

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 20, 2014

11 10:28 a.m.

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13
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 in the chamber to please
5 rise and join me as we recite the Pledge of
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by the Reverend Peter
11 G. Young, of the Mother Teresa Community here in
12 Albany.

13 Father Young.

14 REVEREND YOUNG: Thank you,
15 Senator.

16 Let us pray.

17 May God pour forth His blessings on
18 our legislators, to provide them with the
19 courage to accept the many demands of our
20 elected offices.

21 As Senators, they have reported on
22 this anticipated last day of the session to the
23 bell that calls them to hear one another for the
24 benefit of our New York State constituents.

25 This invocation calls us to be true

1 to our best of what we might be and become as a
2 legislative leader. We need to heed the call of
3 our own heart with compassion and equity, and we
4 bless them for the opportunity of enjoying some
5 time to relax and to be with their family and
6 friends.

7 Amen.

8 ACTING PRESIDENT GRIFFO: Thank
9 you, Father.

10 The reading of the Journal.

11 THE SECRETARY: In Senate,
12 Thursday, June 19th, the Senate met pursuant to
13 adjournment. The Journal of Wednesday,
14 June 18th, was read and approved. On motion,
15 Senate adjourned.

16 ACTING PRESIDENT GRIFFO: Without
17 objection, the Journal will stand approved as
18 read.

19 Presentation of petitions.

20 Messages from the Assembly.

21 The Secretary will read.

22 Can I have some order in the
23 chamber. We have a number of visitors here
24 today, a number of members, and a number of
25 important bills before the house. So I'm going

1 to ask to take conversations outside the chamber
2 and that we continue to maintain order within
3 the chamber.

4 The Secretary will read.

5 THE SECRETARY: On page 7, Senator
6 Bonacic moves to discharge, from the Committee
7 on Judiciary, Assembly Bill Number 7461A and
8 substitute it for the identical Senate Bill
9 Number 4779B, Third Reading Calendar 192.

10 On page 10, Senator Ball moves to
11 discharge, from the Committee on Rules,
12 Assembly Bill Number 8224A and substitute it for
13 the identical Senate Bill Number 5974A,
14 Third Reading Calendar 351.

15 On page 10, Senator LaValle moves
16 to discharge, from the Committee on Rules,
17 Assembly Bill Number 8889 and substitute it for
18 the identical Senate Bill Number 6701, Third
19 Reading Calendar 389.

20 On page 11, Senator Díaz moves to
21 discharge, from the Committee on Rules, Assembly
22 Bill Number 8630A and substitute it for the
23 identical Senate Bill Number 6364A, Third
24 Reading Calendar 420.

25 On page 22, Senator Dilan moves to

1 discharge, from the Committee on Rules,
2 Assembly Bill Number 8277 and substitute it for
3 the identical Senate Bill Number 6653,
4 Third Reading Calendar 963.

5 On page 25, Senator Gipson moves to
6 discharge, from the Committee on Rules,
7 Assembly Bill Number 9846 and substitute it for
8 the identical Senate Bill Number 7621,
9 Third Reading Calendar 1098.

10 On page 26, Senator Skelos moves to
11 discharge, from the Committee on Rules,
12 Assembly Bill Number 9803 and substitute it for
13 the identical Senate Bill Number 7647,
14 Third Reading Calendar 1099.

15 On page 26, Senator Skelos moves to
16 discharge, from the Committee on Rules,
17 Assembly Bill Number 9737A and substitute it for
18 the identical Senate Bill Number 7648,
19 Third Reading Calendar 1100.

20 On page 27, Senator Stewart-Cousins
21 moves to discharge, from the Committee on Local
22 Government, Assembly Bill Number 2327A and
23 substitute it for the identical Senate Bill
24 Number 7322, Third Reading Calendar 1169.

25 On page 30, Senator Maziarz moves

1 to discharge, from the Committee on Rules,
2 Assembly Bill Number 10131 and substitute it for
3 the identical Senate Bill Number 7874, Third
4 Reading Calendar 1552.

5 On page 30, Senator Flanagan moves
6 to discharge, from the Committee on Rules,
7 Assembly Bill Number 8109B and substitute it for
8 the identical Senate Bill Number 5731B,
9 Third Reading Calendar 1555.

10 On page 31, Senator Skelos moves to
11 discharge, from the Committee on Rules,
12 Assembly Bill Number 9834 and substitute it for
13 the identical Senate Bill Number 7703, Third
14 Reading Calendar 1569.

15 On page 31, Senator Nozzolio moves
16 to discharge, from the Committee on Rules,
17 Assembly Bill Number 10128 and substitute it for
18 the identical Senate Bill Number 7869,
19 Third Reading Calendar 1573.

20 On page 31, Senator Bonacic moves
21 to discharge, from the Committee on Rules,
22 Assembly Bill Number 10139 and substitute it for
23 the identical Senate Bill Number 7883,
24 Third Reading Calendar 1574.

25 On page 31, Senator Skelos moves to

1 discharge, from the Committee on Rules,
2 Assembly Bill Number 10093A and substitute it
3 for the identical Senate Bill Number 7870, Third
4 Reading Calendar 1582.

5 On page 31, Senator Grisanti moves
6 to discharge, from the Committee on Rules,
7 Assembly Bill Number 10138 and substitute it for
8 the identical Senate Bill Number 7877, Third
9 Reading Calendar 1587.

10 On page 32, Senator Grisanti moves
11 to discharge, from the Committee on Rules,
12 Assembly Bill Number 10135 and substitute it for
13 the identical Senate Bill Number 7878,
14 Third Reading Calendar 1588.

15 On page 32, Senator Gallivan moves
16 to discharge, from the Committee on Rules,
17 Assembly Bill Number 9733 and substitute it for
18 the identical Senate Bill Number 7885,
19 Third Reading Calendar 1589.

20 On page 32, Senator Valesky moves
21 to discharge, from the Committee on Rules,
22 Assembly Bill Number 10140 and substitute it for
23 the identical Senate Bill Number 7893,
24 Third Reading Calendar 1590.

25 And on page 33, Senator Savino

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 6357E and substitute it for
3 the identical Senate Bill Number 7923, Third
4 Reading Calendar 1659.

5 ACTING PRESIDENT GRIFFO: The
6 substitutions are so ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports of state
11 officers.

12 Motions and resolutions.

13 SENATOR LIBOUS: Mr. President.

14 ACTING PRESIDENT GRIFFO: Senator
15 Libous.

16 SENATOR LIBOUS: At this time
17 could we please take up today's active list, the
18 noncontroversial reading.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will read the New York State Senate
21 active list for Friday, June 20th.

22 THE SECRETARY: Calendar Number
23 192, substituted earlier by Member of the
24 Assembly Cook, Assembly Print 7461A, an act to
25 amend the Estates, Powers and Trusts 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 ACTING PRESIDENT GRIFFO: Senator
9 Hoylman to explain his vote.

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

12 This bill is common sense because
13 it allows a child conceived after the death of a
14 parent, using the genetic material of the dead
15 parent, to be considered an heir of the dead
16 parent's estate.

17 But I have to point out,
18 Mr. President, as part of a same-sex couple --
19 and here I am going on about gay things again; I
20 promise you I have other talents. But in my
21 family, my 3-year-old, should we have conceived
22 her after one of -- either my or my husband's
23 death, would not have been able to inherit under
24 this statute. So I will be supporting this bill
25 but introducing legislation to include modern

1 families as part of this initiative.

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

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

6 Announce the results.

7 THE SECRETARY: Ayes, 55.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 351, substituted earlier by Member of the
12 Assembly Galef, Assembly Print 8224A, an act to
13 amend the Highway Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 55.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 389, substituted earlier by Member of the

1 Assembly Englebright, Assembly Print 8889, an
2 act to amend the Civil Service Law.

3 ACTING PRESIDENT GRIFFO: There is
4 a home-rule message at the desk.

5 The Secretary will read the last
6 section.

7 THE SECRETARY: Section 2. 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, 55.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 420, substituted earlier by Member of the
17 Assembly Crespo, Assembly Print 8630A, an act to
18 amend the Executive Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Announce
2 the results.

3 THE SECRETARY: Ayes, 51. Nays,
4 4. Senators Ball, DeFrancisco, Griffio and
5 O'Mara recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 552, by Senator LaValle, Senate Print 4469A, an
10 act to amend the Education Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 4. This
14 act shall take effect on the first of July.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 54. Nays,
19 1. Senator Ball recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 914, by Senator Carlucci, Senate Print 5225, an
24 act to amend the Mental Hygiene Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 52. Nays,
8 3. Senators Hoylman, Krueger and Perkins
9 recorded in the negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 963, substituted earlier by Member of the
14 Assembly Lentol, Assembly Print 8277, an act to
15 amend the Alcoholic Beverage Control 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, 55.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 977, by Senator Maziarz, Senate Print 7312B, an
3 act to amend the Alcoholic Beverage Control 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, 53. Nays,
12 2. Senators Hoylman and Krueger recorded in the
13 negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1098, substituted earlier by Member of the
18 Assembly Barrett, Assembly Print 9846, an act to
19 amend the Alcoholic Beverage Control Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator
3 DeFrancisco to explain his vote.

4 SENATOR DeFRANCISCO: I'm going to
5 vote no. Not because of anything dealing with
6 alcohol or allowing this facility to get the
7 license they're looking for -- I don't want to
8 do it, and I hope this goes further, because
9 I've been at the Culinary Institute. It's a
10 fine place. It's a well-known institution.

11 And I mentioned this to Senator
12 Gipson a few days ago, but we went there with a
13 group of people, we had a wonderful time, great
14 tour, the students were outstanding. And we had
15 dinner, and everything was phenomenal.

16 And all the students, as part of
17 their training, wait on tables. They may be the
18 maître d', they may be getting up at 4:00 in the
19 morning to make breakfast for the whole
20 facility, in addition to paying a very handsome
21 tuition, and they wait tables and the like.

22 We gave a tip, our group gave a
23 tip, and we found out that the tip they can't
24 even keep, that they have to give it back to the
25 Culinary Institute.

1 Now, that's a little bit overboard.
2 It's almost like involuntary servitude. I mean,
3 you've got them working day and night, early in
4 the morning till late at night, and they're
5 paying handsomely for the privilege of working
6 so you could make money at the restaurants while
7 they learn their trade. But that's out of line.

8 So I would hope that this message
9 goes to somebody to try to look into this and
10 make sure these students are treated fairly.

11 I vote no.

12 ACTING PRESIDENT GRIFFO: Senator
13 DeFrancisco to be recorded in the negative.

14 Announce the results.

15 THE SECRETARY: Ayes, 55. Nays,
16 1. Senator DeFrancisco recorded in the
17 negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1099, substituted earlier by Member of the
22 Assembly Hooper, Assembly Print Number 9803, an
23 act to amend Chapter 19 of the Laws of 2009.

24 ACTING PRESIDENT GRIFFO: There is
25 a home-rule message at the desk.

1 The Secretary will read the last
2 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 ACTING PRESIDENT GRIFFO: Senator
9 Squadron to explain his vote.

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

12 We stand here on the last day of
13 session, and I want to note that this bill,
14 which in substance I support, is sponsored by
15 Senator Rules.

16 Senator Rules has had a less
17 productive year than some in the past, and I
18 want to acknowledge that and appreciate that,
19 but still has been able to get more bills on the
20 agenda than some members of the minority
21 conference have been allowed to.

22 But on a serious note, I do not
23 understand why the practice continues of having
24 Senator Rules sponsor legislation in this house.
25 There are 63 members of this house when it's

1 full, elected by constituents in the state, who
2 have to answer to their own constituents. And
3 that creates accountability for what we do here.

4 I'm going to be voting yes on this
5 bill and the other Senator Rules bills, and I
6 will spare my colleagues repeating this speech
7 this year. But I really do believe -- thank
8 you, Senator Robach.

9 (Laughter.)

10 SENATOR SQUADRON: I do believe
11 that in the future we should continue limiting
12 the practice of having Senator Rules sponsor a
13 bill unless there's a real purpose for it.

14 Again, I would like to note that
15 fewer of the tax extender bills this year have
16 been sponsored by Senator Rules than in previous
17 years, and for that I want to thank the
18 Majority.

19 I'll vote yes, Mr. President.

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

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 1099, those recorded in the
25 negative are Senators Ball, DeFrancisco,

1 LaValle, Ranzenhofer and Zeldin.

2 Ayes, 52. Nays, 5.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1100, substituted earlier by Member of the
7 Assembly Hennessey, Assembly Print 9737A, an act
8 to amend Chapter 23 of the Laws of 2009.

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 ACTING PRESIDENT GRIFFO: There is
17 a home-rule message before the desk.

18 The Secretary will announce the
19 results.

20 THE SECRETARY: In relation to
21 Calendar 1100, those recorded in the negative
22 are Senators DeFrancisco, Flanagan, LaValle,
23 Ranzenhofer and Zeldin.

24 Ayes, 52. Nays, 5.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1169, substituted earlier by Member of the
4 Assembly Paulin, Assembly Print 2327A, an act to
5 amend the General Municipal Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

8 THE SECRETARY: Section 2. 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, 56. Nays,
14 1. Senator Ball recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1343, by Senator DeFrancisco, Senate Print
19 6606A, an act to amend the General Obligations
20 Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: In relation to
4 Calendar 1343, those recorded in the negative
5 are Senators Gianaris, Hoylman, Krueger and
6 Squadron.

7 Ayes, 53. Nays, 4.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1552, substituted earlier by the Assembly
12 Committee on Rules, Assembly Print 10131, an act
13 to authorize.

14 ACTING PRESIDENT GRIFFO: There is
15 a home-rule message at the desk.

16 The Secretary will read the last
17 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, 56. Nays,
24 1. Senator Ball recorded in the negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1555, substituted earlier by Member of the
4 Assembly Englebright, Assembly Print 8109B, an
5 act to amend the Public Health Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

8 THE SECRETARY: Section 2. 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.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1559, by Senator Ball, Senate Print 6425A, an
18 act to amend the Town Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Senator
2 Gipson to explain his vote.

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

5 I'm voting no against this bill
6 simply because it's really just a bad bill. It
7 creates bad policy within our local governments.

8 Our planning and zoning boards are
9 already dealing with a variety of regulations
10 that this body has sent down. These boards are
11 also elected by local residents. This will tie
12 the hands of our local governments even more
13 than they're already tied. It will take control
14 out of our residents' ability to decide what
15 handles in their localities.

16 And, most importantly, there's a
17 very good chance that it will cost these local
18 governments money. So by my way of measure, it
19 is technically an unfunded mandate.

20 So I would ask that my colleagues
21 join me in opposing this bill. I think that it
22 could be revised and improved in the future, and
23 I will be voting no.

24 ACTING PRESIDENT GRIFFO: Senator
25 Gipson to be recorded in the negative.

1 Senator Martins to explain his
2 vote.

3 SENATOR MARTINS: Mr. President, I
4 rise to support this bill.

5 And I want to thank Senator Ball
6 for his steadfast commitment to seeing this bill
7 through over the years.

8 And we've disagreed on this bill.
9 But this bill isn't about local mandates, this
10 isn't about giving our local governments
11 additional responsibilities or costing taxpayers
12 money, this bill is about fairness. And so this
13 bill is about the commitment that we make to
14 homeowners or to property owners when they
15 decide to buy a piece of property.

16 And they buy that piece of property
17 knowing that there exists a zoning code with
18 that community and that they're going to be able
19 to build something on there. And they've
20 purchased the property and they've paid for it
21 knowing that they can build something on it.

22 And if they buy it with those
23 conditions and then they go ahead and put in a
24 building permit, the local community shouldn't
25 be able to change their minds and deprive that

1 homeowner of the ability to realize what they've
2 purchased, essentially taking away their
3 property rights from them.

4 This bill would protect that. So
5 by taking out a permit, by doing -- and let's do
6 it in a residential setting. Buying a house for
7 your family, deciding that you want to put up a
8 house with a certain amount of square feet. If
9 the local community, if the zoning board then
10 issues a moratorium, changes the rules on you,
11 you can no longer build the house that you
12 wanted to for your family, how is that fair?

13 This bill would prevent that from
14 happening. I want to thank Senator Ball for
15 bringing it to the floor. I want to thank
16 Senator Ball for bringing equity back into this
17 discussion.

18 And let's not confuse things,
19 ladies and gentlemen. This is about fairness.
20 It isn't about mandate relief, it isn't about
21 protecting homeowners in communities, this is
22 about protecting property rights, pure and
23 simple. People who buy property should be
24 protected in that which they buy.

25 I'll vote yes. Thank you.

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

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 1559, those recorded in the negative
6 are Senators Addabbo, Avella, Boyle, Breslin,
7 Dilan, Gianaris, Gipson, Hoylman, Kennedy,
8 Krueger, O'Brien, Parker, Peralta, Perkins,
9 Rivera, Sanders, Serrano, Squadron, Stavisky,
10 Stewart-Cousins and Tkaczyk.

11 Ayes, 37. Nays, 21.

12 ACTING PRESIDENT GRIFFO: Senator
13 Ball to explain his vote.

14 SENATOR BALL: Well, first I want
15 to thank Senator Gipson for voting no, because
16 it's another vote that just shows the clear
17 difference between one side of the chamber that
18 actually cares about taking care of working
19 families, seniors, small business owners, and
20 making sure that another 2 million people don't
21 leave this state, and a Senator that's so ultra
22 left and out of touch with not only the
23 hardworking people in the state, but his
24 district, that he just can't help himself but
25 vote to the extreme knee-jerk left.

1 You know, I was in Texas
2 recently -- imagine that -- on an economic
3 development tour. And it's amazing which way
4 people are going. Two million people have left
5 this state for places like South Carolina,
6 Texas, North Carolina. And it's not for the
7 pizza and the bagels or the steaks. The pizza
8 sucks, the bagels suck, and the steaks suck.
9 They're going there because they can't afford to
10 live here anymore.

11 I had a meeting with the mayor --
12 who's a Democrat, a pretty liberal Democrat --
13 of a place called Austin, a pretty liberal
14 place. And you know what he told me? I said,
15 you know what, it's interesting because there's
16 this endangered species we have in New York
17 called a crane. They're all over Austin.
18 They're not flying, they're building. Creating
19 jobs, union jobs.

20 There are dozens of cranes in
21 Austin and in Texas -- in Austin, a city run by
22 Democrats -- employing tens of thousands of
23 people, because they understand the government
24 needs to get the hell out of the way and let
25 business owners do what they do best, which is

1 create jobs and allow people to enjoy the
2 American dream.

3 Senator Gipson, by voting no on
4 this, you possibly have cost thousands of jobs
5 in your own district and throughout the
6 Hudson Valley.

7 SENATOR GIANARIS: Mr. President,
8 point of order.

9 SENATOR BALL: All this says is
10 we're going to have a fair playing --

11 ACTING PRESIDENT GRIFFO: Senator
12 Gianaris, why do you rise?

13 SENATOR BALL: -- so people
14 know --

15 ACTING PRESIDENT GRIFFO: Senator
16 Ball, Senator Gianaris has the floor.

17 Why do you rise, Senator Gianaris?

18 SENATOR GIANARIS: Point of order.

19 Can I please ask the presiding
20 President to inform Mr. Ball that we do not
21 directly address or personally attack members of
22 this chamber during debate. I know he's leaving
23 and he's trying to get his last licks in. He
24 loves Texas, apparently, so he's --

25 ACTING PRESIDENT GRIFFO:

1 Senator -- Senator Gianaris. Senator Gianaris.

2 SENATOR GIANARIS: -- but please
3 don't attack the members of this chamber while
4 making his points.

5 Thank you.

6 ACTING PRESIDENT GRIFFO: Senator
7 Gianaris, I want order in the house.

8 Senator Gianaris, your point is
9 well-taken. We will not talk about any
10 individual in the chamber.

11 However, the member has the
12 discretion on an explanation of vote to go
13 within a purview that is allowable.

14 So, Senator Ball, are you complete?
15 You vote in the affirmative?

16 SENATOR BALL: Yes.

17 ACTING PRESIDENT GRIFFO: Senator
18 Ball votes in the affirmative.

19 Senator O'Brien to explain your
20 vote.

21 SENATOR O'BRIEN: Thank you,
22 Mr. President. To explain my vote.

23 This is really an issue about who
24 should make the decisions on local planning and
25 building-type permits. Should it the State

1 Legislature, or should it be local officials?

2 For an illustration, we look at the
3 residential property. Let's say that a building
4 permit application is made. Should a zoning
5 board be bound at the time an application is
6 made or during the course of the approval
7 process?

