancing
11 opportunities for voter registration throughout
12 this state. In fact, I have a bill that would
13 allow this to happen at every state agency and
14 every agency that people interact with.

15 I don't think it's such a great
16 idea to cherry pick particular agencies that may
17 respond to certain constituencies, to allow them
18 to have access to voter registration, whereas
19 we're not affording that to other agencies
20 throughout the state. That's what this
21 legislation does.

22 And because it will afford this
23 right only to certain members of the state
24 community as opposed to others, I will be voting
25 in the negative.

1 ACTING PRESIDENT GRIFFO: Senator
2 Gianaris to be recorded in the negative.

3 Announce the results.

4 THE SECRETARY: Ayes, 57. Nays,
5 1. Senator Gianaris recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 Senator Fuschillo, that now
9 completes the noncontroversial reading of the
10 calendar.

11 SENATOR FUSCHILLO: May we please
12 return to motions and resolutions, Mr. President.

13 ACTING PRESIDENT GRIFFO: We shall
14 return to motions and resolutions.

15 Senator Fuschillo.

16 SENATOR FUSCHILLO: On behalf of
17 Senator Ball, I wish to call up Senate Print
18 Number 6623, recalled from the Assembly, which is
19 now at the desk.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 353, by Senator Ball, Senate Print 6623, an act
24 to amend Chapter 266 of the Laws of 1981.

25 SENATOR FUSCHILLO: I now move to

1 reconsider the vote by which the bill was passed,
2 and ask that the bill be restored to the order of
3 third reading.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll on reconsideration.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT GRIFFO: The bill
9 is restored to its place on the Third Reading
10 Calendar.

11 SENATOR FUSCHILLO: I now move to
12 discharge, from the Committee on Judiciary,
13 Assembly Print Number 9104 and substitute it for
14 my identical Senate bill.

15 ACTING PRESIDENT GRIFFO:
16 Substitution ordered.

17 SENATOR FUSCHILLO: I now move
18 that the substituted Assembly bill have its third
19 reading at this time.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 353, by Member of the Assembly Ramos, Assembly
24 Print 9104, an act to amend Chapter 266 of the
25 Laws of 1981.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 58.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 SENATOR FUSCHILLO: Mr. President,
12 is there any other business at the desk?

13 ACTING PRESIDENT GRIFFO: There is
14 no further business, Senator Fuschillo.

15 SENATOR FUSCHILLO: There being no
16 further business to come before the Senate, I
17 move that we adjourn until Tuesday, June 12th, at
18 11:00 a.m.

19 ACTING PRESIDENT GRIFFO: On
20 motion, the Senate stands adjourned until
21 Tuesday, June 12th, at 11:00 a.m.

22 Senate adjourned.

23 (Whereupon, the Senate adjourned at
24 4:24 p.m.)

25