NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:11 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

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

The Senate will stand at ease.

ACTING PRESIDENT GRIFFO: There's an immediate meeting of the Rules Committee in Room 332.

The Senate stands at ease.

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

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

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The Rules Committee report is accepted.

Senator Libous.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Lanza to explain his vote.

SENATOR LANZA: Mr. President, on the bill.

ACTING PRESIDENT GRIFFO: Senator Lanza to explain his vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

friend Senator Hannon.

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

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

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

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

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

Reforms that are contained within

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

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

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

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

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

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

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

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

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

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

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

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

Mr. President, I vote aye.

ACTING PRESIDENT GRIFFO: Senator Kennedy in the affirmative.

Senator Libous, why do you rise?

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

ACTING PRESIDENT GRIFFO: Point well taken, Senator Libous.

I have exercised some flexibility

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

Senator Maziarz to explain his vote.

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

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

(Laughter.)

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

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

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

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

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

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

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

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

conclusion.

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

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

Senator Grisanti to explain his vote.

SENATOR GRISANTI: Thank you, Mr. President.

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

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

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

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

Thank you, Mr. President.

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

Senator Gallivan to explain his vote.

SENATOR GALLIVAN: Thank you, Mr. President.

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

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

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

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

Thank you very much.

ACTING PRESIDENT GRIFFO: Senator Gallivan to be recorded in the affirmative.

Senator Hannon to explain his vote.

SENATOR HANNON: Thank you, Mr. President.

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

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

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

Thank you.

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

Senator Ranzenhofer to explain his vote.

SENATOR RANZENHOFER: Thank you, Mr. President.

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

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

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

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

I vote yes.

Thank you, Mr. President.

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

Senator Klein to explain his vote.

SENATOR KLEIN: Thank you, Mr. President.

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

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

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

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

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

And I think what we're doing today

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

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

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

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

I vote yes, Mr. President.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

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

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

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

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

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

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

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

Thank you.

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

Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

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

Senator Fuschillo to explain his vote.

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

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

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

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

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

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

Senator Farley to explain his vote.

SENATOR FARLEY: Thank you, Mr. President.

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

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

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

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

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

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

Senator Golden to explain his vote.

SENATOR GOLDEN: Thank you, Mr. President.

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

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

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

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

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

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

Thank you, and I vote aye.

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

Senator LaValle to explain his vote.

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

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

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

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

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

So Senator Hannon and Senator Lanza

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

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

SENATOR LIBOUS: Mr. President,

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

Can I have some order in the chamber, please.

SENATOR DeFRANCISCO: Thank you, Mr. President.

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

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

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

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

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

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

Thank you.

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

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

Congratulations. Please stand.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

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

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

(Laughter.)

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

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

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

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

(Applause.)

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

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

Senator Libous.

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

(Laughter.)

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

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

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

hostage and then murdered.

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Carlucci.

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

Senator Libous.

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

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

I rise to recognize Portugal Day,

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

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

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

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

Portuguese communities and Portuguese sectors.

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Martins.

Senator Hassell-Thompson.

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

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

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

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

Thank you, Mr. President.

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the

roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I offer the following amendments.

ACTING PRESIDENT GRIFFO: The

amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The

Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR FUSCHILLO: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Fuschillo.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number

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

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: So ordered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I now move that these bills retain

their place on the order of third reading.

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

Senator Fuschillo.

SENATOR FUSCHILLO: Will you please recognize Senator Breslin.

ACTING PRESIDENT GRIFFO: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

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

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

SENATOR BRESLIN: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Breslin.

Senator Fuschillo.

SENATOR FUSCHILLO: Mr. President,

will you please recognize Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator Valesky.

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

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

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

Senator Fuschillo.

SENATOR FUSCHILLO: Will you please recognize Senator DeFrancisco.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: So noted.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you very much, Senator DeFrancisco.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR FUSCHILLO: Lay the bill aside for the day.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 52. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Grisanti to explain his vote.

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

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

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

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

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

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

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

I vote aye, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 981, by Senator Griffo, Senate Print 6835, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Mr. President.

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

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

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

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

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

Senator Fuschillo.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

SENATOR FUSCHILLO: I now move to

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

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

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

ACTING PRESIDENT GRIFFO: Substitution ordered.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

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

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

Senate adjourned.

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