8 If, for example, you decide to make
9 an application in a neighborhood of all one- and
10 two-story houses to add a third story to a
11 house. Maybe that's not something anticipated
12 by your code. This would allow the local
13 officials to decide maybe we should have height
14 restrictions, maybe we should -- there's larger
15 issues at play here than just this particular
16 application.

17 This is really a question about
18 who's going to make those decisions, the State
19 Legislature or local officials, on permit and
20 building and zoning issues. I believe that it
21 should be the local people making those
22 decisions.

23 I vote no.

24 ACTING PRESIDENT GRIFFO: Senator
25 O'Brien to be recorded in the negative.

1 Announce the results.

2 THE SECRETARY: Ayes, 37. Nays,
3 21.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1561, by Senator Marchione, Senate Print 6679A,
8 an act to amend the Executive 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 1562, by Senator Marchione, Senate Print 6680A,
21 an act to amend the Executive 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 1568, by Senator Lanza, Senate Print 7554A, an
9 act to amend the Public Housing Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Stavisky to explain her vote.

19 SENATOR STAVISKY: To explain my
20 vote, Mr. President.

21 This bill would simply require the
22 New York City Housing Authority to set up a
23 meeting with a senior citizen before they evict
24 them. I vote aye, but I have legislation which
25 goes a little bit further which would restrict

1 the evictions.

2 For example, I have a 90-year-old
3 constituent in Pomonok, which is a New York City
4 Housing Authority complex, and they are trying
5 to evict him. He has a larger apartment, they
6 want him to go into a smaller apartment, and
7 they're willing to pay him a large amount of
8 \$250 in moving costs.

9 Setting up a meeting is fine, but
10 we've got to go a little further. I do support
11 this legislation, but let us hope next year we
12 revisit this issue to encourage the housing
13 authority to be a little more sensitive to
14 people who have been living in their homes for
15 in some cases 50 years.

16 Thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 Stavisky to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 58.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1569, substituted earlier by Member of the
25 Assembly Heastie, Assembly Print 9834, an act to

1 amend Chapter 746 of the Laws of 1988.

2 ACTING PRESIDENT GRIFFO: There is
3 a home-rule message at the desk.

4 The Secretary will read the last
5 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: In relation to
12 Calendar 1569, those recorded in the negative
13 are Senators Ball, DeFrancisco, Felder,
14 Ranzenhofer and Zeldin.

15 Ayes, 53. Nays, 5.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1573, substituted earlier by the Assembly
20 Committee on Rules, Assembly Print 10128, an act
21 to amend the Penal 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 ACTING PRESIDENT GRIFFO: Senator
5 Krueger to explain her vote.

6 SENATOR KRUEGER: Thank you,
7 Mr. President.

8 I am voting no today on the
9 variation of exactly the same issue I rose and
10 spoke about -- maybe it was yesterday, maybe it
11 was a hundred days ago, I get confused.

12 This is a bill to establish a new
13 definition of aggravated harassment in the
14 second degree in law in New York State, after a
15 court decision determine that our current
16 statute was not constitutional.

17 I continue to believe, as I did
18 yesterday, that this version as well is not
19 constitutional, in that it is going too far and
20 is too broad in interpreting speech as a
21 criminal activity under certain circumstances,
22 that it is a constitutional violation of the
23 First Amendment.

24 I do understand we need to correct
25 our statutes, since the current one has been

1 thrown out. I even understand that this may be
2 the three-way agreed-upon version. I still
3 believe it is unacceptable, goes too far in
4 putting the potential for speech and thought
5 under criminal law. And I do believe that at a
6 later date we will find, if this is chaptered,
7 that it is also found unconstitutional.

8 I'll be voting no. Thank you,
9 Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator
11 Krueger to be recorded in the negative.

12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar 1573, those recorded in the negative
15 are Senators Gianaris, Hassell-Thompson,
16 Hoylman, Krueger, Parker, Perkins, Rivera,
17 Sampson, Sanders, Serrano and Squadron.

18 Ayes, 47. Nays, 11.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1575, by Senator Lanza, Senate Print 7887, an
23 act to amend the Highway Law.

24 ACTING PRESIDENT GRIFFO: We
25 skipped a bill. We're going to return back to

1 Calendar 1574.

2 THE SECRETARY: Calendar Number
3 1574, substituted earlier by the Assembly
4 Committee on Rules, Assembly Print 10139, an act
5 to amend the Family Court Act.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT GRIFFO: Senator
14 Bonacic to explain his vote.

15 Again, I'm going to ask for some
16 quiet in the chamber so we can allow the members
17 to be heard.

18 Senator Bonacic.

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

21 Previous to our budget, the amount
22 of cases that were before the Family Court was
23 about 700,000 cases a year, and we had 153
24 Family Court judges. The last Family Court
25 judge in New York City was 1991. The last

1 Family Court judge outside New York City, 2005.

2 And thanks to all my colleagues in
3 this chamber and in the Assembly chamber, you
4 had the vision to create 20 more Family Court
5 judges with an appropriation of \$5 million this
6 year. And just for the record, I just want to
7 cite where they're going, for the members who
8 might not know. Nine in New York City. Albany,
9 Broome, Chautauqua, Franklin, Nassau, Oneida,
10 Oswego, Schenectady, Suffolk, Ulster and
11 Westchester.

12 Now, what we did with this
13 legislation, because of the delay in the
14 petition process, these judges, whoever is going
15 to run for these offices in those 20 counties
16 will have to go get their petitions -- we pushed
17 the date back and we compressed the amount of
18 petitions. So from July 11th to July 24th will
19 be the petition process for these judges.

20 In addition, for a county of a
21 population of 250,000 or more, they have to get
22 700 signatures. For those of a county with less
23 than 250,000, 350 signatures. In any county
24 with a population of less than 25,000,
25 75 signatures.

1 In addition, under this legislation
2 we created five more Family Court judges other
3 than the 20 where we appropriated the
4 \$5 million, but we don't have the funding for
5 that. That funding will take place in next
6 year's budget, 2015-2016. And those five
7 counties are as follows: Delaware, Monroe,
8 Erie, Dutchess, and Warren.

9 I want to thank some people who did
10 really great work in getting this resolved.
11 First of all, our Majority counsel, Beth Garvey;
12 the counsel for Assemblywoman Weinstein, Nadia
13 Gareeb; and our own counsel, Jessica Cherry.

14 Thank you, Mr. President. I vote
15 aye.

16 ACTING PRESIDENT GRIFFO: Senator
17 Bonacic to be recorded in the affirmative.

18 Senator Little to explain her vote.

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

21 I would like to stand and
22 acknowledge all of those who worked so hard on
23 this bill, especially Senator Bonacic.

24 As you know, the 20 judges that
25 were recommended by the Office of Court

1 Administration, none of them were north of
2 Albany, and yet we had a tremendous needle in
3 the North Country. And as a result of the work
4 that took place in Senator Bonacic's efforts as
5 well as staff people, we will now have a Family
6 Court judge this year in Franklin County.

7 And let me tell you a little bit
8 about Franklin County. They do not have a
9 Family Court judge. The judge there is the
10 county judge, the Surrogate Court judge and the
11 Family Court judge.

12 And when there is a delay in Family
13 Court and when there are too many cases for a
14 judge to handle, we know that very often it's
15 children that suffer. Because many of the
16 issues that go before the Family Court judge
17 have a tremendous affect on the lives of young
18 people and the lives of children.

19 Warren County will get a judgeship
20 next year. And way back when they had 39
21 judges, several years ago, they were listed as
22 being in need of a judge.

23 So I'm very, very pleased to be
24 able to secure and have everyone agree to vote
25 for this bill. It will help the North Country,

1 and particularly it will help the two of the six
2 counties I represent, Warren and Franklin.

3 Thank you very much. I vote aye.

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

6 Senator Farley to explain his vote.

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

9 I rise to thank Senator Bonacic and
10 everybody that worked on this. Because everyone
11 in this chamber should know that Family Court is
12 one of the most challenging judicial posts that
13 there is. It's a very, very difficult job.

14 And within Schenectady, which has
15 been always on both sides of the aisle, that
16 judgeship is truly needed. It's greatly needed.
17 And as the person who represents that county,
18 I'm very, very grateful that Schenectady is
19 included in that, because it is desperately
20 needed and they do a great job.

21 And the Family Court is a very,
22 very important court and one, as I said, a very
23 challenging court.

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Senator

1 Farley to be recorded in the affirmative.

2 Senator Savino to explain her vote.

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

5 I want to rise and thank
6 Senator Bonacic for shepherding this bill
7 through.

8 We've been talking about increasing
9 the number of Family Court judges for several
10 years now. A few years ago the Chief Judge of
11 the state, Judge Kaye, put forward a proposal to
12 this body that we increase the number of Family
13 Court judges by 39. We've not quite gotten
14 there yet, but 20 is definitely a tremendous
15 start.

16 I want to make a few points about
17 some of the people who helped bring us where we
18 are. Jan Fink, who led this effort with Gail
19 Prudenti; of course Senator Bonacic and the
20 Judiciary Committee; and everyone who advocated
21 for improving services for children and families
22 in the City of New York; my colleague Senator
23 Felder, the new chair of Children and Families.

24 I've shared many times that I
25 started my career as a caseworker in the city's

1 child welfare system. Back in the early 1990s,
2 our Family Courts were drastically overcrowded
3 and the facilities were horrific. We've kind of
4 come forward a bit in New York City, although I
5 think we're already outgrowing our new
6 courthouses.

7 But there is one thing that we
8 know. When you have a shortage of judges, you
9 have a shortage of service for families,
10 particularly kids who have been separated from
11 their parents pursuant to abuse and neglect
12 petitions. When you don't have enough judges to
13 hear cases, children linger in foster care
14 longer than they have to.

15 So by providing more judges and
16 hopefully more courtrooms, we are going to be
17 making sure that we provide the right decision
18 for families, reunify them when it's necessary,
19 and move the children through the system
20 certainly more efficiently.

21 So thank you, Senator Bonacic, and
22 I vote aye.

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

25 Senator Hassell-Thompson to explain

1 her vote.

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

4 I too would like to join my
5 colleagues in supporting of this bill,
6 particularly because I know for the City of
7 Mount Vernon we have 3 and a half judges. And
8 many times our county court calls upon those
9 judges to sit in the county in order to serve
10 our Family Courts.

11 We have put a tremendous amount of
12 burden and responsibility on Family Courts as we
13 pass legislative initiatives here today, and we
14 have not accommodated anywhere near the numbers
15 of judges on the family bench as we should. I
16 pushed for 25. I was very pleased to get 20 in
17 this budget.

18 But I think we need to continue to
19 push, because there are many communities in
20 upstate New York as well as outside of New York
21 City that continue to need additional members of
22 the bench who are specifically designed to work
23 with families around family issues. And as we
24 look at Raise the Age and some of the other
25 legislative initiatives that we hope to do, we

1 will need more and more of the support of the
2 Family Court.

3 So thank you, Mr. President, for
4 the opportunity to vote yes on this bill.

5 ACTING PRESIDENT GRIFFO: Senator
6 Hassell-Thompson to be recorded in the
7 affirmative.

8 Is there any other Senator wishing
9 to explain their vote?

10 The Secretary will announce the
11 results.

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

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1575, by Senator Lanza, Senate Print 7887, an
18 act to amend the Highway Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1582, substituted earlier by the Assembly
6 Committee on Rules, Assembly Print 10093A, an
7 act to amend the Economic Development Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 2. 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, 57. Nays,
16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1587, substituted earlier by the Assembly
21 Committee on Rules, Assembly Print 10138, an act
22 to amend the Labor Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the same date and in
2 the same manner as a chapter of the Laws of
3 2014.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1588, substituted earlier by the Assembly
12 Committee on Rules, Assembly Print 10135, an act
13 to amend Part H of Chapter 1 of the Laws of
14 2003.

15 SENATOR LIBOUS: Lay it aside
16 temporarily.

17 ACTING PRESIDENT GRIFFO: The bill
18 will be laid aside temporarily.

19 The Secretary will continue with
20 Calendar Number 1589.

21 THE SECRETARY: Calendar Number
22 1589, substituted earlier by Member of the
23 Assembly Gunther, Assembly Print 9733A, an act
24 to amend the Correction Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1590, substituted earlier by the Assembly
12 Committee on Rules, Assembly Print 10140, an act
13 to amend the Insurance Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 4. This
17 act shall take effect on the same date and in
18 the same manner as a chapter of the Laws of
19 2014.

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 1591, by Senator Young, Senate Print 7898, an
3 act to amend the Correction Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 4. This
7 act shall take effect on the 60th day.

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 1606, by Senator Addabbo, Senate Print 5944B, an
16 act to amend the 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, 57. Nays,
25 1. Senator Little recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1659, substituted earlier by Member of the
5 Assembly Gottfried, Assembly Print 6357E, an act
6 to amend the Public Health Law.

7 SENATOR DeFRANCISCO: Lay the bill
8 aside.

9 ACTING PRESIDENT GRIFFO: The bill
10 is laid aside.

11 Senator Libous, would you like to
12 return now to Calendar Number 1588, which was a
13 temporary lay-aside?

14 SENATOR LIBOUS: That's what I was
15 thinking, Mr. President.

16 ACTING PRESIDENT GRIFFO: Calendar
17 Number 1588 is before the house.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1588, by the Assembly Committee on Rules,
21 Assembly Print 10135, an act to amend Part H of
22 Chapter 1 of the Laws of 2003.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Senator
6 Krueger to explain her vote.

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

9 So I've been waiting years for this
10 Legislature to finally fix a broken system, the
11 brownfields reimbursement and cleanup program
12 with tax credits attached.

13 We're not doing it again. We're
14 doing an extender. There is a little good news;
15 there's \$100 million included in this bill to
16 help fill our gap in Superfund funding, and I'm
17 very glad to see that. But in exchange for
18 that, we end up with a straight extender on
19 brownfields legislation.

20 Why should we care? Right now it's
21 estimated the State of New York faces a
22 \$3.3 billion liability -- again, 3.3 billion,
23 with a B, liability -- based on the previous law
24 that we are neither fixing, ending, simply
25 extending.

1 We could almost pay for the
2 Tappan Zee Bridge with that money, and we
3 haven't figured out how we're going to pay for
4 that bridge other than a proposal to raid
5 environmental funds to do so.

6 There are projects that have moved
7 forward where they are entitled to these funds
8 under the old law and will continue to try to
9 claim, under extenders, they have the right to
10 even more of these funds, projects that are
11 publicly stated to have been going forward
12 whether or not public money was invested in them
13 through tax credits.

14 The Ritz Carlton in White Plains,
15 the Rensselaer power plant, it's a fairly
16 extensive list. Projects in my own district
17 which, interestingly, is neither a low-income or
18 dangerous from a brownfields perspective part of
19 the State of New York.

20 The research shows that almost
21 60 percent of the projects that have claimed tax
22 credits are located in areas with unemployment
23 levels of less than 10 percent and 60 percent of
24 the projects are in areas that have less than
25 20 percent poverty rate among families.

1 Why does that matter? Because when
2 we set up the brownfields program, we said we
3 were going to design a program that would assure
4 use of underutilized land and creation of
5 economic activity in areas where people were
6 poor, where people were unemployed, in fact
7 where people were of color. And in fact the
8 results, after years of this program being in
9 operation, are just the opposite.

10 We had another year, another chance
11 to get it right. I just don't understand why we
12 can't do the right thing, even as we move along
13 too often doing the wrong thing or nothing. We
14 know what the answers are. We simply refuse to
15 sit down and negotiate the right answer for
16 brownfields. And it's very disturbing that yet
17 again, this is what we're doing.

18 I vote no, Mr. President.

19 ACTING PRESIDENT GRIFFO: Senator
20 Krueger to be recorded in the negative.

21 Senator LaValle to explain his
22 vote.

23 SENATOR LaVALLE: I'll follow
24 Senator Grisanti.

25 ACTING PRESIDENT GRIFFO: Senator

1 Gianaris to explain his vote.

2 SENATOR GIANARIS: No.

3 ACTING PRESIDENT GRIFFO: No?

4 Senator O'Brien to explain his
5 vote.

6 SENATOR O'BRIEN: Thank you,
7 Mr. President.

8 As Senator Krueger indicated, this
9 bill does provide a short-term extension of the
10 Brownfield Cleanup Program, which does need to
11 be done, and I intend to support an extension.

12 But we also have to be cognizant of
13 the fact that the State Comptroller has
14 concerns, the Governor's Tax Commission has
15 concerns. And environmental groups have all
16 concluded that the program as it exists has been
17 wasteful by not targeting the focus of
18 brownfield cleanup on projects that need public
19 subsidies to go forward. Even the DEC does not
20 support the idea of straight extender with no
21 reform on how project money is allocated.

22 I think it's necessary to extend
23 the program, but we need to use the time
24 extension to craft better legislation, and I
25 look forward to being part of that effort.

1 Mr. President, I vote aye.

2 ACTING PRESIDENT GRIFFO: Senator
3 O'Brien to be recorded in the affirmative.

4 Senator Kennedy to explain his
5 vote.

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

8 First of all, I want to thank the
9 bill's sponsor for bringing this important
10 legislation to a vote today.

11 This legislation is imperative that
12 we move forward with the brownfield
13 redevelopment program. There's an added bonus
14 of the Superfund financing. This is an
15 extender. And while this isn't perfect, this
16 allows the program to continue to the level that
17 we need it. And in areas like my district in
18 Buffalo and Western New York, the City of
19 Buffalo, the Town of Cheektowaga, the City of
20 Lackawanna, I believe my district has more
21 brownfields than any other district in the
22 state.

23 And because of the Brownfield
24 Cleanup Program, it's enabled our community to
25 establish new swaths of land that are ripe for

1 redevelopment that companies and corporations
2 are actually moving into Western New York for
3 the first time in generations, to establish
4 their corporations, to bring jobs by the
5 thousands. And it's because of the Brownfield
6 Cleanup Program and the successes and the
7 positive decisions that have been made in this
8 chamber and in Assembly in the past that allow
9 this program to exist.

10 And with that said, Mr. President,
11 I vote aye. I ask my colleagues to join in this
12 vote as well. Thank you.

13 ACTING PRESIDENT GRIFFO: Senator
14 Kennedy to be recorded in the affirmative.

15 Senator Latimer to explain his
16 vote.

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

19 In a football game, you get four
20 downs to make 10 yards, but if you don't make
21 10 yards after three downs, when you get to your
22 fourth down you can't risk it, so you punt. And
23 that's what this bill. This is a punt. We have
24 not been able to accomplish the first down, and
25 we don't have the opportunity to risk not

1 leaving session without having some version of
2 an extension to get us through next year.

3 The most important element of this
4 bill needs to be negotiated in the budget,
5 because it is a budgetary issue of some
6 significant importance. And we've talked about
7 the impact to economic development as well as
8 the importance to the environment.

9 So I rise to support this bill
10 because it's the fourth down and we have no
11 choice. We can't turn the ball over in our end.
12 But I would suspect that there is plenty of
13 opportunity before we get to one day after these
14 sessions close a year from now, whether I'm
15 sitting in this chair or not, that we negotiate
16 a three-way deal on brownfields, that it takes
17 into account the needs of the environmental
18 community, the development community, we get a
19 predictable program that people know what can be
20 funded and what can be done, and next year at
21 this time we don't find ourselves having to punt
22 again.

23 Thank you, Mr. President.

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

1 Senator Grisanti to explain his
2 vote.

3 SENATOR GRISANTI: Yes, thank you,
4 Mr. President.

5 I don't consider this a punt, I
6 actually consider this a field goal. Because if
7 you put points on the board, sometimes you win
8 at that game as well. So I don't consider this
9 a punt at all.

10 And Senator Krueger is absolutely
11 right. We've been trying for years to try to
12 get a three-way agreement. My office, our
13 Senate conference has been battling for years to
14 try to get a three-way agreement. What's
15 unfortunate is in one house you have part of
16 that agreement that takes out certain parts of
17 the state. In another part of the house, you
18 have agreement to take out other parts of the
19 state. So what does that leave you? It leaves
20 everybody not on the same page.

21 But let me tell you the positives
22 with the Brownfield Cleanup Program that in my
23 opinion has been one of the state's leading
24 remediation and sustainable economic development
25 programs that we have right now.

1 It's made hundreds of cleanups
2 possible across the state, reducing blight and
3 restoring properties to the tax rolls. That's
4 one of the main objectives. Leveraged over
5 \$7 billion, \$7 billion in private dollars for
6 cleanup, 20,000 jobs, and at least 40,000
7 construction jobs. I don't know any other
8 program that's doing that at this point in time.

9 For every dollar of state credit
10 invested, there's over \$3 in taxes gained. For
11 every dollar of state credit also given, you
12 have \$7 of private money that's matched. It is
13 smart growth, smart economics. Yes, it has its
14 problems, but it is still working.

15 Now, this year we're facing a
16 sunset in 2015. For those of you who want to
17 have it sunset, go ahead and vote no and watch
18 the economic blight.

19 This bill extends the sunset,
20 allows the program to continue, provide the
21 necessary incentives to get the brownfields
22 cleaned up and redeveloped. It takes over a
23 three-year average to get into a site. So now
24 we have organizations that are in the site right
25 now that if we have it expire in 2015, they're

1 going to get shut out. And you can't get
2 anybody new into the program because the time
3 period is too short because it takes at least
4 three years to remediate.

5 Provides over \$300 million in new
6 bonding for the state Superfund that was
7 mentioned. That's for hazardous waste cleanup.
8 Anybody else have legislation dealing with
9 hazardous waste cleanup? No. I've pushed for
10 measures to reform and extend the brownfield
11 program since I took office. We are going to
12 have hearings on this matter coming up, probably
13 in the fall.

14 But I can tell you that if this
15 program were to expire, this happens to be
16 devastating for communities statewide, resulting
17 in huge job loss both upstate and downstate.
18 And as I said before, the Senate, the Assembly,
19 the Governor's office, we were close on certain
20 issues. Unfortunately, things then blow up. We
21 need to get together, work remains to be done.

22 But this legislation I urge you all
23 to vote aye on, and I call on the Assembly and
24 the Governor to continue with those discussions
25 that we had with our legislation that actually

1 protected the entire state, not piecemealing and
2 alienating one part of the state over the other.

3 Our legislation I feel in our
4 Senate conference benefited the entire state,
5 and that's what I'm going to be pushing for and
6 that's what we'll be having hearings on.

7 I vote aye. We cannot let this
8 expire. I urge my colleagues to vote aye as
9 well.

10 Thank you, Mr. President.

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

13 Senator LaValle to explain his
14 vote.

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

17 And I rise to support this
18 legislation. And I know that Senator Grisanti
19 worked very, very hard. And I almost thought at
20 one point that we were going to have a
21 brownfields bill.

22 I like your spirit, Senator
23 Grisanti -- your cup is half full -- your grit.
24 And I'm very heartened to see members from all
25 over the state saying that the time has come to

1 get a bill that works.

2 I can remember years when Senator
3 Marcellino was chairman of the EnCon Committee,
4 and probably his greatest frustration was coming
5 to, as Senator Latimer said, very close to
6 putting it over the goal line and being pushed
7 back and having great frustration.

8 Members have talked about all the
9 great sense that a brownfields bill can mean.
10 For me in my area, it can make difference in
11 electric rates by repowering a plant in
12 Port Jefferson, or the other plants that would
13 be repowered.

14 And so there are various good
15 reasons for why a bill should be done. And I
16 cannot understand why this Legislature walks
17 away, like Linus with his blanket, and says,
18 "Ah, we fell short." This has to be done in the
19 budget in 2015.

20 I vote aye.

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

23 Senator Marcellino to explain his
24 vote.

25 SENATOR MARCELLINO: Thank you,

1 Mr. President.

2 I listened to the debate with some
3 interest. I wrote and carried the initial
4 brownfield bill. The State Comptroller, the
5 current State Comptroller Tom DiNapoli, was then
6 chair of the EnCon Committee in the Assembly.
7 We worked together with Governor Pataki at the
8 time to forge legislation to clean up blighted
9 areas of our state.

10 We remember Love Canal. We
11 remember the devastation. We all live in
12 neighborhoods where you have that gas station on
13 the corner which is full of graffiti and it's an
14 ugly eyesore and it spreads like a cancer
15 throughout the community. It ruins the
16 neighborhood. Nobody wants to have a business
17 next to it, nobody wants to live near it. So
18 communities are devastated when this doesn't
19 work.

20 So we developed a program. At one
21 time I carried five different brownfields bills
22 from five different organizations to work to put
23 this thing together. It has been very
24 successful in this state. And we've modified it
25 more than once, to tweak it and fix it when we

1 found some problems. We created the BOAs, the
2 Brownfield Opportunity Areas, to give
3 communities input as to what goes on and where
4 the development would take place and what sites
5 would be cleaned up and how they would be
6 cleaned up. They had input.

7 I resent people who say communities
8 are cut out, that no one has input, it's a
9 failure. Where the hell were you? Most of you
10 who were talking weren't even in the Senate at
11 the time. What were you reading, history books?
12 Read another book. I suggest Dr. Seuss.

13 This program cannot be allowed to
14 fail. This program cannot be allowed to go by
15 the wayside. It is an economic engine, it is
16 opportunity, it creates jobs, it puts
17 businesses, it puts open sites back on the
18 payroll, back on the tax rolls. It cleans up
19 communities. It gives them a future. It gives
20 people an opportunity to feed their families and
21 live in good clean areas with good clean water,
22 open space and clean air.

23 I'm proud of what we did then. I'm
24 proud of what's being done now. We could do
25 more. Could we improve this program?

1 Absolutely. Let's do it. Let's stop talking
2 about it. Let's stop playing one neighborhood,
3 one community, one part of the state against
4 another, one political party against another
5 political party for political gains.

6 This is for people's lives, and I
7 resent people who put it on anything else but
8 that. This makes people's lives better.

9 Mr. President, I'm proud to vote
10 aye and hope everyone will join us in an aye
11 vote on this very important piece of
12 legislation.

13 ACTING PRESIDENT GRIFFO: Senator
14 Marcellino to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 58. Nays.

17 1. Senator Krueger recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 That completes the noncontroversial
21 reading of the Senate calendar of the day,
22 Senator Libous.

23 Could I have some order in the
24 house.

25 SENATOR LIBOUS: Mr. President,

1 we'll in a minute do the controversial reading,
2 but we're not ready this second.

3 ACTING PRESIDENT GRIFFO: I'll
4 have the Secretary ring the bell.

5 (Pause.)

6 SENATOR LIBOUS: Mr. President,
7 could we have the controversial reading of the
8 calendar, please.

9 ACTING PRESIDENT GRIFFO: We will
10 have the controversial reading of the calendar.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1659, by Member of the Assembly Gottfried,
14 Assembly Print 6357E, an act to amend the
15 Public Health Law.

16 SENATOR LIBOUS: Mr. President, is
17 there a message?

18 ACTING PRESIDENT GRIFFO: There
19 is a message of necessity from the Governor on
20 the desk.

21 SENATOR LIBOUS: Move to accept
22 the message.

23 ACTING PRESIDENT GRIFFO: All in
24 favor of accepting the message of necessity of
25 the Governor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The
5 message is accepted and the bill is before the
6 house.

7 Senator Savino.

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

10 This bill would create a new
11 Title 5-A in Article 33 of the Public Health
12 Law, allowing for the sale, manufacture and use
13 of medical marijuana for patients that would be
14 certified by the Department of Health, by the
15 Commissioner of Health, upon the recommendation
16 of their treating physician for a severe,
17 serious, debilitating, life-threatening
18 condition.

19 Those conditions are set out in the
20 statute, and they also allow for the
21 Commissioner of Health to expand them,
22 particularly some within the first 18 months,
23 based upon the science and the medicine. It
24 would allow for the licensing of up to five
25 registered organizations that would be the

1 manufacturer of medical marijuana.

2 The forms of that medical marijuana
3 would be determined by the Commissioner of
4 Health. It expressly prohibits the sale of a
5 smokeable form of marijuana, but allows for the
6 development, the manufacture and the
7 distribution of all of other forms, including
8 infusibles, including vaporizable products,
9 including edibles and any other form that the
10 Commissioner would so determine.

11 It creates the process of
12 developing what's called a seed-to-sale
13 vertically integrated model, which would lead to
14 the most tightly controlled, highly regulated
15 system that we here in New York State would
16 demand no less from.

17 It goes on also to amend Tax Law,
18 Article 20B, to create an excise tax that would
19 produce up to 7 percent of gross receipts tax.
20 It would establish a medical marijuana trust
21 fund, where 50 percent of the money coming in
22 from the excise tax would go to the State of
23 New York, 22.5 percent of the money would go to
24 counties where a registered organization is in
25 existence, 22.5 percent would go to the counties

1 where they have dispensaries. There can be up
2 to 20 dispensaries attached to those five
3 registered organizations. Five percent of the
4 excise tax would go to OASAS, 5 percent would go
5 to DCJS.

6 We would create a new E felony for
7 doctors abusing this system. There is a
8 seven-year sunset on this in the event that we
9 want to reexamine the program, as we do on so
10 many other things -- there are so many things
11 that sunset in this house and in this
12 Legislature. So I have a prediction that we
13 will be renewing this every year.

14 In this bill as well we have a very
15 clear position with respect to labor peace. We
16 find that New York State has a significant and
17 ongoing economic and non-regulatory interest in
18 the financial viability of organizations that
19 sell marijuana for medical use. We find that
20 that financial viability would be greatly
21 diminished and threatened by labor-management
22 disruptions and conflicts such as a strike at
23 that facility that would cultivate marijuana,
24 especially because of the need for enhanced
25 security concerning these products.

1 Replacements during a strike would be difficult
2 to arrange and cause delay, far more significant
3 than a strike anywhere else.

4 And so therefore we find that the
5 state has a substantial and compelling
6 proprietary interest in this matter and find
7 that labor peace is essential for any
8 organization to conduct business relating to the
9 sale of marijuana.

10 We also find that the Governor and
11 the Commissioner of Health and the
12 Superintendent of Police have a strong and
13 compelling interest in making sure that this
14 program is run with a considerable degree of
15 security, and as a result of that, the
16 Commissioner and the Superintendent of Police
17 have the ability to make a recommendation to the
18 Governor to suspend the program if he or they
19 believe that there is a substantial risk to
20 public health.

21 Thank you, Mr. President. I'll
22 take any questions now.

23 ACTING PRESIDENT GRIFFO: Senator
24 DeFrancisco.

25 SENATOR DeFRANCISCO: Yes. First

1 I'd like to say that I'm very, very pleased that
2 the leadership of this house determined that we
3 would be discussing this bill at quarter to
4 12:00 in the morning so that it could be fully
5 discussed so people know actually what's in the
6 bill and people know what's good about it and
7 what's bad about it.

8 I know last night there were many,
9 many advocates here waiting for the result of
10 this particular legislation. They're back
11 today. They look much fresher today than they
12 did last night. And they could listen to the
13 debate and see what bill they're really
14 supporting or not supporting. And so I'm very
15 pleased about that.

16 I also want to congratulate
17 Senator Savino. It was mentioned earlier by
18 Senator LaValle that Grisanti was I think like a
19 bulldog, or words to that effect. Well, I think
20 Senator Savino has shown that same spirit and
21 tenacity to get a bill done. It's not the bill
22 she wanted or was promoting in the beginning of
23 the year, but it's a bill that most likely today
24 is going to pass. That would be my guess,
25 judging from comments made by several people.

1 Secondly, there is no one, no one
2 that doesn't understand the people who are
3 promoting this bill for their own health or for
4 their loved one's health and the like. And I
5 told many people many times that I wanted to
6 think this thing through and I wanted to ask
7 questions, make sure what the final bill is.

8 First, I can say with respect to
9 the final bill it's light-years better than the
10 initial bill because there's much more control
11 and there's much more supervision and there's an
12 ability to restart in the event that the first
13 start didn't work right or there are problems
14 with it.

15 So what I'd like to do next is to
16 ask just a few questions of Senator Savino and
17 make comments about my logic behind my vote
18 today.

19 Would you yield, Senator Savino?

20 SENATOR SAVINO: Certainly,
21 Senator DeFrancisco.

22 ACTING PRESIDENT GRIFFO: Senator
23 Savino yields, Senator DeFrancisco.

24 SENATOR DeFRANCISCO: Senator
25 Savino, I know this bill was tightened up

1 substantially by limiting the number of
2 conditions that would be eligible to get a
3 marijuana card or identification card and get
4 the treatment. But there's one here that I
5 think is -- could be extremely broad and could
6 qualify most people that have back pain to be
7 able to get a card, and it's the one concerning
8 the back condition.

9 Are you familiar with that
10 provision?

11 SENATOR SAVINO: Senator
12 DeFrancisco -- through you, Mr. President -- I'm
13 assuming that you're referring to the condition
14 that is listed in -- under "serious conditions,"
15 meaning, among others, damage to the nervous
16 tissue of the spinal cord with objective
17 neurological indication of intractable --
18 intractable spasticity.

19 SENATOR DeFRANCISCO: Okay. Now,
20 that's -- it's easy for you to say.

21 (Laughter.)

22 SENATOR DeFRANCISCO: But
23 seriously, if a doctor diagnoses this condition,
24 he could or she could prescribe medical
25 marijuana; correct?

1 SENATOR SAVINO: Through you,
2 Mr. President, if a patient has been diagnosed
3 with this condition and is under the treatment
4 of a physician who is trained to treat a person
5 with that condition, he or she could be
6 recommended to be a medical marijuana patient
7 under this statute.

8 SENATOR DeFRANCISCO: Okay.
9 And --

10 ACTING PRESIDENT GRIFFO: Senator
11 DeFrancisco, would you like Senator Savino to
12 continue to yield?

13 SENATOR DeFRANCISCO: Yes, please.

14 ACTING PRESIDENT GRIFFO: Senator
15 Savino, do you continue to yield?

16 SENATOR SAVINO: Yes,
17 Mr. President.

18 SENATOR DeFRANCISCO: Now, as far
19 as a physician that's going to be treating the
20 individual, are there physicians that are out
21 there that can determine the proper dosage of
22 whatever form of marijuana is being prescribed?

23 SENATOR SAVINO: Through you,
24 Mr. President, under the bill that we are
25 considering today, prior to -- a physician who

1 would be a treating physician qualified to treat
2 a patient with one of the underlying qualifying
3 conditions, prior to their ability to prescribe
4 medical marijuana for a patient, they would have
5 to attend a training course in the prescribing
6 of medical marijuana for patients approved by
7 the State Commissioner of Health before they can
8 begin to do that, so that they could familiarize
9 themselves with the practice of prescribing
10 medical marijuana.

11 Because as you know,
12 Senator DeFrancisco, there are no pharmaceutical
13 reps coming in to train doctors on this. So we
14 feel very strongly that prior to doctors
15 starting, they must obtain that training.

16 SENATOR DeFRANCISCO: Would the
17 Senator continue to yield?

18 SENATOR SAVINO: Yes.

19 ACTING PRESIDENT GRIFFO: Senator
20 Savino yields.

21 SENATOR DeFRANCISCO: And that
22 training, is it two hours?

23 SENATOR SAVINO: The statute says
24 it could be two to four hours. But it could be
25 longer. It's up to the Commissioner to

1 determine the training protocol. Which could
2 ultimately be potentially eligible for CME
3 credits.

4 SENATOR DeFRANCISCO: All right.
5 Would you continue to yield, please?

6 SENATOR SAVINO: Yes.

7 ACTING PRESIDENT GRIFFO: Senator
8 Savino yields.

9 SENATOR DeFRANCISCO: And who
10 determines the standards for -- you mentioned a
11 pharmaceutical company. A pharmaceutical
12 company, they provide a prescription and I
13 assume they also provide information that would
14 help the doctor provide the appropriate dosage.
15 Now, who's going to determine, you know, what
16 are the proper dosage for certain conditions and
17 the like?

18 SENATOR SAVINO: The Commissioner
19 of Health will determine what the appropriate
20 dosages are. That information will be shared
21 with the physicians in their training process.
22 And when the product is dispensed, it will also
23 be -- similar to when you get prescription drugs
24 in a pharmacy, there will be an insert provided
25 to the patient to explain the use and the

1 dosing. It will also be on their packaging.

2 SENATOR DeFRANCISCO: Would you
3 continue to yield?

4 ACTING PRESIDENT GRIFFO: Senator
5 Savino yields.

6 SENATOR SAVINO: Yes.

7 SENATOR DeFRANCISCO: And is it
8 fair to say that at this moment in history the
9 Health Commissioner has no clue what the proper
10 dosages are for different conditions?

11 SENATOR SAVINO: Well, I'm not
12 sure if I would say it's fair, because I'm not
13 quite sure what's in his mind.

14 He does have, however, 18 months
15 from the date of the enactment to begin, through
16 the process -- to begin the process of adopting
17 regulations for the implementation of this. I
18 would assume if Dr. Zucker, who's a learned
19 physician, has questions about it, he will take
20 it upon himself to be fully versed in it before
21 he issues regulations with respect to dosage.

22 SENATOR DeFRANCISCO: Would you
23 continue to yield?

24 SENATOR SAVINO: Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Savino yields.

2 SENATOR DeFRANCISCO: Now, you
3 realize that the Health Commissioner has taken
4 three years to figure out fracking; correct?
5 Four years. Do you think 18 months is enough?

6 SENATOR SAVINO: Through you,
7 Mr. President. With all due respect,
8 Senator DeFrancisco, that was a different
9 Health Commissioner. So I'm going to hope that
10 this Health Commissioner is a little more
11 expeditious than the previous one.

12 SENATOR DeFRANCISCO: All right.
13 But on a serious note, this whole system is
14 obviously very employee-intensive. And the
15 Health Department in many areas has a difficult
16 time in view of the lack of staff.

17 Is there anything in this bill that
18 provides additional staff to implement all of
19 these new regulations to supervise all of the
20 doctors to make sure that the training's proper
21 and the like?

22 SENATOR SAVINO: Through you,
23 Mr. President, there are no additional resources
24 in this bill.

25 However, there is expected to be

1 significant resources derived from the initial
2 application process by -- of the potential
3 registry organizations and the license fees.

4 The Commissioner and the Governor's
5 office feel that they can accomplish the initial
6 phase within 18 months. They may need a -- they
7 do, though, however, under the bill have the
8 right to extend that initial process if need be,
9 if they feel the system is not up and running.

10 And it's up to the Legislature to
11 make sure that they abide by the timelines that
12 are in the statute.

13 SENATOR DeFRANCISCO: Thank you.
14 A couple of other questions. Senator Savino,
15 would you yield?

16 SENATOR SAVINO: Yes.

17 ACTING PRESIDENT GRIFFO: Senator
18 Savino yields.

19 SENATOR DeFRANCISCO: And when can
20 companies start applying to become one of these
21 manufacturers, distributors and the like?

22 SENATOR SAVINO: Through you,
23 Mr. President. Again, that's up to the
24 Commissioner of Health, as soon as they
25 promulgate the rules and regulations for the

1 license application process.

2 SENATOR DeFRANCISCO: Okay. Thank
3 you.

4 Now, I understand in the bill the
5 Commissioner also will determine the price of
6 the -- whatever form of marijuana it may be; is
7 that correct?

8 SENATOR SAVINO: Through you,
9 Mr. President, yes.

10 SENATOR DeFRANCISCO: And that's
11 one price?

12 SENATOR SAVINO: It -- that --
13 through you, Mr. President, it's not exactly
14 sure. Because the way you develop the price,
15 there's several different formularies that they
16 could adopt.

17 One of the things is to look at
18 what the street value of the unauthorized or
19 unregistered product would be, which is
20 essentially the black market price, which could
21 be shared with us through the State Police.

22 Then there's a few different
23 methods that they could use. You want to make
24 sure that the product is not that much more
25 expensive than the street value, to avoid the

1 potential that people will just go out and buy
2 it on the black market.

3 SENATOR DeFRANCISCO: Will the
4 Senator continue to yield?

5 SENATOR SAVINO: Yes.

6 ACTING PRESIDENT GRIFFO: Senator
7 Savino yields.

8 SENATOR DeFRANCISCO: And the
9 cost -- excuse me. Is the lang -- what you just
10 mentioned about the methodologies, the set
11 price, is that anywhere in the bill?

12 SENATOR SAVINO: Through you,
13 Mr. President, it says in the bill that the
14 price will be decided by the Commissioner. The
15 formulary that he uses will be determined in the
16 regulations.

17 SENATOR DeFRANCISCO: Will you
18 continue to yield?

19 SENATOR SAVINO: Yes.

20 ACTING PRESIDENT GRIFFO: Senator
21 Savino yields.

22 SENATOR DeFRANCISCO: And so
23 there's no guidance in the bill as to how he'll
24 set the price?

25 SENATOR SAVINO: Through you,

1 Mr. President, no.

2 SENATOR DeFRANCISCO: May I ask
3 her another question, please.

4 ACTING PRESIDENT GRIFFO: Senator
5 Savino yields.

6 SENATOR SAVINO: Yes.

7 SENATOR DeFRANCISCO: Now, it's
8 here in the bill, is it not, that this medicine
9 is -- the marijuana is not to be reimbursed by
10 health insurance; is that correct?

11 SENATOR SAVINO: Through you,
12 Mr. President, yes. Correct.

13 SENATOR DeFRANCISCO: And knowing
14 your concern for the poor throughout your tenure
15 here, doesn't that help -- doesn't this bill
16 help the 1 percent and not the 99 percent?

17 SENATOR SAVINO: Through you,
18 Mr. President. People suffer in all economic
19 levels in our society from the diseases that
20 will be covered by this bill. Certainly we have
21 a concern about making sure that people will be
22 able to afford the product. In that, we will be
23 I'm sure aided by the Commissioner of Health to
24 develop a product price that is attainable for
25 people.

1 Many of the license holders will
2 also be involved in that. It happens in other
3 states, and shockingly, they have poor people in
4 Colorado and Connecticut. And it's generally
5 the registered organizations that help develop
6 that.

7 But one thing is true. As people
8 become medical marijuana patients and begin to
9 use it regularly to deal with the symptoms of
10 their diseases, they become less reliant on the
11 very expensive pharmaceutical drugs that they're
12 taking, eliminating the copays. So sometimes
13 their out-of-pocket expenses are offset by no
14 longer having to pay those very expensive copays
15 for those drugs.

16 SENATOR DeFRANCISCO: Would
17 Senator Savino continue to yield.

18 SENATOR SAVINO: Yes,
19 Mr. President.

20 ACTING PRESIDENT GRIFFO: Senator
21 Savino yields.

22 SENATOR DeFRANCISCO: And this
23 type of treatment is not covered by either
24 Medicare or Medicaid, is it?

25 SENATOR SAVINO: No. No insurance

1 carrier or company will pay for it. In any
2 state.

3 SENATOR DeFRANCISCO: All right.

4 Now, with respect to those who are
5 going to manufacture or distribute and the like,
6 I read in the bill that the individuals who are
7 doing that, and their employees, cannot have
8 been convicted of the possession or sale, a
9 felony possession or sale of drugs, narcotics or
10 controlled substances; correct?

11 SENATOR SAVINO: Correct.

12 SENATOR DeFRANCISCO: All right.
13 What about other felonies?

14 SENATOR SAVINO: There's no ban on
15 other felons.

16 However, registered organization
17 applicants will have to submit -- through the
18 licensing process, they will have to attest to
19 their good moral character and divulge any
20 criminal backgrounds. But the permanent ban
21 only applies to those with felony drug
22 convictions.

23 SENATOR DeFRANCISCO: Would
24 Senator Savino continue to yield.

25 SENATOR SAVINO: Yes.

1 ACTING PRESIDENT GRIFFO: Senator
2 Savino yields.

3 SENATOR DeFRANCISCO: So
4 individuals who will have been convicted of
5 being involved in a criminal enterprise or
6 racketeering or an organization such as that,
7 under the bill there's no prohibition for them
8 to start a new industry in the State of New York
9 as long as they have a labor peace agreement?

10 SENATOR SAVINO: Through you,
11 Mr. President, if you're asking is there a ban
12 on anybody else other than felony drug
13 convictions, the answer to that question is no.

14 However, because the Commissioner
15 of Health is yet to develop the rules and
16 regulations to determine who can apply for a
17 license, they can take into consideration an
18 individual's criminal history and determine
19 whether or not they are of good moral character
20 and should be granted a license to distribute,
21 sell, or manufacture medical marijuana.

22 SENATOR DeFRANCISCO: Now, have
23 there been any potential -- would she continue
24 to yield?

25 ACTING PRESIDENT GRIFFO: Senator

1 Savino yields.

2 SENATOR SAVINO: Yes.

3 SENATOR DeFRANCISCO: Are there
4 any potential manufacturers that you could name
5 presently?

6 SENATOR SAVINO: Through you,
7 Mr. President, there are several. There's one
8 here in the chamber, Gaia, which operates in
9 Colorado, and I think they have applied for
10 licensing in Illinois and Connecticut.

11 SENATOR DeFRANCISCO: Okay. All
12 right.

13 SENATOR SAVINO: Shout-out to Gaia
14 in the chamber there.

15 (Laughter.)

16 SENATOR DeFRANCISCO: Now, you do
17 have certain criminal provisions in here
18 concerning diversion of drugs; correct?

19 SENATOR SAVINO: Through you,
20 Mr. President, yes.

21 SENATOR DeFRANCISCO: And would
22 she continue to yield?

23 SENATOR SAVINO: Yes.

24 ACTING PRESIDENT GRIFFO: Senator
25 Savino yields.

1 SENATOR DeFRANCISCO: And how do
2 those penalties for diverting drugs compare to
3 the penalties presently for possessing and
4 selling drugs?

5 SENATOR SAVINO: Through you,
6 Mr. President, we are creating a new Article 179
7 in the statute. That was very important to the
8 Governor. Seeing as we had just recently gone
9 through this focus on prescription drug abuse
10 and how it's led to overusage of heroin in our
11 society, he felt very strongly that we needed to
12 create a new diversion of medical marijuana in
13 the penal code.

14 And it is directed mostly at
15 potential physicians who would attempt to abuse
16 the system knowingly, not unknowingly. That
17 would be a doctor who knows that a patient does
18 not qualify under this statute, does not have
19 one of these underlying conditions, and chooses
20 to attempt to defraud the system by providing
21 them with a certification recommendation. That
22 would be a Class E felony under this law.

23 For patients who knowingly violate
24 the statute, it would be -- a B misdemeanor? B
25 misdemeanor.

1 In addition, if you were to violate
2 this statute by the unlawful use of marijuana,
3 you would also fall subject to being prosecuted
4 under the Penal Code 221, which is what covers
5 unlawful use of marijuana, which is unlawful
6 under all circumstances except for this law, if
7 you are covered by it. And you would also be in
8 violation of Public Health Law, which is also a
9 misdemeanor.

10 SENATOR DeFRANCISCO: Would the
11 Senator continue to yield?

12 SENATOR SAVINO: Yes.

13 ACTING PRESIDENT GRIFFO: Senator
14 Savino yields.

15 SENATOR DeFRANCISCO: Under the
16 bill the way I read it, criminal diversion of
17 medical marijuana in the first degree is also
18 labeled under the bill as a hate crime; correct?

19 SENATOR SAVINO: Excuse me one
20 moment, Senator DeFrancisco.

21 SENATOR DeFRANCISCO: It's -- at
22 least the pages I've got, it's page 23, part of
23 paragraph 5.

24 SENATOR SAVINO: Senator
25 DeFrancisco, I think you're referring to the

1 issue of nondiscrimination of employees. That
2 would stand -- so that an employee -- let me
3 find it. It's on page 26, you said?

4 SENATOR DeFRANCISCO: I was
5 talking about page -- I'll get to disability in
6 a minute. But page 23, paragraph 5.

7 SENATOR SAVINO: One moment,
8 please.

9 SENATOR DeFRANCISCO: I believe
10 that paragraph talks about the hate-- the
11 offenses that are part -- which make a crime a
12 hate crime. And this bill appears to make
13 criminal diversion of medical marijuana in the
14 first degree a hate crime under that law.

15 If you don't know, I'll get off of
16 it.

17 SENATOR SAVINO: I don't even see
18 it in the bill, Senator. Page 23?

19 SENATOR DeFRANCISCO: Yeah. I
20 don't know, I may have a different print, but
21 it's --

22 SENATOR SAVINO: You may have a
23 different print.

24 SENATOR DeFRANCISCO: All right,
25 Section 10. Excuse me, Section 11. Section 11,

1 and then it goes into 5.

2 SENATOR SAVINO: I am not familiar
3 with that section of the bill. I don't see it
4 in front of me.

5 SENATOR DeFRANCISCO: Okay, that's
6 all right. It's not an important point. I just
7 was going to try to find out what the rationale
8 was to make this a hate crime.

9 You mentioned disability, and I'm
10 just about done. Is it fair to say under this
11 bill that if you're a card-carrying patient that
12 you are defined under this bill to be a person
13 with a disability?

14 SENATOR SAVINO: Through you,
15 Mr. President, yes.

16 SENATOR DeFRANCISCO: All right.
17 And --

18 ACTING PRESIDENT GRIFFO: Senator
19 Savino -- you're asking Senator Savino to
20 continue to yield, right, Senator DeFrancisco?

21 SENATOR DeFRANCISCO: Please, yes.

22 ACTING PRESIDENT GRIFFO: Senator
23 Savino yields.

24 SENATOR DeFRANCISCO: All right.
25 So if -- irrespective of the underlying

1 condition, if I have been given a card through
2 the procedure that you've got listed here and I
3 am legitimately getting medical marijuana
4 through whatever form that I could, on that
5 basis alone, that I had the card, I can apply
6 for disability benefits?

7 SENATOR SAVINO: Through you,
8 Mr. President, no. The disability is as it
9 applies to the Human Rights Law, to protect an
10 employee from being separated from their
11 employment or being discriminated against in any
12 other way solely based on the fact that they are
13 a medical marijuana patient.

14 Through you, Mr. President, you may
15 be entitled to disability for the disability
16 that you have, but that would be a different
17 discussion.

18 SENATOR DeFRANCISCO: Okay. Now
19 lastly, going back to where I started at the
20 beginning, with respect to the physician who
21 makes the prescription, and I indicated -- you
22 read a portion of the bill.

23 I'm a physician. I look at the
24 patient, I do whatever tests, and I'm competent
25 to make this determination. If I find that

1 condition causing severe debilitating back pain,
2 that sort of thing, as long as the physician is
3 acting in good faith in that diagnosis, is it
4 fair to say that there's no real oversight, that
5 that physician is protected so long as he is
6 acting in good faith and so long as that's his
7 opinion as far as the diagnosis?

8 SENATOR SAVINO: Through you,
9 Mr. President. If the physician is a treating
10 physician qualified to treat a patient with that
11 underlying condition and they are acting in good
12 faith when they make the recommendation for a
13 certification to the Department of Health, yes,
14 they would be in compliance with the law.

15 SENATOR DeFRANCISCO: Okay. Thank
16 you. Thank you very much.

17 SENATOR SAVINO: Thank you.

18 SENATOR DeFRANCISCO: On the bill.

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

21 SENATOR DeFRANCISCO: You know,
22 the strategy in moving this bill was absolutely
23 brilliant. How can you vote against a bill
24 entitled Compassionate Care Act? How can you do
25 that?

1 I mean -- and then you have people
2 lobby you that are the epitome of people that
3 you should be compassionate about. And to their
4 credit, they worked very, very hard. They
5 worked for a goal that they achieved at least
6 partway from what their original goal was.

7 And I understand from some news
8 reports that Senator Savino no doubt -- and I
9 would be surprised if she wasn't going to keep
10 working on this and advance the bill to a
11 different stage as time goes on.

12 My difficulty is that despite all
13 that -- in fact, one Senator told me that he was
14 part of the call, the calling group -- and by
15 the way, the people that contacted me in person
16 always were respectful, they were always
17 advocating in a very good way -- that they were
18 calling because they were calling in favor of
19 the Compassionate Care Act. And this particular
20 Senator said, "Do you know this has to do with
21 legalizing medical marijuana? What do you think
22 of that?" "Oh, no, I'm not in favor of that.
23 I'm in favor of compassionate care." As I think
24 we all are.

25 My concern is the medical evidence

1 and the medicine behind all of this. And I did
2 a lot of research. Many will disagree with me;
3 no doubt the advocates will. However, when I
4 see that the Medical Society is calling for more
5 testing before they make a determination as to
6 whether there is a basis for marijuana to be
7 determined medicine, I have a tendency to listen
8 to the experts. Not necessarily a Commissioner
9 of Health, not necessarily someone who's got the
10 particular condition that wants the medicine,
11 but the people that really are going to
12 administer the program.

13 I also listened to people who treat
14 addiction. And I've talked to many, and I
15 listened to their opinion. I know most are
16 saying that marijuana is not addictive. Well,
17 the people that I've talked to say it is. The
18 people that I talked to, it's a social-type drug
19 that's shared. And of course there's safeguards
20 under here. But sharing and getting access to
21 concerned me as to where else it's going to go.

22 Now, I'll hasten to add I don't
23 live in a cave. I understand it's readily
24 available on the streets. And I understand that
25 people that want to get access to it, will get

1 it now, at least this will be regulated. I
2 understand all that.

3 But the message that we're sending
4 I think is really the wrong message. If we
5 don't know the medicine behind a -- something
6 called a medicine, if there's risks that more of
7 this material will be around and available to
8 children, if we start an industry, no doubt
9 very, very, very profitable, that industry isn't
10 going to go away. So when the advocates may be
11 concerned that this bill didn't go all the way,
12 if there are manufacturers out there
13 manufacturing, I've got a feeling it's here to
14 stay.

15 And I've also got a feeling that
16 businesspeople -- like any other businesspeople,
17 these businesspeople will want to expand their
18 market, want to expand their sales.

19 And we're doing this without the
20 medical evidence, without the testing that the
21 Governor was calling for in the beginning of the
22 year, that the Medical Society is calling for.
23 We're going to do it first and then kind of
24 figure it out as we go along.

25 And this is the wrong message, in

1 my mind, when yesterday or the day before we
2 passed 11 bills because of this tragic heroin
3 condition. And some say it's not an
4 introductory drug, but at those hearings there
5 were people who were addicted that indicated
6 their first sign of addiction or their first
7 entry into this was through marijuana.

8 In states that have medical
9 marijuana, 34 percent of the 12-graders are
10 smoking marijuana. Six percent are smoking
11 marijuana on their own prescription. I
12 understand there's no smoking here. There's no
13 question there's no smoking here. The point,
14 however, is that this is step one.

15 I believe, like the Medical Society
16 apparently believes and like the addiction
17 specialists that I've talked to believe, I
18 believe you should do the science first before
19 you create a bureaucracy and an industry that is
20 induc -- introducing -- making it legal.

21 Now, you can tell your kids
22 anything you want to tell them. But if you're
23 legally having medical marijuana, it's going
24 to -- it's not the bad thing anymore. It's
25 not -- it doesn't have that negative connotation

1 that maybe it does for some kids, anyway, that
2 it could be a problem.

3 So basically what I'm saying, and
4 the reason I'm voting no, are some of the
5 provisions of the bill I highlighted out when I
6 asked questions of Senator Savino. So those
7 specific provisions bother me.

8 And I think it's broad enough that
9 any physician that felt compassionate towards a
10 patient can find that back problem. I guarantee
11 they could find that back problem. And they're
12 not going to be -- they're not going to be hurt
13 by it because it's a legitimate medical opinion
14 that they will be given.

15 And if anybody thinks the
16 Department of Health is going to regulate the
17 patient-client relationship and look into
18 whether this was really the right prescription
19 or not, I think you're not being fair to
20 yourself in your analysis.

21 So do the science first, do the
22 testing first, and then institute a new -- the
23 beginnings of a new industry that is going in
24 the opposite direction of what I thought our
25 message was to be with respect to drug use in

1 the State of New York.

2 Thank you, Mr. President.

3 Thank you, Senator Savino, for your
4 answers.

5 ACTING PRESIDENT GRIFFO: Senator
6 Hannon.

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

9 I rise to oppose the bill for a
10 long host of reasons. Chairing the Health
11 Committee, we are faced constantly in the state,
12 in this Legislature, with trying to always come
13 to better health for people, better ways to get
14 that health, a better relief from pain when
15 people are ill or hurt.

16 And so I don't look on this effort
17 mildly, because it's an incredible step for a
18 state legislature -- even though others have
19 done it -- to start declaring what is a safe
20 drug, how that drug can be administered, even to
21 set up its own labeling, notwithstanding the
22 fact there is no labeling by the FDA.

23 It's the medical model that
24 disturbs me the most, because it tries to make
25 it look like the model that exists in the

1 United States that we have for medicine and for
2 the treatment of medical illness. But it's not.
3 It's not because the steps aren't there.

4 I looked at a lot of the literature
5 as to how a drug gets approved in this nation,
6 looking at the animal testing that has to go on,
7 applications setting forth the human tests that
8 would have to take place -- Phase 1 studies for
9 human testing for safety, Phase 2 studies for
10 human testing, Phase 3 studies for human
11 testing. Now you're up to about 3,000 people.
12 Review of what you've done with the FDA.
13 Submission of further plans to do this. Review
14 of the pros and cons of the nature of the drug.
15 Coming up with a formula as to the label, as to
16 when it may be safe and may not be safe.

17 These are very elaborate processes.
18 Maybe many times they're criticized. But
19 many times people feel they're absolutely
20 necessary for the protection of the people who
21 are patients and for their families. That's
22 what we have as an actual model in the
23 United States. For us to try to imitate that, I
24 feel no matter how close you get, you're just
25 not going to get there.

1 Certainly this proposal here is
2 better than it was at the beginning of the year
3 and far better than it was in years past, but it
4 still does not achieve getting there.

5 It talks about having in the bill
6 that the physician will recommend the form and
7 nature of the medical marijuana. Based on what?
8 Based on what evidence? Based on what clinical
9 trials? Based on what results? Peer-reviewed
10 clinical trials, that's the norm in America. We
11 don't have that.

12 There's another -- it says that --
13 another provision of the bill says the physician
14 shall recommend the length of time that a person
15 shall have marijuana. Based on what? How does
16 the physician know? How is that a reliable type
17 of recommendation? If it's too short or if it's
18 too long, is the physician going to be subject
19 to professional liability? These things just
20 don't work.

21 Let me go to the question of the
22 bill itself, because I have a real problem with
23 the nature of the way it's defined as a serious
24 condition and when medical marijuana may be
25 used. It's in Section 7 on page 3 of the bill,

1 beginning at line 21. It talks about the
2 following severe debilitating or
3 life-threatening conditions: Cancer, positive
4 status for HIV, ALS, Parkinson's, multiple
5 sclerosis, damage to the nervous system, damage
6 to the nervous tissue of the spinal cord,
7 epilepsy, inflammatory bowel disease,
8 neuropathy, Huntington's disease, or as added by
9 the Commissioner.

10 Okay, these are pretty serious.
11 And it begins the paragraph by saying "severe,
12 debilitating or life-threatening." Exactly the
13 type of condition which brings out our sorrow
14 and our compassion.

15 But then there's a second
16 subdivision. And I don't know what this
17 subdivision does, because it's just hanging
18 there. It says "and," but it goes "any of the
19 following conditions where it is clinically
20 associated with or a complication of a condition
21 under this paragraph or its treatment." Now,
22 this paragraph, is that just Subdivision 2? Is
23 it Subdivision 1? Is it Subdivision A? It's
24 very unclear. It's a hole in the bill.

25 "Under this paragraph or its

1 treatment: Wasting syndrome, severe or chronic
2 pain, severe nausea, seizures, chronic or
3 persistent muscle spasms, or such conditions as
4 are added by the Commissioner." In both of
5 these, A and B, it's conditions added by the
6 Commissioner; you can't take anything away.

7 And let's deal with chronic pain.
8 What's chronic pain? Well, it's pretty much
9 pain that's persistent that's anything other
10 than acute. And it's not limited by anything in
11 this bill. And it could be anything the
12 practitioner recommends. I don't know if it was
13 the intent of the drafters or not, but it's
14 here. So it's a hole in the bill.

15 The comment has been made it's a
16 big change in this bill because we don't have
17 smoking. Give me a break. There is vapor smoke
18 allowed in this bill specifically. It's
19 smoking. No, it's not the use of the whole-leaf
20 tobacco or the marijuana plant, but it's
21 smoking. In fact, people have said it's a
22 desirable delivery system. Whatever, it's still
23 smoking. So the illusion that it's not in the
24 bill I think is just false.

25 I too was visited by parents with

1 great sincere desire to help their children.
2 And these children actually need help. Epilepsy
3 is really -- and with multiple seizures a day is
4 really, really tragic.

5 This bill is going to be effective
6 in 15 months. Give me a break. We're not
7 helping the people who came to ask us for help.

8 The first meeting, I wrote to the
9 Governor and the Commissioner of Health and
10 said, You want to do an experiment, you
11 announced it in the State of the State message.
12 Well, take that experiment and work towards the
13 oils that would help the kids who have the
14 multiple seizures. Do something. Let's make it
15 practical. Fifteen months? It could be even
16 longer than fracking.

17 The last thing I want to say is
18 that there's going to be five entities that can
19 have four locations to dispense the marijuana.
20 And there's a lot of very tight safeguards in
21 the bill. But I find the most glaring omission
22 is the fact there's no question as to what --
23 there's nothing provided as to how you will
24 select those entities. There's no bidding
25 requirement. There's no request for proposal

1 requirement. There's no requirement that that
2 be a public process. We don't know how it's
3 going to happen. We don't know where it's going
4 to happen, who is going to get this. We are
5 doing handsprings about casinos. We're doing
6 handsprings about the rest of procurement in
7 this state. Who's going to be our purveyors of
8 pot?

9 I'm going to be voting against this
10 and recommend my colleagues do likewise.

11 Thank you.

12 ACTING PRESIDENT GRIFFO: Senator
13 O'Brien.

14 SENATOR O'BRIEN: Thank you,
15 Mr. President.

16 Just by way of clarification of one
17 of the issues --

18 ACTING PRESIDENT GRIFFO: Senator
19 O'Brien on the bill?

20 SENATOR O'BRIEN: No, I was going
21 to ask the sponsor to yield to one question, if
22 she'd yield.

23 SENATOR SAVINO: Yes.

24 SENATOR O'BRIEN: And that is the
25 question of insurance coverage. I think we

1 established during Senator DeFrancisco's line of
2 questioning that insurance companies aren't
3 required to provide coverage for medical
4 marijuana.

5 But my question to the sponsor is
6 whether or not an insurance company would be
7 allowed to opt to provide coverage if the
8 insurer so decided. If the sponsor would yield.

9 ACTING PRESIDENT GRIFFO: Senator
10 Savino yields.

11 SENATOR SAVINO: Through you,
12 Mr. President. If an insurance company decided
13 that they might want to opt in, they could. It
14 has not happened anywhere else because of the
15 concerns of running afoul of federal law.
16 Marijuana is a Schedule I substance, which makes
17 it illegal under federal law.

18 SENATOR O'BRIEN: Thank you.

19 SENATOR SAVINO: Thank you.

20 SENATOR O'BRIEN: On the bill.

21 ACTING PRESIDENT GRIFFO: Senator
22 O'Brien on the bill.

23 SENATOR O'BRIEN: First I want to
24 congratulate and thank Senator Savino. I think
25 Senator DeFrancisco used the word "tenacity,"

1 which is certainly an appropriate
2 characterization of the fight that Senator
3 Savino has put forward.

4 But also she listens. She was very
5 accommodating. Many of those here know I was
6 resistant to this bill for a long time, and I
7 like to think I did my own due diligence and
8 research in coming to a conclusion. But Senator
9 Savino always was very willing to be
10 accommodating. And I think there was five or
11 six prints before we even got to the three-way
12 agreement process. And I really appreciate
13 Senator Savino's persistence in going through
14 this process and getting us to a vote today.

15 I also want to thank Senator Larkin
16 for his courageous -- we all know that
17 Senator Larkin is a person of his convictions,
18 and he ended up casting a decisive vote in the
19 Health Committee. Without his vote, we wouldn't
20 be to this point here today. So thank you,
21 Senator Larkin.

22 It's a shame -- I think you were at
23 least in part motivated by returning veterans,
24 in the belief that they may be able to help with
25 post-traumatic stress disorder. It's a shame

1 that that's not one of the conditions that makes
2 medical marijuana available for. I hope that
3 the Health Department in 18 months will come to
4 the conclusion that we should extend that hope
5 to our returning veterans as well.

6 I did have some reservations about
7 this bill, and I did try to do my due diligence
8 with respect to talking to doctors and reading
9 scores of literature. And frankly, with all due
10 respect to Senator DeFrancisco and Senator
11 Hannon, come to a different conclusion. I do
12 believe that there are people that are suffering
13 right now. And it is a shame, as Senator Hannon
14 says, that their suffering is put off for some
15 18 months at a minimum. But people are
16 suffering now, and I've come to the conclusion
17 that suffering can be alleviated by passing this
18 bill.

19 And I want to thank particularly
20 the advocates, many of whom traveled from
21 Rochester this week, have been here all week. I
22 know Holly Anderson, the executive director of
23 the Breast Cancer Coalition of Rochester, is
24 here. She's here with family members, parents
25 of children who have debilitating and painful

1 diseases -- spouses are here, families are
2 here -- and really the courage of their
3 convictions.

4 Their courage and their willingness
5 to share their stories with me was quite
6 impactful. And I do believe that we owe to the
7 advocates a great sense of gratitude for their
8 persistence and making sure that we provide
9 sensible legislation.

10 And that's exactly what we have.
11 Senator Savino has worked very, very hard to
12 give sensible legislation that provides for
13 certified patients, registry ID cards,
14 provisions for making sure caregivers are
15 appropriately monitored, registered
16 organizations, prohibitions against how much
17 medical marijuana you can get at any one time,
18 protections for how that medical marijuana is
19 used, new crimes to make sure that law
20 enforcement doesn't have additional problems.

21 And I congratulate the Governor for
22 his input in making sure that we got to this
23 point.

24 And so that we still may not have a
25 perfect bill -- I don't know that any bill is

1 ever perfect -- but it's really due to the
2 advocacy of many, many people that made me
3 decide we can continue to try to tweak the bill
4 forever, and we could be here not passing any
5 legislation because we didn't have the perfect
6 bill, but the fact of the matter for me remains
7 this, and that's that people are suffering right
8 now. That suffering can be alleviated as soon
9 as we can make this available to them. And I
10 intend to vote aye.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Larkin.

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

16 ACTING PRESIDENT GRIFFO: Senator
17 Larkin on the bill?

18 SENATOR LARKIN: Yes.

19 I'm not a doctor, I'm not a lawyer,
20 I'm just an ordinary person who looked at this
21 issue and said, We are here in Albany with one
22 mission -- to protect, preserve and enrich the
23 lives of those who we're entrusted to represent.

24 My first look at the bill, I had
25 many, many questions. One that kept coming up

1 to my mind was post-traumatic stress disorder.
2 And diabetes. And I noticed that finally, in
3 the last minutes or so, there's given an
4 opportunity to them to be included in it.

5 This bill also allows us 18 months.
6 I don't know many how many months and years some
7 of you have been here. This is my 36th. I've
8 seen amendments, I've seen changes, I've seen
9 bills being repealed and this and that and the
10 other. But take a moment and step aside and
11 say: If this was my child, what would I do?

12 I know everybody talks about smoke,
13 smoke, smoke. I never smoke. I couldn't care
14 for it. But the point about it is, is we've got
15 a crisis.

16 You know, I'm not going back into
17 this point or that point. I think Senator
18 Savino, John, and Kemp covered it quite clearly.
19 But I'm getting back to the basics.

20 We've got a 18-month stretch here
21 that we can look deep into some of these
22 specifics. But I have 17 grandchildren. If
23 something happened to them, I'd be doing just
24 what you would be doing. You'd find a way to
25 provide a cure for those children.

1 Somebody said, Well, X won't
2 support us, B won't support us. I don't give a
3 damn who supports me. My problem is there's an
4 old saying in the Army, "Lead or get the hell
5 out of the way." And I apologize to the ladies
6 in the room.

7 (Laughter.)

8 SENATOR LARKIN: But there's an
9 issue. We have a crisis, whether you want to
10 believe it or not. Twenty-one other states have
11 looked at it and said let's do something.

12 I don't know the solutions. But I
13 do know that within the bounds of this building
14 here, we've got the brains to put together and
15 correct what some people don't agree with.

16 So let's not go out of here today
17 after this is done, if it's passed, and start
18 finding fault with our colleagues. Because I
19 don't believe there's anybody in this room that
20 doesn't take this serious. This is a serious
21 matter. And I really believe that we have an
22 obligation to those we represent.

23 There are people here have been
24 around this building for the last month, and you
25 talk to some of them. In my district, I have

1 six families, they are sleeping with their child
2 because that child is having 12, 14, 16 seizures
3 every day, five, six days in a row. What do you
4 say to them? Well, on page 23 it says A, B, and
5 C? They don't give a GD what page 23 says.
6 Their big question is, What are you going to do
7 for my child?

8 Ladies and gentlemen, that's our
9 mission. We can talk here about the moon and
10 the sun and everything else. But the bottom
11 line is remember this: Lead or get the hell out
12 of the way.

13 Thank you.

14 (Extended applause.)

15 ACTING PRESIDENT GRIFFO: Can I
16 ask that we respect the decorum of the chamber
17 and allow the members to be heard.

18 Senator Libous.

19 SENATOR LIBOUS: Colonel Larkin,
20 you're going to be a tough act to follow, but
21 I'm going to try.

22 Senator Savino, I know how hard
23 you've worked on this, and I know the passion
24 you've had behind it, and the commitment. And I
25 know you believe in your heart, like many others

1 do, that if this bill is to pass, that it
2 actually is going to help people. That's why
3 you labeled it the Compassionate Care Act.

4 And certainly that's a name, as
5 Senator DeFrancisco and Senator Hannon said,
6 it's pretty difficult to fight against the
7 Compassionate Care Act.

8 But I think as my colleagues have
9 gone a little deeper, I would just share with
10 you that I think everybody in this room wants to
11 help people. They don't want to see anybody
12 suffer. I know that throughout my career I have
13 dedicated a lot of my legislative life helping
14 people with disabilities and mental health and
15 trying to help them live as normal a life as
16 possible without suffering, without having
17 difficult times.

18 And I also know about what it's
19 like to have a disease and what it's like to
20 hope every day that there's going to be
21 something out there that's going to help you.
22 Five years ago I was diagnosed with prostate
23 cancer, and unfortunately for me it had
24 metastasized, went to my back and is now in my
25 lung. For me to stay alive and come here for

1 session, I have to have chemotherapy every
2 21 days.

3 There are other people in this room
4 who have gone through the same thing. I'm sure
5 there are people in the gallery who have gone
6 through the same thing. After that chemotherapy
7 session I, like many other people, get very sick
8 for about three or four days. And there are
9 probably times that I would take whatever I
10 could take to feel better. I publicly said that
11 if the marijuana were legal and if my doctor
12 said it was okay to take, I would probably try
13 it, because you want -- you want to feel better.

14 But I also know that this is not a
15 cure. And I just worry about the false hope
16 that might be created as this bill moves
17 forward. I've heard comments from my
18 colleagues -- and certainly I respect every one
19 of you, and I would never, never say that you
20 would intentionally say something that you
21 thought was wrong or inaccurate. But I do
22 believe that we have to be very careful, as you
23 move forward with this legislation, that we
24 don't give false hope.

25 I heard the word "cure" used. This

1 isn't going to cure anybody. It's going to make
2 you feel better, maybe. And I don't know that
3 for sure because, as I think Senator Hannon
4 said, it would have been nice to do some trials
5 first before you try to roll out the program.

6 I know that I'm waiting for some
7 trials. I go to Sloan-Kettering and I have some
8 great doctors, and I talk to them on a regular
9 basis. And I have been on a trial.
10 Unfortunately, it didn't work for me. And that
11 happens. But the trial was a trial through the
12 FDA and through the hospital, and they had done
13 an extensive amount of research. And they did
14 it with doctors and experts. And, you know, one
15 of the things that I like where I go is they
16 deal in just prostate cancer. I go to a big
17 building, and that's all they deal with is
18 prostate cancer.

19 The State Health Department is
20 probably one of the biggest bureaucracies in
21 this state. I can't tell you how many times in
22 my 26-year career I've heard many of you get up
23 and rail against the Health Department. And
24 certainly I might even make a comment or two
25 about a fracking study that I'm waiting for.

1 But it just doesn't make sense. And I concur
2 with Senator Hannon that it's going to take an
3 awful long time to get this off the ground.

4 But at the same time, I do
5 understand that people need hope. And I do
6 understand that this may give people hope. But
7 I just hope it isn't the false hope that I
8 talked about earlier. I would prefer to put my
9 eggs in the basket when it comes to the FDA and
10 to hospitals like Sloan-Kettering, and not the
11 State of New York or its Health Department.

12 Because of that, I have a very
13 difficult time supporting this bill. I can't
14 support it. But if it does go forward, if it
15 does pass, I would only hope, Senator Savino,
16 that as its sponsor -- and again, I applaud you
17 for your work -- that you really make sure that
18 something happens. Because all too often we do
19 something in this state and we pass legislation
20 and we never know does it ever get enforced.

21 I worry about this one, and I worry
22 about giving false hope to people who may really
23 think that there's something there for them at
24 the end of the rainbow.

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger.

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

4 I rise in support of this bill.
5 It's not a perfect bill. It's not even a bill
6 that many of us who supported this concept for a
7 long time imagined would be the final product.

8 I want to thank everyone in the
9 gallery, who have worked so hard and waited so
10 long for us to come up with even a flawed bill.

11 I want to respond to a few things
12 that were said. I empathize enormously with
13 what Senator Libous is going through personally,
14 and he's absolutely right. Probably few of us
15 haven't had personal experience or experience
16 with our family members having gone through some
17 similar experience at this point in our lives.

18 But no one has said or I don't
19 think they meant to say that anyone has an
20 expectation that this is a cure. Medical
21 marijuana, in all the various discussions and
22 all of the research that I have seen, talks
23 about it having a palliative care ability, that
24 it can actually address symptoms, sometimes
25 extremely excruciating, day after day symptoms

1 and behaviors caused by the underlying disease.

2 So yes, we must continue to search for cures.

3 And someone said, "But we don't
4 know enough. We need the research." Well, I
5 just want to point out I agree more medical
6 research would be incredibly valuable. The
7 problem is the federal government's policies
8 don't allow us to hand it to the FDA, don't
9 allow doctors who apply for research grants to
10 even do the kinds of research we're discussing
11 on this drug because of flawed and failed
12 federal policy.

13 But we do have a decent amount of
14 research that shows us this can and does work
15 for various people under various circumstances.

16 Now -- and I'll go back to that in
17 a second -- it's also true that doctors have a
18 standard of doing no harm. And the good news
19 for those of us who feel there's not yet enough
20 research and it's not a cure is that the
21 research has been done enough to show us that
22 marijuana is far less dangerous a drug to use
23 for these illnesses than most of the drugs that
24 are legally prescribed.

25 There is research showing that

1 there's never been an overdose from medical
2 marijuana. Or even non-medical marijuana.
3 There's research showing just the opposite for
4 some of the most commonly prescribed drugs for
5 the disease categories that were listed out by
6 Senator Savino when she was explaining the bill.

7 So the concept that this could
8 increase risks for people is the kind of
9 research we actually already have and know is
10 not a concern and should not be a concern for
11 us.

12 It was also raised that there's
13 concern by some that use of medical marijuana
14 can in some cases for some people be addictive.
15 And there's research on that as well, which also
16 shows many of the kinds of drugs that are
17 prescribed for exactly these illnesses are far
18 more statistically and scientifically addictive
19 than any of the ingredients within cannabis.

20 So we already do find ourselves in
21 a situation where as a country, as a world, we
22 recognize that even though some drugs that are
23 prescribed under law are dangerous, can cause
24 illness, can cause death, can cause addictions,
25 we make the decision that when prescribed by a

1 physician, we believe that it is the best
2 option, even though there are risks associated.
3 You can't watch television at night and not see
4 a TV commercial for fill-in-the-blank drug and
5 see all of the -- in small print or announced at
6 the end, the list of possible dangers associated
7 with that drug, the list of possible side
8 effects associated with that drug, the risk of
9 death from taking that drug.

10 And yet we recognize those as not
11 only being legal and prescribable, we understand
12 that for many people it's worth the risk to face
13 bad side effects, addiction, and programs even
14 death because its alternative for them is worse.

15 And yet with all the things we
16 don't yet know about marijuana, because we have
17 a national policy that doesn't let us do our
18 homework, we do know that marijuana has far less
19 of those serious-risk concerns than a huge
20 percentage of drugs that are already approved
21 and prescribed throughout this country.

22 It was also mentioned that at least
23 one medical society has not weighed in in
24 support of medical marijuana. But there's a
25 huge number of medical organizations and famous

1 medical providers who have weighed in. And just
2 to list a few: The American Nurses Association.
3 The former chief administrative law judge at the
4 U.S. Drug Enforcement Administration, Francis
5 Young. The New England Journal of Medicine
6 editorials. The American College of Physicians.
7 The American Academy of HIV Medicine. Former
8 U.S. Surgeon General Jocelyn Elders. The
9 National Institute of Medicine. The HIV
10 Medicine Association of Infectious Diseases
11 Society of America. The British Medical
12 Association. The American Association for
13 Public Health. Just a few of the medical
14 experts and professional associations and
15 research arms that you can read all of their
16 analysis of why this is the right answer at this
17 point in time. Even though we want more and
18 better options for people with these illnesses,
19 we do want cures for people with these
20 illnesses.

21 And I also know -- I've spoken not
22 only to patients, but I represent a district
23 that I believe has more hospitals per person
24 than any other district in the state. It's
25 sometimes nicknamed Bedpan Alley, the East Side

1 of Manhattan. It includes the hospital in fact
2 that Senator Libous is getting treatment at, a
3 great, great hospital.

4 And I have been there visiting
5 friends who have also been going through cancer
6 treatment. And I've had doctors say to me:
7 "Please pass this bill. We send our patients
8 home knowing how sick they are getting from the
9 treatments. We can't bear the fact that we're
10 suggesting to them, under the table and quietly:
11 'You might try some marijuana. It might help.'"
12 They know that it's illegal for them to even
13 whisper this.

14 I've even had patients say: "I
15 really want to try it, but I know it's illegal.
16 My grandchild's offered to get me some. I don't
17 want to put them at legal risk." I'm assuming
18 sometimes their grandchildren or children get
19 them that drug anyway, because they care about
20 their family member.

21 I'm assuming there's a decent
22 number of doctors in this state who secretly
23 whisper: "You might try this, if you can get
24 some." It's a drug that is radically less
25 dangerous, less addictive than an endless list

1 of drugs that we can find legally approved by
2 the FDA.

3 Do we have all the answers? No.
4 Do I wish there were other changes made in this
5 bill? Yes. Should it be disturbing it can be
6 18 months before we actually implement? For
7 many of the people in this gallery, absolutely.

8 But surely voting no today doesn't
9 get us any closer to addressing any of the
10 concerns I've heard today on the floor. I vote
11 yes, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Bonacic.

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

16 ACTING PRESIDENT GRIFFO: Are you
17 on the bill, Senator Bonacic?

18 SENATOR BONACIC: I'd like to ask
19 Senator Savino a couple of questions, if I may.
20 If she will yield.

21 ACTING PRESIDENT GRIFFO: Senator
22 Savino, will you yield?

23 SENATOR SAVINO: Yes,
24 Mr. President.

25 ACTING PRESIDENT GRIFFO: The

1 Senator yields.

2 SENATOR BONACIC: Senator Savino,
3 I listened with great interest to what
4 Senator DeFrancisco and Senator Hannon had to
5 say about the wording of some of the
6 legislation, where it might be vague, where
7 there might be holes in the legislation.

8 Is it your understanding that the
9 Department of Health would take this debate and
10 discussion into consideration and, as they go
11 through the process of the 18 months before this
12 program is implemented, they would have the
13 power to make these changes or where your intent
14 and some of the things that you reacted to to
15 Senator DeFrancisco and Senator Hannon, they
16 could do that on their own?

17 SENATOR SAVINO: Through you,
18 Mr. President. The answer to that question,
19 Senator Bonacic, is yes.

20 SENATOR BONACIC: Okay. Will you
21 continue to yield for a second question?

22 SENATOR SAVINO: Yes.

23 SENATOR BONACIC: We had about a
24 three-hour debate -- excuse me, discussion on
25 this legislation in our conference. I didn't

1 speak. But one of the things that came up that
2 I had a curiosity of, this is a cash business
3 we're dealing with. If someone wants to go
4 obtain marijuana, they're going to have to pay
5 cash.

6 So do you have any idea how we're
7 going to properly monitor the cash that's
8 collected so there's an accurate accounting that
9 it's going to be paid to the groups, you know,
10 the allocations of where the money is going to
11 go? Have you given any thought to that? I'm
12 just curious.

13 SENATOR SAVINO: Through you,
14 Mr. President, that is obviously of great
15 concern to the state, as we have a proprietary
16 interest in the success of this.

17 Part of the regulations that will
18 be developed by the Commissioner will deal
19 with -- and by the Superintendent of Police as
20 well -- will deal with safety and security of
21 the facilities, which will include not just the
22 tracking of all of the product -- that's what
23 the seed-to-sale model is -- but also the
24 tracking of the money. Because the state, of
25 course, is going to make sure it gets its excise

1 tax paid.

2 But you are right, you raise the
3 issue of in fact it is a cash business, for the
4 most part. And that's what makes security so
5 critically important here.

6 SENATOR BONACIC: And I noticed
7 under your legislation that the Governor and the
8 Commissioner have to give a report every two
9 years to this body of their recommendations when
10 they get knowledge of results of how it's going.

11 SENATOR SAVINO: Yes.

12 SENATOR BONACIC: Okay, thank you,
13 Senator Savino.

14 SENATOR SAVINO: Thank you.

15 SENATOR BONACIC: On the bill.

16 ACTING PRESIDENT GRIFFO: Senator
17 Bonacic on the bill.

18 SENATOR BONACIC: You know,
19 30 years ago I was an assistant district
20 attorney. I'm a law and order guy. You talked
21 about drugs, I said evil. People said to me
22 marijuana is a gateway drug to heavier drugs, I
23 said absolutely. And to this day I still
24 believe that to be true.

25 I had -- it's amazing what this

1 legislation has done when it's out there with
2 all the publicity. I get so many unsolicited
3 calls, one from a person that works at a
4 substance abuse center: Gateway drug, don't do
5 it. Parents called, they talked about loved
6 ones who suffer from debilitating disease, in
7 pain, with experience with marijuana. They get
8 it.

9 And to pick up a little bit on what
10 Senator Larkin said, does anyone here doubt that
11 if you had a wife that was dying from cancer or
12 a child with a debilitating disease in great
13 pain, and you knew that marijuana worked to ease
14 pain -- forget about a cure, to ease pain, while
15 your wife or your child are going to die. Do
16 you think you wouldn't do it, you wouldn't find
17 it and do it? That's what this bill is about.
18 That's what this is about.

19 So I've come a long way in
20 30 years. I believe that we have to do
21 everything to relieve that pain of loved ones.
22 And we have to try. It's not going to be a
23 cure. It might not work. But if it works, it's
24 worth the effort.

25 And I want to make another point.

1 In my mind there is a firewall, a very thick
2 firewall between medicinal marijuana and
3 recreational marijuana. I don't necessarily
4 agree with the previous Senator who spoke to
5 kind of dilute the power of marijuana, like
6 there are other medications out there much more
7 powerful. Because I know from experience that
8 it could be a gateway drug, if we go in through
9 recreation, to the heavier drugs where we have a
10 heroin epidemic and we're fighting it on the
11 back end.

12 So I for one have supported this
13 Compassionate Care Bill. I think we have to
14 try. But I for one will fight and resist
15 recreational marijuana if there's an attempt to
16 go there.

17 I want to thank Senator Savino. We
18 have checkmates here. We're going to get
19 knowledge of results. And that's a good thing.
20 And there's going to be a budget next year,
21 there's going to be funding requests as we go
22 forward.

23 So this is something to watch.
24 This is something to have an open mind. Because
25 as recommendations come from the Department of

1 Health, we can make adjustments. Because none
2 of us are pros on how this is going to work out.
3 We don't know. But I believe we've got to try.

4 I vote yes.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator
7 LaValle.

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

10 ACTING PRESIDENT GRIFFO: Senator
11 LaValle, are you on the bill, or would you like
12 to pose questions?

13 SENATOR LaVALLE: On the bill.

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

16 SENATOR LaVALLE: There is no
17 doubt that we as legislators have responded to
18 the Compassionate Care Act provision focus that
19 has been brought to it, and real people who have
20 come to our offices and have brought their
21 cases. And I can say that not only myself, my
22 staff, when those individuals were in the
23 office, we were teary-eyed. We were very, very
24 touched.

25 And so part of our mission, and you

1 heard Senator Larkin, is to deal with the real
2 problems that people have.

3 You heard Senator Hannon. And
4 there is no person in this chamber who, as
5 chairman of the Health Committee, gets down into
6 the weeds and studies things and talks to people
7 in the health field. He's someone who we are
8 very, very fortunate to have in this chamber
9 head that committee.

10 You heard what Senator Hannon
11 talked about, that we need to put science first.
12 So we are mostly reacting with our hearts to
13 help people. And I would just say flat out that
14 if someone in my family -- my children,
15 grandchildren, wife, friends -- had a
16 debilitating disease and needed palliative care,
17 you would do anything to ease their pain. And
18 particularly with children, because many times
19 they can't truly represent, you know, the pain
20 that they're going through.

21 You heard in the discussion and the
22 debate and when you read the bill you see
23 repetitively that Health Department is going to
24 do regulations, they're going to do regulations.
25 When we get done with this -- and I think to

1 Senator Libous's point, and other speakers, it
2 could be a very, very long time before there is
3 action. So I think people need to understand
4 that this could be a long process.

5 And when you get to the end, you're
6 going to say this is a far different bill. Or
7 did we actually give the Health Department the
8 ability to promulgate this regulation in this
9 manner? We have seen and heard in other venues
10 when we're dealing with healthcare that the
11 regulations far exceed the bill. And
12 legislators are often confronted by
13 constituents, and there will be people in this
14 chamber saying, I didn't realize that that was
15 in there. Well, it wasn't in there. You gave
16 the Health Department the ability to promulgate
17 rules and regulations.

18 But I listen to those ads,
19 Senator Krueger, on my TV. And you know, I say
20 I'm glad that someone, the FDA, is making an
21 analysis. And at least I know that there could
22 be a deleterious effect. And I often turn to my
23 wife and say, "Who would take that drug?" I
24 mean, the list goes on. You get frightened.
25 But at least you know going in.

1 We talk about, all the time, right
2 to know. I'm the sponsor of the GMO bill to
3 have labeling. Why? And I make the case we
4 want to know what goes into our bodies. So now,
5 with this bill, people are not going to know.
6 But it will ease the pain for certain
7 individuals.

8 A lot of us know that there's
9 always an unintended effect. And this has been
10 brought up, and this is always troublesome.
11 It's very difficult to -- we want to balance the
12 equities. We say we've got to help people.
13 There's no one in here that disagrees on that
14 point.

15 We have a cash business. And I
16 think everyone knows follow the money. And that
17 unfortunately, in our society, there are people
18 who definitely want to follow the money. Look,
19 we have in the balcony someone from Colorado
20 very interested in this and how they're going to
21 compete to be one of the manufacturers here in
22 our state. There will probably be a lot of our
23 farm people that have been gearing up, thinking
24 that they're going to be able to bid on this,
25 and they will be in for a surprise.

1 There are -- Senator Hannon talked
2 about it -- while you can't use vapor in a
3 public place, and that's for obvious reasons.
4 But make no bones about it, that there will be
5 one of the unintended consequences is people can
6 do whatever they want in their homes in a place
7 of privacy, and this will be certainly abused.

8 I think in my heart of hearts I
9 believe this is a beginning. Because when I
10 looked at Senator Savino's bill, there were
11 things in there that for me were very alarming.
12 And I've been in this Legislature a while, and
13 this is a beginning. This is a beginning. We
14 will be back, as everyone knows, adding. People
15 will say "You left me out, my illness, I'm not
16 even in it for the Commissioner to explore."

17 I have a staff member who has
18 chronic back pain. Senator Hannon said chronic
19 means it's not acute. So it's a debilitating
20 problem, back problem, for the rest of your
21 life. I know he's going to ask me, "Well, am I
22 on this?" I'm going to shrug my shoulders, I
23 don't know. I think we have to wait to see what
24 the Commissioner promulgates in regulations.

25 So in some ways we're giving people

1 some hope. But I believe that over the long
2 haul we are going to see pieces of the Savino
3 bill, Gottfried bill, in law moving toward
4 recreational drugs. It's just inevitable. It's
5 just a matter of time. So we start with our
6 hearts, with good intention, because we want to
7 help people, but there are people that want to
8 go far beyond where we are going here.

9 I think there's no doubt that we
10 have made huge changes from the original bill,
11 and I suppose that that's good. But there is
12 too much here that troubles me about the
13 unintended effects, following the money, and
14 people who do not have people's best interests
15 at heart. We in this Legislature are elected to
16 do that, protect that, but the unintended
17 consequences are too great. And when the roll
18 call is called, I'm going to be voting in the
19 negative.

20 ACTING PRESIDENT GRIFFO: Senator
21 Smith. Do you wish to ask questions or speak on
22 the bill?

23 SENATOR SMITH: I have a few
24 questions for the sponsor.

25 ACTING PRESIDENT GRIFFO: Will the

1 sponsor yield?

2 SENATOR SAVINO: Yes,
3 Mr. President.

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields, Senator Smith.

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

8 And let me be one of the members in
9 the chamber that also congratulates Senator
10 Savino for --

11 SENATOR LIBOUS: Mr. President,
12 I'm having a difficult time hearing
13 Senator Smith.

14 ACTING PRESIDENT GRIFFO: Can I
15 ask that the chamber continue to be at order.

16 Senator Smith, you may continue.

17 His mike is on now.

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

20 Let me also congratulate Senator
21 Savino on the effort that she has put forth with
22 this bill. I know it's been a very arduous
23 task. And it's painful, not only physically for
24 some, but also painful just going through the
25 mental gymnastics in trying to compromise. And

1 I know the Governor was very dogmatic as to his
2 concerns and questions.

3 I also appreciate some of the
4 comments that I heard Senator DeFrancisco make
5 as well. And I also am happy that we chose to
6 put the bill on the floor at this time of day as
7 opposed to late in the evening or early morning
8 hours, where the public would not get a sense of
9 what's in this bill and what's not.

10 Mr. President, through you, if
11 Senator Savino will yield, I have a couple of
12 questions I would like to ask.

13 ACTING PRESIDENT GRIFFO: The
14 Senator yields.

15 SENATOR SAVINO: Yes.

16 SENATOR SMITH: Senator Savino --
17 through you, Mr. President -- I know that they
18 have taken out the smoking portion of this bill.
19 Is there anywhere in this bill in the future
20 that smoking will become a part of this
21 legislation?

22 SENATOR SAVINO: Through you,
23 Mr. President, in answer to that question, no.
24 Because the bill expressly prohibits a smokeable
25 product, marijuana in a smokeable form. It

1 would require an act of the Legislature.

2 SENATOR SMITH: Thank you.

3 If the sponsor would continue to
4 yield.

5 SENATOR SAVINO: Yes.

6 ACTING PRESIDENT GRIFFO: The
7 sponsor yields.

8 SENATOR SMITH: There is a -- in
9 Section 7B on page 8, it lists the actual
10 challenges or it actually lists the diseases
11 that the bill will cover. And then there's a
12 few that it does not list, and it says that in
13 the future, I guess through the Health
14 Department and maybe the Governor's office, they
15 will determine whether or not to add these
16 areas.

17 Senator Savino, is there a reason
18 why they're not added now? And do you
19 anticipate what the time frame might be for
20 these to be added?

21 SENATOR SAVINO: Through you,
22 Mr. President. As you know, the previous
23 version of this bill listed many of those
24 conditions. The Commissioner of Health feels
25 that there's insufficient research to support

1 their inclusion at this time, in spite of the
2 fact that they are included in some statutes in
3 some states. So he is reserving the right, upon
4 further review of those conditions, to add them.

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

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR SAVINO: Yes.

11 SENATOR SMITH: I also noted
12 somewhere in the bill there was a section where
13 the patient has the right to change the
14 caregiver. Correct?

15 SENATOR SAVINO: Yes.

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

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

21 SENATOR SMITH: Is there any
22 consideration taken to some of these physical
23 impairments that these individuals have that
24 might be mentally debilitating, in that they
25 won't be able to determine whether or not they

1 want to keep that caregiver or be in their right
2 mind? For instance, if a person has
3 Alzheimer's, is that person going to be given
4 the same right to determine whether or not they
5 want to maintain that caregiver?

6 SENATOR SAVINO: Well, through
7 you, Mr. President, patients who have
8 Alzheimer's are not eligible to be medical
9 marijuana patients at this current time.

10 But I think the question you're
11 asking is if you have a patient who is a
12 certified patient under this program, with a
13 recommendation by their physician, and they then
14 designate a caregiver -- which a caregiver under
15 this statute would be someone who is registered
16 by the State Department of Health to be able to
17 obtain the product for their patient, which
18 could be a family member -- could they change
19 that person. Yes, they could.

20 SENATOR SMITH: Mr. President, if
21 the sponsor would continue to yield.

22 SENATOR SAVINO: Yes.

23 ACTING PRESIDENT GRIFFO: The
24 sponsor yields.

25 SENATOR SMITH: I appreciate the

1 sponsor's response. I just want to get some
2 more clarity.

3 I know Alzheimer's is not part of
4 it at this point. But again, the question is
5 assuming Alzheimer's will be -- and I believe it
6 will be, down the road, as you continue to push
7 for amendments -- when it comes to someone with
8 Alzheimer's, and you know the challenge that an
9 Alzheimer's patient has just with mental
10 clarity, will that person have the ability to go
11 to their doctor or the Department of Health and
12 say "I no longer want this caregiver," who at
13 that point in time may be the right caregiver
14 for them?

15 SENATOR SAVINO: Through you,
16 Mr. President, I would assume that's possible,
17 assuming that that patient was able to make
18 decisions for themselves. Normally patients
19 that are incapacitated in that way designate,
20 through a health care proxy or a guardianship,
21 someone to make these decisions for them.

22 SENATOR SMITH: Okay.

23 On the penalty portion there was a
24 section on page 8, 5A, and it talks about the
25 allowed amount would be a one-month supply which

1 they would give someone of medical marijuana.
2 And then I believe it's in the penalty phase
3 they talk about, in the criminal retention of
4 medical marijuana, is the person guilty of this
5 new crime when they are a certified patient or
6 caregiver who knowingly obtains or possesses or
7 stores or maintains more than the amount of the
8 medical marijuana that they are authorized to
9 possess.

10 Through you, Mr. President, if the
11 sponsor would continue to yield.

12 SENATOR SAVINO: Yes.

13 SENATOR SMITH: I'm just a little
14 confused about if they are, according to page 8,
15 section 5A, if they're given a certain amount, a
16 monthly supply, how is it that or under what
17 circumstances do you believe that they can and
18 will possess more than the authorized amount?

19 SENATOR SAVINO: Through you,
20 Mr. President, this section, this new criminal
21 penalty was insisted upon by the Governor and
22 the Superintendent of Police because of a
23 concern that they have about patients
24 potentially stockpiling their medical marijuana.

25 As you stated, under the proposed

1 bill marijuana patients would be entitled to
2 have no more than a 30-day supply, similar to
3 what we do now with prescription drugs and
4 Schedule II substances. However, they are able
5 to have what they call 30 days plus 7. If they
6 get within seven days of the end of their
7 supply, they could renew.

8 What the Superintendent of Police
9 is concerned about is that people don't use it,
10 hold onto it, begin to stockpile it for the
11 purposes of diversion.

12 SENATOR SMITH: Mr. President, if
13 the sponsor would continue to yield.

14 SENATOR SAVINO: Yes.

15 ACTING PRESIDENT GRIFFO: The
16 sponsor yields.

17 SENATOR SMITH: There's a section
18 that talks about the termination of the program.
19 The Governor has a fail-safe piece, there's a
20 public health safety part to it.

21 The question is, has consideration
22 been given, and maybe the Health Department will
23 do so in the future, if you have a program that
24 is now in existence for let's say a year, the
25 particular patient has now grown accustomed to

1 the medical marijuana dosage, it is helping
2 them, they're using it, and then the Governor,
3 because of information by the Health Department
4 or the Superintendent of Police, decides it is
5 now time to terminate the program, has
6 consideration been given to that patient as to
7 the weaning off of now the marijuana which has
8 now been cut off because the Governor has
9 determined it is no longer viable?

10 SENATOR SAVINO: Through you,
11 Mr. President. That's an excellent question,
12 Senator Smith. It is one that I have concern
13 about.

14 And during the -- there's been a
15 lot mentioned about the 18 months and how long
16 it's going to take. In fact, requiring a time
17 line for the start-up of this program was
18 something that I insisted upon. Originally the
19 Governor and the Commissioner of Health wanted
20 to have an open-ended process, which could have
21 gone into several years, which is something
22 we've seen in other states, New Jersey being one
23 of them. So 18 months may seem like a lifetime,
24 but it's really a fairly good period of time to
25 establish rules and regulations.

1 It is during that period of time
2 where there will be a public comment period, we
3 are going to have an opportunity to weigh in to
4 address just an issue like the one you just
5 pointed out. What we want to make sure that we
6 do during that 18-month period is help the
7 Department of Health establish a very tightly
8 controlled, regulated system so that it can give
9 to the Governor what he claims he needs, which
10 is comfort, knowing that the system is safe,
11 secure and serving its intended purpose so that
12 we don't wind up with a scenario where there is
13 some public health hazard that could be invoked
14 by either the Commissioner of Health or
15 Superintendent of Police, you know, justifying
16 the Governor pulling the plug.

17 The Governor and the Commissioner
18 of Health do have the right under this statute,
19 though, to pull the license of any registered
20 organization that they determine is acting in
21 violation of the program. So there's a
22 safeguard in that as well.

23 SENATOR SMITH: Okay.

24 Mr. President, through you, if the
25 sponsor would continue to yield for a couple

1 more questions.

2 SENATOR SAVINO: Yes.

3 ACTING PRESIDENT GRIFFO: The
4 sponsor yields.

5 SENATOR SMITH: Just on the
6 business aspect of what I consider just to be a
7 new industry, as you locate these new
8 dispensers, is these dispensers going to be
9 derived from New York businesses? Are they
10 coming from out of state being allowed to open
11 the business, or will it be restricted to
12 New York farmers, New York entrepreneurs,
13 et cetera?

14 SENATOR SAVINO: Through you,
15 Mr. President, it must be a New York State
16 entity. However, that does not preclude people
17 from coming into the New York market, much the
18 way they do now when the START-UP NY program --
19 although this would not be eligible for START-UP
20 NY. But there's no bar. However, they would
21 have to establish a New York State entity.

22 In answer to your question about a
23 farm, could a farmer in New York State apply for
24 this license? Certainly. There are conditions
25 in the bill about, though, who can and can't --

1 what conditions they must meet to apply, whether
2 it's having access to property, you know,
3 acquiring property, in the absence of having
4 property, being able to post a \$2 million bond.
5 We only want serious individuals applying for
6 licenses in this state. There are also a series
7 of background checks and other requirements that
8 they'll have to submit to.

9 Marijuana grown in this state must
10 be grown indoors in a tightly controlled,
11 secure, 24-hour-secured facility. A greenhouse
12 could be one of them, but it couldn't be in open
13 farmland.

14 SENATOR SMITH: Okay.
15 Mr. President, through you, if the sponsor would
16 yield for one more question.

17 SENATOR SAVINO: Yes.

18 ACTING PRESIDENT GRIFFO: The
19 sponsor yields.

20 SENATOR SMITH: Again, on the
21 business side, I didn't see in the bill -- and I
22 read through it last night, had a lot of
23 conversations with people from the community
24 about it. But I didn't see in the bill where
25 there is a section or where it would require any

1 of the new dispensers and/or businesses to have
2 a requirement in support of our veterans as well
3 as minority and women-owned businesses.

4 SENATOR SAVINO: Through you,
5 Mr. President, I don't believe it is in the
6 statute. But it's something that could be in
7 the regulations.

8 SENATOR SMITH: Okay. On the
9 bill, Mr. President.

10 Thank you, Senator Savino.

11 ACTING PRESIDENT GRIFFO: Senator
12 Smith on the bill.

13 SENATOR SMITH: And again, let me
14 thank Senator Savino for her effort and all the
15 work, all my colleagues as well.

16 This is not an easy bill. It's not
17 easy because of the concerns that have been
18 raised by many of my colleagues -- Senator
19 DeFrancisco, Senator Libous, Senator O'Brien.
20 And my conversations up until 1 o'clock last
21 night, in particular from people in my district,
22 was 50/50, to be honest with you. There were
23 members who supported it, and there were members
24 who were opposed to it, for a host of reasons.

25 And it's very difficult in terms of

1 where I am on this bill, and it took me a while
2 to get to where I am because of some discussion,
3 as people have talked about, the gateway, not
4 having enough medical input on it.

5 But, Mr. President and my
6 colleagues, it came down to two things for me.
7 One was about choice, and the other one was
8 about pain. And if I have to make a vote today
9 regarding whether I'm going to have a choice of
10 what to do about medical marijuana or helping
11 someone relieve the pain, I have to come down on
12 the side on pain.

13 And so while this has not been an
14 easy road for me in terms of deliberating this
15 bill, I want to congratulate Senator Savino. I
16 will be voting for this bill. And I do hope in
17 the near future, as you look to amend it, some
18 of the things that were raised today on the
19 business side and on the patient side and the
20 health side will be considered.

21 So, Mr. President, I will be voting
22 aye for the bill.

23 ACTING PRESIDENT GRIFFO: Senator
24 Tkaczyk.

25 SENATOR TKACZYK: Thank you,

1 Mr. President.

2 I rise to also applaud Senator
3 Savino for all of her hard work on getting this
4 bill to the floor today. I know it's been an
5 arduous journey. I also appreciate the comments
6 from my colleagues on the floor today. I know
7 this isn't an easy issue. It is complicated.

8 But I am supportive of the
9 legislation. And I just want to share a story
10 about a constituent in my district who is
11 impacted by this. Her name is Mabel Grace
12 Decker. She's a year old. Mabel Grace has
13 CDKL5, which is a rare X-linked genetic disorder
14 which results in early and difficult to control
15 seizures. She's had these seizures since she's
16 been about a month and a half.

17 And she would be here with her
18 parents, if she could, to advocate for this
19 bill. But she cannot, because she is in
20 Colorado. Her parents have decided that her
21 having access to the oil form of medical
22 marijuana is so important that Mabel Grace's
23 mom, Carly, and Mabel are in Colorado today
24 getting the medication that is helping their
25 daughter. It's helping their daughter reduce

1 the seizures. It's helping their daughter
2 obtain some neurological development. It's
3 helping their daughter.

4 That's why I'm voting for this
5 legislation. And I hope that we can be working
6 towards helping this family get back to New York
7 State so that she can get this medication here.

8 This bill is giving that family
9 hope and so many other families hope that they
10 can obtain this legally here in this state. But
11 it's still -- 18 months is a long way for Mabel
12 Grace to still be in Colorado. So I would hope
13 that we can work towards getting that ability to
14 have the oil form as quickly as possible so our
15 families can come back home.

16 Thank you.

17 ACTING PRESIDENT GRIFFO: Senator
18 Squadron.

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

21 ACTING PRESIDENT GRIFFO: Senator
22 Squadron, are you on the bill?

23 SENATOR SQUADRON: On the bill,
24 Mr. President.

25 ACTING PRESIDENT GRIFFO: Senator

1 Squadron on the bill.

2 SENATOR SQUADRON: I want to join
3 the chorus thanking Senator Savino for her
4 dogged efforts to bring this home, and all of my
5 colleagues for a debate and a discussion today
6 that really is patient-centered and really is
7 about balancing what is a complicated and
8 difficult issue, partially because of the point
9 Senator Libous made so movingly. It's not a
10 cure, and we need to be very clear about that.
11 And I think most folks are have tried to be.

12 The point that Senator Hannon made,
13 that we would be better offer with an FDA
14 process. We don't have an FDA process and we're
15 not likely to get a full one from the federal
16 government anytime soon, and too many people are
17 suffering too much in the meantime. The federal
18 government has done some research on this,
19 though, and none of it is inconsistent with
20 anything that we've heard today.

21 I also think the point about
22 concern and focus on side effects is an
23 important one to consider. But that really has
24 to be considered in the context of medications
25 and of the kinds of serious and debilitating

1 suffering that the people with us today, and so
2 many others around the state, are experiencing.

3 And I think we all know that among
4 currently legal, heavily prescribed and
5 generally considered noncontroversial
6 medications, the side effects and the impacts
7 today are enormous. That's true especially with
8 anti-seizure medication -- not just the kind of
9 first-generation stuff that I've seen my own
10 family members become seriously withdrawn on,
11 but even some of what we're seeing today and a
12 lot of what is prescribed for children.

13 I also think it's critical that we
14 think about the kind of abuse that we see among
15 these generally noncontroversial and widely
16 prescribed medications like opioids on the
17 market. Vicodin and Oxycontin and Oxycodone,
18 which are abused by more than 5 million
19 Americans, lead to the kind of addiction that
20 we've discussed on this floor that
21 Senator Boyle's commission and Task Force on
22 Heroin saw a linkage with some of the impacts
23 and the devastation of heroin in communities
24 across the state.

25 Depressants -- Valium and Xanax and

1 others, they're abused by more than 2.5 million
2 Americans who become addicted to them. Even
3 stimulants. People forget that Ritalin and
4 Adderall, prescribed in heavy, heavy, heavy
5 doses to lots and lots of kids, have addictive
6 properties and really very similar to
7 essentially marketed versions of speed in many
8 cases, certainly the first generations of those
9 drugs.

10 And I think in each one of these
11 cases there's a balance to be struck between the
12 needs of patients who are suffering and are
13 struggling. And I wouldn't question any
14 individual parent's decision around any of those
15 generally noncontroversial and widely prescribed
16 medications. And I think that in that context,
17 if you look at the medical marijuana proposal
18 before us and you look at the impact in 22 other
19 states, it really is a no-brainer that this
20 should be available to folks.

21 We have a whole lot of knowledge on
22 it, despite the FDA's failure. We have
23 knowledge because of the other states that have
24 had it for I guess 16 years now. We have
25 knowledge because there has been a great deal of

1 research in situations where it's been widely
2 used and not approved to be used.

3 And I do think that it's critical
4 that we stay on the patient-centered focus on
5 this and not get into what I do think is part of
6 the issue and part of the reason that this fight
7 has gone on so long and this does feel so
8 difficult and seems so controversial relative to
9 those other prescription medications I
10 discussed, which is the way that we have framed
11 for a long time the war on drugs or what drugs
12 addiction is.

13 Now I have to say, in a bipartisan
14 way in this house and in this Legislature, this
15 year we've moved past that. That Task Force on
16 Heroin and the conclusion of it and the laws
17 that we passed earlier this week, we heard
18 people on both sides of the aisle say we need to
19 deal with addiction as an illness and we need to
20 solve it. We don't want to criminalize addicts.
21 We need to control access and make sure that
22 those who are providing access inappropriately,
23 who are targeting kids and vulnerable people in
24 communities, need to be punished. We're
25 actually moving towards a consensus on those

1 issues.

2 And I do think that the historical
3 conversation on these issues of illegal drugs
4 makes it that much harder for some to swallow
5 this proposal. But when you unpack it a little
6 bit, this proposal appropriately and carefully
7 controls access, identifies a way to figure out
8 and avoid side effects, and is not the first
9 foray into an unknown and severe medication, but
10 an appropriate next step as we try to separate
11 out some of the rhetoric that has become
12 overheated and led to all kinds of consequences
13 on both the medical side and the criminal
14 justice side for a long time, and move to a
15 place where we really are, as I think everyone
16 on both sides of this debate has been today,
17 truly patient-centered when it comes to
18 conversations about what medications and what
19 drugs -- because medications are drugs -- folks
20 are being prescribed to help cure them, and in
21 the absence of curing them, as in this case, to
22 help provide a little relief from the kind of
23 suffering that none of us want to see any of our
24 loved ones or any of our constituents or anyone
25 in this state have to endure.

1 So I thank Senator Savino and all
2 my colleagues for the debate today and for the
3 opportunity to move this conversation forward
4 for those who most need it.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator
7 Boyle.

8 SENATOR BOYLE: Mr. President,
9 briefly on the bill.

10 ACTING PRESIDENT GRIFFO: Senator
11 Boyle on the bill.

12 SENATOR BOYLE: I too would like
13 to thank Senator Savino for her tireless efforts
14 to bring this bill to the floor, and thank the
15 advocates and family members for their calls and
16 their letters and their visits to Albany.

17 I can tell you that I have always
18 viewed medical marijuana with a very jaundiced
19 eye. As a matter of fact, a few years ago, as a
20 member of the New York State Assembly, I voted
21 against a more expansive version of this bill.
22 When I came to the Senate, I was named chairman
23 of the Alcoholism and Drug Abuse Committee, and
24 most recently the Heroin Task Force. And I
25 actually opposed the original version of this

1 piece of legislation, the Compassionate Care
2 Act.

3 But Diane and others, you've
4 addressed some of my concerns. As you know, I
5 wanted a highly regulated version of medical
6 marijuana. In my mind, I think of two different
7 versions: California, which in my mind is
8 really a joke of a medical marijuana, it's
9 legalization light, and more like New Jersey,
10 which is more regulated. This version is much
11 more like New Jersey, highly regulated.

12 The other concern I had, as Diane
13 knows, she and I have spoken about it, was
14 smoking. I'm against smoking, obviously. And I
15 don't think -- I can't remember the last time we
16 know of a doctor who actually prescribed smoking
17 as medicine. Probably the 1940s, if not before.
18 We do not have smoking in this piece of
19 legislation.

20 As far as regulation, I wish I had
21 as much faith as some of my colleagues here in
22 the federal regulators, the FDA. When I think
23 of the FDA, I think of a federal bureaucracy
24 that has not allowed drugs that have been used
25 safely in Europe for decades to come to the

1 United States, that have allowed toxic chemicals
2 in our children's products and not acted on that
3 for decades, but did act on Zohydro, a powerful
4 opioid that their own panel of experts decided
5 11-2 against allowing into the United States,
6 and they reversed the decision of their own
7 panel of experts and is going to allow Zohydro
8 to come to this country. That's the drug to
9 watch. We need to be careful of that.

10 Again, a last issue, which is not
11 in the bill but I believe will be covered in the
12 regulations, and I urge the Governor's
13 Department of Health to do so, is a measured or
14 metered dose. The doctors need to know how much
15 of this drug their patients are getting, whether
16 it's effective, whether it needs to be increased
17 or decreased. I urge that.

18 And I again thank Diane for
19 bringing truly medical marijuana to New York
20 State.

21 ACTING PRESIDENT GRIFFO: Senator
22 Martins.

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Martins on the bill?

2 SENATOR MARTINS: On the bill.

3 ACTING PRESIDENT GRIFFO: Senator
4 Martins on the bill.

5 SENATOR MARTINS: You know, I have
6 hosted and I've participated in a number of
7 forums in my district and around the state
8 having to do with the heroin epidemic. Every
9 person who testified at our forums and at our
10 hearings, every person who testified spoke to
11 marijuana being a gateway drug. Every one of
12 them. And here we are.

13 A month ago in the Health
14 Committee, when this bill was presented, I voted
15 no. And I voted no because of my concerns and
16 real concerns, as expressed by so many parents
17 and so many healthcare providers, that that
18 heroin addiction that that child who died, died
19 as a result of their introduction to addiction
20 through marijuana.

21 The bill we have before us today
22 has evolved considerably since then. And I
23 think it's a testament to the deliberative
24 nature of this body that we have an opportunity
25 to get together to discuss issues and to be

1 thoughtful.

2 And we've heard a lot today about
3 leadership. Leadership is not about sound
4 bites. Leadership is not about catchy titles to
5 bills. Leadership is about reading the bill,
6 understanding the contraindications,
7 understanding the risks involved, and being able
8 to come to a thoughtful decision.

9 So here we are today. The bill we
10 have before us today addresses issues I believe
11 are critically necessary to a thoughtful
12 approach to providing some relief to people who
13 desperately need it -- and we're all aware of
14 that -- but at the same time drawing the line
15 and not allowing for recreational use or
16 expansion of recreational use and the expansion
17 of that gateway drug.

18 It's critically important. It is
19 critically important that we are no longer
20 talking about the sale of leaf and plant, but
21 we're talking about other forms of marijuana
22 that are going to provide therapeutic and
23 palliative relief without expanding the
24 opportunity for it to be abused, for it to be
25 passed on, and for it to get into the hands of

1 those who should not have it.

2 I'm also concerned about dosage
3 requirements, and I want to see clarity through
4 regulations that when this is administered, when
5 we do allow for it and when this is finally in
6 place, that there are dosage requirements that
7 will clearly delineate not only the components
8 of the marijuana but also the method by which it
9 will be administered.

10 I want to see accountability. I
11 want to see accountability by the medical
12 professionals, the doctors who will be
13 recommending its use. But I want it to be a
14 targeted approach.

15 This bill provides that kind of
16 targeted approach, and I appreciate that.
17 Because we have been given the opportunity to
18 vote on a bill that addresses those concerns in
19 ways that the bill that was before the Health
20 Committee just a month ago did not.

21 Now, we across the state and on
22 Long Island are dealing with this heroin
23 epidemic, as I mentioned earlier. It affects
24 everyone. And we need to balance our commitment
25 to our communities, where literally last year in

1 our communities on the island, over 120 kids
2 died of heroin abuse, heroin overdoses, not to
3 mention those that were brought back through
4 naloxone and that were able to recover. But 120
5 died.

6 Mr. President, I appreciate the
7 fact that this bill strikes that balance. And I
8 appreciate the fact that we're given the
9 opportunity because we were able to work
10 together to put a bill that we could all
11 support, or many of us could support, or at
12 least that I could support.

13 So I want to thank this body for
14 working so well together across the aisle, as we
15 should when it comes to critical needs like
16 this, on a bill that's going to provide relief
17 for those who need it, those who are on chemo,
18 children who are fighting and dealing with the
19 realities of epilepsy and seizures, parents and
20 families that are coping with these chronic
21 conditions.

22 This bill will provide relief, so I
23 will be supporting this bill. And I want to
24 thank the sponsor, I want to thank the Governor,
25 and I want to thank my colleagues for their

1 efforts in bringing this together and affording
2 us the opportunity to vote on a bill that is
3 worthy of this body in a way that perhaps those
4 that we were asked to vote on earlier were not.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator
7 Grisanti.

8 SENATOR GRISANTI: On the bill.

9 ACTING PRESIDENT GRIFFO: Senator
10 Grisanti.

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

13 ACTING PRESIDENT GRIFFO: Senator
14 Grisanti, are you on the bill?

15 SENATOR GRISANTI: On the bill.

16 ACTING PRESIDENT GRIFFO: Senator
17 Grisanti on the bill.

18 SENATOR GRISANTI: I want to agree
19 with what Senator Boyle had stated.

20 And, you know, the FDA has done
21 nothing. And they're not going to do anything.
22 And the reason is they don't want to do
23 anything. They want to have control in
24 different fashions on something else. That's
25 why they're not going to do anything on this.

1 So we have to go ahead and move forward on it.

2 Now, it may have been mentioned or
3 not, but, you know, the Department of Health is
4 amenable to expedited licenses to at least one
5 registered organization to expedite, pursuant to
6 emergency regulations, the product of low-THC,
7 high-cannabis oil to help with regards to
8 children with pediatric epilepsy.

9 And we also know that there's going
10 to be technical changes in this legislation, and
11 all parties are amenable to chapter amendments
12 as they're required.

13 So but giving aside all this, I
14 don't know how many of you attended the hearings
15 that we had here, but let me tell you something.
16 The hearings that we had to see not only
17 constituents but citizens of this state
18 testifying why their child was having a seizure
19 that was lasting 20 minutes that other family
20 members that were there were attending to that
21 child while the parent was still speaking. Do
22 you know how heart-wrenching that is? Not so
23 much for me -- it was heart-wrenching. I mean,
24 I'm watching it and I'm in tears because I'm
25 watching the child stiffen up and be in pain.

1 But you have to times that by 24. And I say 24,
2 because that's how many hours in a day they see
3 that all the time, seven days a week. That's
4 what's heart-wrenching.

5 And to know and to do the research
6 that different forms of epilepsy -- Dravet,
7 where they use the oil, it works on some
8 children, it doesn't work on others. Other
9 epileptic diseases it works on some but not the
10 others. But the point is, it works on some. It
11 works on some people, some kids. And it does
12 provide pain relief. You can go from
13 17 prescription medications down to three. You
14 can go from 200 to 300 seizures a day down to
15 maybe two or three every other day.

16 Not only is that relief for the
17 child, but imagine the relief for the family
18 members -- the parents, the aunts, uncles,
19 grandmother, grandfather that are there 24/7 --
20 that finally they can get some rest, some
21 enjoyment in their lives to not have that
22 constant stress of when is another seizure going
23 to hit, is this going to be the last seizure,
24 are we going to see our son or daughter again.

25 That's what's important to remember

1 here. That if this is something that can help
2 out those families and those constituents, then
3 without a doubt this is something that we must
4 do.

5 I'm fortunate, I'm not in that
6 situation. I know people that are in that
7 situation, and I feel for them every single day
8 and my prayers and thoughts go out to them. But
9 those hearings, Senator Savino, that we had, and
10 there was very few that were there attending it,
11 that was heart-wrenching. And I feel for the
12 parents and everybody that was there, everybody
13 that advocated.

14 But as Senator Martins said, to get
15 the Assembly and the Senate and the Governor on
16 board to get this done, and there will be
17 changes made, that's what it's all about in
18 New York State, is to get it done. I think the
19 regulations are probably going be the most
20 stringent in the nation.

21 I vote aye. Thank you very much,
22 Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator
24 Ranzenhofer.

25 SENATOR RANZENHOFER: Thank you,

1 Mr. President.

2 ACTING PRESIDENT GRIFFO: Are you
3 on the bill?

4 SENATOR RANZENHOFER: Yes, on the
5 bill.

6 ACTING PRESIDENT GRIFFO: Senator
7 Ranzenhofer on the bill.

8 SENATOR RANZENHOFER: First of
9 all, what I would like to begin by saying is I'm
10 very thankful to the leadership in the process
11 that this whole debate has taken. They had the
12 very wise judgment to send us home early last
13 night at 2 a.m. rather than take up the bill at
14 that time. And like many bills that are
15 discussed at 3:00 or 4:00 in the morning, I
16 thought it was a very good decision to take this
17 bill up today. We're in our fourth hour right
18 now, and God only knows how everybody would have
19 been at 6 or 7 a.m. in the morning if we had
20 continued through the night. So I'm very, very
21 thankful to that.

22 This has been a very, very long
23 process for everybody. But the long process is
24 something that we're used to. You know, we're
25 here every week, we debate bills all the time.

1 But for the people in our communities that don't
2 do this every day on every issue, this has
3 really been a journey, and an arduous journey,
4 for them because this is something that's very
5 unusual in their lives. They lead much more
6 normal lives than we do, and they are to be
7 commended for their advocacy on this issue.

8 This has been the one issue in my
9 five and a half years here, bar none, that we
10 have spent the most time on discussing. I would
11 say that this has lasted from our very first
12 meeting here in January up until the middle of
13 June today. We talked about it before the
14 budget, during the budget, and certainly after
15 the budget. We all have had many, many private
16 meetings in our offices with constituents, with
17 advocates, with doctors, with people from
18 substance abuse agencies.

19 And we received so much
20 contradictory information: This is great, this
21 is not great, there are risks, there are no
22 risks. And we have to have that filter. We I'm
23 sure -- again, just speaking for myself, have
24 had many town hall meetings where people have
25 come and expressed their views. So there's been

1 no shortage of, number one, information and,
2 number two, time to deliberate and discuss this
3 issue.

4 Now, some may accuse me sometimes
5 of being a little bit deliberative and slow in
6 making a decision. And I actually pride myself
7 on that, because I like to filter all the
8 information. And sometimes people don't like
9 when you are deliberative and you're thinking
10 about things. They want to know are you for it,
11 are you against it. But that's not the way that
12 this system works. When there is a lot of
13 information here, sometimes people are slow to
14 make decisions. And I think that's good thing
15 rather than a bad thing.

16 Now, I agree with many of the
17 earlier speakers when they talked about those
18 concerns, because I share those concerns and
19 I've expressed those concerns in terms of the
20 specific serious illnesses that are listed in
21 the bill. And if I was writing the bill myself
22 and I could craft that bill, the bill would be a
23 little bit different. But this is, again, the
24 collective effort of many, many minds and many,
25 many judgments. But I share those concerns

1 about the list of illnesses that are in there.

2 I also share the concerns about
3 whether or not this is going to work. And
4 should we wait a little longer until we have
5 clinical trials and the like. I'd like to make
6 two point on that.

7 The comment was made that we're
8 18 months out and in order to get to the end,
9 you have to start at the beginning. So if you
10 don't start at the beginning, whether it be
11 today or yesterday or the next day, you'll never
12 get to the end. So if you waited until next
13 year or the year after that, then you're two and
14 a half years out, three and a half years out.
15 So I do feel it's very important to get started.

16 Now, do I share the concerns about
17 how effective medical marijuana is going to be?
18 I do share those concerns, because I'm not
19 convinced by the medical evidence.

20 But one thing that I know is that
21 when you talk about some of these illnesses that
22 are in here -- and I'll mention epilepsy
23 specifically -- right now many of these people
24 are taking drugs that are approved by the FDA
25 whose drugs have gone through clinical trials

1 and they've been vetted. And the outcome of all
2 of that science and all of that medicine and all
3 of that time is that many of these medications
4 that are prescribed to deal with these illnesses
5 are not working. So then where do you go?

6 Now, I am blessed or lucky that I
7 don't have a family member right now suffering
8 from one of these illnesses. And I did not have
9 a child, when my children were younger, that
10 suffered from epilepsy and had the symptoms of
11 seizures. And I can't imagine what it's like to
12 go through that. I just can't. I can't put
13 myself in the shoes of these parents that have
14 to deal with this on a day-to-day basis.

15 But one thing I do know is that if
16 I was in their shoes, I would want some help.
17 Is it going to work? Are you going to get a
18 guarantee? I don't believe you are. But I do
19 believe that we are at the point that -- and I
20 wouldn't call it false hope, but I think you
21 have to weigh are you giving false hope versus
22 no hope. What do you do when you have a child,
23 as Senator Grisanti said, when the medicines
24 that you are prescribed by your physicians, who
25 are experts in the field, don't work?

1 And that's what we're doing today.
2 I think we are providing opportunity, we are
3 providing hope. Are we providing compassion?
4 Perhaps. But we're giving people who right now
5 feel hopeless and at wits' end and don't know
6 where to turn, we're giving them a very
7 structured, constricted mechanism where a year
8 and a half down the road, and they know that,
9 they may be able to get some relief for their
10 child.

11 So is this a no-brainer? Certainly
12 not. Is it a 55/45 decision? It is, like many
13 of these issues that we face are. But I come
14 down on the side of trying to give some hope,
15 maybe it's a glimmer of hope, to something that
16 is going to help some of these families with
17 some of these conditions which they are living
18 with every day.

19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Senator
21 Stewart-Cousins.

22 SENATOR STEWART-COUSINS: Thank
23 you, Mr. President.

24 I first of all want to thank
25 Senator Savino for her work on this issue, for

1 the -- everyone said it, the perseverance, the
2 dogged determination to make sure that people
3 who didn't get it or didn't want to get it at
4 least had to hear it. And sometimes when you
5 put a name like "compassion" on it, it really
6 compels you to think twice where you might not
7 have thought about it at all.

8 I want to thank, on the Assembly
9 side, Assemblyman Gottfried. And one of my
10 colleagues talked about the evolution, and
11 here's a man who's been doing this for 18 years.
12 And so clearly there has been an evolution that
13 we are here at this point getting ready, with
14 the majority of my colleagues here in the
15 Democratic Conference, to pass this piece of
16 legislation.

17 I also want to thank the leaders,
18 Senator Klein and Senator Skelos, and of course
19 the Governor. This was a very bumpy week, and
20 I'm sure you all who are here and have been
21 sitting through it, you know, we were up, we
22 were down, it wasn't happening and, you know, it
23 was going to be vetoed. And you're like, oh, my
24 gosh, how do I leave a situation and come here
25 and have even what looks like a more volatile

1 situation. And yet of course in the course of
2 things, it got pulled together, and I think this
3 is an outcome that we want.

4 As I was leaving the press
5 conference, I saw my neighbor Emma Lofton Woods.
6 And Emma I've known for years. Her husband died
7 11 years ago, as mine died seven years ago. And
8 as I was leaving, she just embraced me, and she
9 said "Thank you." And she was in tears because
10 her husband, who had to go to California, could
11 not be helped here, and he's gone. But she
12 still understood that there need not be
13 repetition of that kind of experience for people
14 who could benefit.

15 We're not breaking new ground.
16 We'll be the 23rd state. And you know, we're
17 New York and we like to always believe that
18 we're ahead of the curve in doing things. But
19 sometimes we're not. And I think so many of my
20 colleagues talked about their concerns and their
21 trepidations, and I think there was an evolution
22 for everyone.

23 And I know that as we promulgate
24 these rules over the next 18 months or so, we
25 will have an opportunity to really put the

1 guidelines in place, the regulations in place.
2 And of course the Governor wanted the
3 opportunity to pull the plug at any time if
4 there was a law enforcement issue or a public
5 health issue. So there's a lot of things that
6 are staged to help us get to the place where we
7 all know we need to go.

8 I want to thank my friend Colonel
9 Larkin. Today, because we're not doing military
10 stuff, you're Senator Larkin. But when you
11 start yelling at us, I remember the military
12 part: How do you do this, and like okay. You
13 just want to stop and salute.

14 (Laughter.)

15 SENATOR STEWART-COUSINS: As he's
16 waving his cane, the man understands chronic
17 pain. And he understands being in battles that
18 sometimes don't look like it's going to work out
19 well or heading, you know, a troop of
20 African-American soldiers that nobody thought
21 you should be leading and going through battle,
22 ultimately winning the war, but understanding
23 that sometimes things happen in between that
24 make the war easier.

25 And what we're talking being are

1 these interim steps that make these wars that
2 you're fighting for your families easier. Why
3 can't we do that?

4 Senator Libous, I hope when you
5 come back next year you'll be trial-free and
6 flourishing. And I hope that everyone who's
7 taken the time to fight this fight and push this
8 rock up the hill understands that we that are
9 going to do this thing in the next few moments
10 could never have done it without you. Our hat's
11 off. Much gratitude. Let's get it done.

12 Thank you.

13 (Applause from gallery.)

14 ACTING PRESIDENT GRIFFO: Senator
15 Skelos.

16 SENATOR SKELOS: Thank you very
17 much, Mr. President.

18 I want to start off by thanking
19 Senator Savino for her patience, for diligently
20 working on this legislation, and certainly for
21 meeting many of the concerns that a lot of us
22 had concerning the direction of this
23 legislation.

24 I can honestly say, for the first
25 time in the Senate, I believe every single

1 person who's spoken has been correct. On both
2 sides of the issue, everybody has been
3 absolutely correct.

4 And I also know that no matter what
5 side of the issue you're on, we're all
6 compassionate and concerned about those of you
7 who are up here, especially the young children
8 that are suffering with epilepsy.

9 I forget whether it was Senator
10 Grisanti or Ranzenhofer talked about the journey
11 of this legislation. If you were to tell me at
12 the beginning of this session that I would be
13 voting yes on this legislation, I would say to
14 you no way. No way.

15 Now, I'm happy that a certain
16 smoking provision is not in the legislation,
17 because then I really would have had a problem
18 with the legislation. But life for all of us is
19 a journey. And Senator Larkin has had a very
20 interesting journey in his life, a little longer
21 than mine. But what I have found, as you get a
22 little bit older in life -- and I've observed
23 this with my father, who's now 93, just retired.
24 He, Goldwater Republican, strict Republican
25 still is, maintains his principles.

1 But through those experience of
2 life, burying two of my mothers from cancer, my
3 birth mother when I was two years old, and my
4 stepmom, who brought me up, both suffering from
5 cancer, dying from it, and didn't have the
6 relief, perhaps, that we are offering to some
7 today.

8 So that's a journey we all have,
9 and at times we should be a little flexible. We
10 should be a little bit more compassionate and a
11 little bit understanding, a little more
12 understanding of the journey that others have
13 are having, even if it's not affecting us or our
14 families like has been mentioned.

15 I mentioned that at the beginning
16 of this session there's no way I would have
17 voted for this legislation. But when you meet
18 Oliver Miller from my district, 14 years old --
19 and some of the folks here mentioned that they
20 have 10, 12 seizures a day. He has hundreds of
21 seizures a day as a result of a prebirth stroke.

22 And his mom, Missy, believes -- and
23 they're not here today, because they were here
24 yesterday or this morning and they had to go
25 back because Oliver was suffering from seizures.

1 His mom believes that if Oliver can get the oil,
2 that those seizures can go down to perhaps four
3 a day. Now, think about that. Hundreds of
4 seizures a day down to four a day. So to me,
5 that's worth voting for this legislation, just
6 based on hundreds of seizures down to four
7 seizures a day.

8 Now, this legislation, is there
9 going to be an opportunity to change it, amend
10 it, make it better? Some of the perhaps
11 typographical errors, omissions, clarity that's
12 needed. I truly believe in the next 18 months
13 this is going to happen because the Governor,
14 this Legislature, we all take this very
15 seriously and we understand the journey that
16 we're going through right now with this
17 legislation.

18 And there will be many
19 opportunities. The Governor has given his
20 commitment that if it's not going in the right
21 way, that the Superintendent of State Police or
22 the Commissioner of Health can end it. Can end
23 it. And if we're not ready in 18 months, can
24 continue it. And we can have a play if we feel
25 it's going wrong. Because it's only the

1 Legislature that can appropriate the money,
2 whether it's through excise taxes or the Health
3 Department to continue this program. If we feel
4 that it's not going in the right direction or
5 our input isn't there, we certainly can exercise
6 or prerogative.

7 But again, I'm going to just
8 conclude and say, Diane, we thank you for your
9 good work. We thank the Governor, we thank
10 Assemblyman Gottfried and everybody in this room
11 for the input, the deliberation, and the
12 thoughtfulness on this legislation.

13 Mr. President, I'll be voting aye.

14 ACTING PRESIDENT GRIFFO: Senator
15 Klein.

16 (Applause from the gallery.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Klein.

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

21 I also want to thank Senator
22 Savino. I know she deserves a tremendous amount
23 of credit. But I think the story of her work on
24 this bill, as Senator Skelos said, is really the
25 journey of how an important piece of legislation

1 ultimately becomes law. You have to listen.
2 You have to learn. You have to get deep inside
3 the issue and certainly become an expert, and
4 that's what Senator Savino did.

5 You have to talk to your
6 colleagues, both sides of the aisle, explain why
7 this is an important issue, explain how you're
8 changing lives. And that's certainly what she
9 did.

10 But I think Senator Savino didn't
11 just learn about this issue, she got inside of
12 it. She saw it from behind the eyes of the
13 mother watching her daughter suffer from
14 epilepsy and watching constant seizures play out
15 as prescribed medications failed to contain
16 them. She saw it from behind the eyes of the
17 30-year-old man fighting cancer who battles
18 nausea, nausea caused by the very medications
19 aimed at trying to make him better. She saw it
20 from behind the eyes of the physician who knows
21 that when it comes to his patients suffering
22 from MS, medicinal marijuana would bring
23 much-needed relief. She saw it truly from
24 everyone's eyes.

25 And then she went to work to

1 develop a strong, sensible, scientifically based
2 common-sense piece of legislation. And as with
3 so many other issues she's worked on, she was
4 persuasive and certainly diligent. She raised
5 the discourse of this issue beyond right and
6 wrong, us and them, morality and ideology, and
7 by doing so elevated the conversation.

8 I certainly watched many of my
9 colleagues over the last several years who had a
10 change of heart and clarity of direction when it
11 came to this issue. She never gave up, and I
12 think we owe her a debt of gratitude for that.

13 In the past few weeks I think we
14 saw it was clear -- to me, anyway -- that we had
15 more and more momentum on this issue. This was
16 a call to action. I knew it was imperative to
17 bring this bill to the floor, that it was the
18 year to get it done, that the time for
19 legalizing medicinal marijuana is now.

20 The merits of this bill are sound.
21 It is a comprehensive bill that ensures the safe
22 and regulated use of medical marijuana in the
23 State of New York. This bill puts the power to
24 prescribe where it belongs, in the hands of
25 doctors, who know their patients best. Moving

1 forward as science develops and medicine
2 evolves, illnesses deemed to benefit from this
3 type of treatment will be added or removed,
4 making an organic system always on the cutting
5 edge, to ensure the best possible treatment for
6 those New Yorkers in need.

7 It is not our place to be doctors.
8 We are legislators. And we must recognize that
9 we're merely the vehicle and that the doctors
10 should be doing the driving. This is clear
11 today. I think we're on the cusp of doing
12 something very, very important. Because when
13 individuals wait so long for the relief they
14 deserve, when they wait so long to get relief
15 from family members that they love so much,
16 today we are changing thousands of lives of
17 New Yorkers for the better opinion, and I thank
18 you.

19 (Applause from the gallery.)

20 ACTING PRESIDENT GRIFFO: I call
21 upon Senator Savino to close debate.

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

24 First, I want to thank all of you
25 for your help with me on this journey. Before I

1 begin individually on thanking some people, I
2 want to name someone who's not here in the
3 chamber with us. He used to sit right here,
4 right over there (indicating). Former Senator
5 Tom Duane, who carried this bill for six years.

6 And when he left the Senate, he
7 asked me if I would pick it up, because he knew
8 I had an interest in it. Because when I first
9 got here and he was carrying the bill, I agreed
10 to cosponsor it. And we had a discussion at the
11 time about why I thought medical marijuana was
12 the right thing for New York State.

13 And I shared the experience I'd had
14 with both of my parents, who unfortunately died
15 very young from lung cancer. And I watched them
16 suffer, just like so many people have watched
17 members of their families suffer. And during
18 that period of time I realized that for my
19 mother, for my father, for my grandfather as
20 well, they had one of two choices. They could
21 suffer, or they could continue to be prescribed
22 seriously addictive narcotics. Which at that
23 point in their life, it really didn't matter;
24 they just needed relief. But it didn't really
25 provide relief. For most of them, particularly

1 my grandfather, all it did was rob him of
2 whatever time he had left because he was in a
3 sedative state for the remaining months of his
4 life. He didn't want to live like that, but he
5 had no choice.

6 That's what happens to so many
7 people right now. Because in our state, if you
8 are suffering from any of the conditions that
9 could be covered by this bill, you have a
10 choice. You can suffer or you can become
11 dependent upon highly addictive, dangerous drugs
12 that oftentimes don't work, they don't really
13 provide the relief. But yet we don't have any
14 choice.

15 I've listened a lot today to this
16 debate, and I just want to make a few points
17 about some of the concerns that some of you
18 still have. And I share them as well.

19 If the FDA, Senator Hannon, would
20 finally act, we wouldn't be doing this here in
21 New York State or in state houses across the
22 country. The FDA would reschedule marijuana,
23 and it would go through U.S. studies, and we
24 would be able to have a comprehensive program
25 across the country. But they've refused to do

1 that.

2 But you know, we're an amazing
3 nation, where we have one of the best healthcare
4 systems in the world. But we are not the only
5 country in the world. And we are not the only
6 place where they have amazing healthcare
7 delivery systems. This product, medical
8 marijuana, has been studied extensively all over
9 the world. We can look to our northern
10 neighbor, Canada. They have research studies.
11 They understand the value of medical marijuana
12 and how it can be prescribed and how it provides
13 relief. Go to Ireland; they've done it there.
14 Israel. The United Kingdom.

15 We have a body of medical evidence
16 to support this. Which is why there are so many
17 physicians' organizations that support this.
18 Whether they be the Epilepsy Foundation or
19 oncologists, there are doctors who rely on that
20 medical training and research that's been done
21 in other places.

22 But if you want to look locally, we
23 have 22 -- we will be the 23rd state. There are
24 22 other states that have been utilizing medical
25 marijuana, some of them as far back as 1996.

1 Alaska adopted a medical marijuana statute in
2 1998; we could look to Alaska. We could look to
3 Colorado, we could look to Connecticut, we could
4 look to New Mexico. We could look to any of
5 them where they have developed protocols and
6 physicians have been prescribing marijuana for
7 medicinal purposes. So we can take comfort from
8 that.

9 But yes, it would be better if the
10 FDA would finally act. By the way, the same FDA
11 that has rubber-stamped some of the most
12 dangerous drugs that we have ever dealt with in
13 our history. So the FDA doesn't always provide
14 us the comfort that we need.

15 Again, I wish we could do this
16 sooner -- for Oliver, for Mabel, for everyone.
17 But it does take a time to get a system like
18 this up and running. And hopefully within that
19 18-month period of time we will all be able to
20 have some input on it. And we can bring Mabel
21 back home, and we can provide relief for Oliver.

22 We will not be able to provide a
23 cure for people with these conditions. I'm very
24 aware of that. What we can provide, though, is
25 treatment options and relief for patients. And

1 the ability of patients and their doctors to
2 make those decisions for themselves. That's
3 what today is about.

4 I want to thank a few people,
5 though, before I sit. I know we have been at
6 this a long time, and I really want to thank
7 each and every one of you. I know that I can be
8 somewhat persuasive, I think Senator Klein
9 pointed out.

10 (Laughter.)

11 SENATOR SAVINO: I've seen some of
12 you run away from me. But when I caught you,
13 you still were respectful and you listened.

14 More importantly, I listened. When
15 I picked up this bill from Senator Tom Duane, it
16 was a very, very different piece of legislation.
17 And it's been a very different piece of
18 legislation since I reintroduced it at the
19 beginning of this year. And a lot of those
20 changes came about because I had the opportunity
21 to talk to each and every one of you, even those
22 of you who are still voting no on the bill. I
23 sought your input, I listened to your concerns,
24 and I tried to find a way to address them in the
25 legislation. I believe that is what we are

1 supposed to do with huge pieces of public policy
2 like this.

3 So even if you don't vote for it
4 today, you still had input on this bill. You
5 can still proudly say that you helped this bill
6 become the strongest, most regulated medical
7 marijuana statute in the country, and you can
8 partially take credit for the relief that's
9 going to be extended to patients even if you
10 vote no. Because I listened to you.

11 And I was able to work with
12 Assemblyman Gottfried, who, by the way, is an
13 amazing individual. I had the pleasure of
14 working on this bill with Dick Gottfried, who's
15 been carrying it for 18 years. We would never
16 have gotten where we were if not for his
17 diligence.

18 I would not be where we are tonight
19 or this afternoon if someone else in this
20 chamber didn't have the guts to be the deciding
21 vote to move the bill out of the Health
22 Committee, and that is Senator Bill Larkin.

23 (Sustained applause.)

24 SENATOR SAVINO: Senator Klein,
25 I'm sure everyone here can imagine how grateful

1 I am to you for your leadership. In more ways
2 than one.

3 Senator Skelos, thank you for
4 putting up with our demand that this come to the
5 floor. And I'm so happy that you're voting for
6 it now, because I know I was a pest.

7 Senator Stewart-Cousins, for
8 showing leadership in your conference. We would
9 not be passing this bill if they hadn't already
10 been signed onto the bill from the very
11 beginning.

12 There are a few other people I just
13 have to mention that have been involved in this
14 process, starting first and foremost with my
15 staff. Barbara O'Neill is behind me. But Bryan
16 Clenahan, my counsel, has really done the most
17 amazing job on this bill.

18 (Applause.)

19 SENATOR SAVINO: All of our
20 staff -- John Emrick, the chief of staff to the
21 IDC, had to put up with me every day, and I
22 think he's probably going to qualify under the
23 posttraumatic stress portion of the bill at some
24 point in the future.

25 (Laughter.)

1 SENATOR SAVINO: Lisa Reid and Pat
2 McCarthy, Vince Marrone, Jess Schafroth, Artie
3 Malkin, Gabriel Sayegh, Julie Netherland, Liz
4 Hamlen --

5 (Applause.)

6 SENATOR SAVINO: -- they helped us
7 every day work this bill through both houses.
8 And as a result of their tireless efforts, we
9 are here at this moment where we are finally
10 going to make New York State the next state to
11 have medical marijuana available to the
12 patients.

13 And finally, to the patients, to
14 the families, to the mothers, to everyone, thank
15 you. We would not be here if not for you and
16 your willingness to travel -- and this was not
17 easy for you to be here on a weekly basis to
18 meet with members, to just continue to press the
19 case for your family members. You are the
20 reason we're here today. You are what this bill
21 is all about. Thank you.

22 (Extended applause.)

23 ACTING PRESIDENT GRIFFO: The
24 debate is closed.

25 The Secretary will ring the bell.

1 I would ask members to please take
2 their seats. On their explanation of votes
3 today, we will comply with the rules. We've had
4 an extensive discussion of the issue.

5 The Secretary will read the last
6 section.

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

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will call the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Senator
13 Sanders to explain his vote.

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

16 We call it compassionate care, but
17 we have left a legion of folk out from the
18 compassion. As a veteran, I cannot stand idle
19 and allow vets not to be mentioned here. We
20 also have PSTD -- PTD -- I'm so mad that I can't
21 even get it right.

22 However, we're not mentioned in
23 here. We have been left out of this. There are
24 so many ways that this can be undone. It can be
25 undone by the Police Department, the Health

1 Department. It starts in 2015.

2 However, a lot of good people
3 fought hard and long on this issue. Senator
4 Savino, of course, quickly comes up, along with
5 all of these other people that have been
6 mentioned.

7 This is a very timid beginning, but
8 perhaps it is a beginning. And in order to stop
9 the pain that's going on out here, I vote yes on
10 this issue.

11 ACTING PRESIDENT GRIFFO: Senator
12 Sanders to be recorded in the affirmative.

13 Senator Gullivan to explain his
14 vote.

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

17 This debate not just today but over
18 the last six months has been very extensive and,
19 as we heard from many people, often very
20 emotional. Which sometimes makes a reasoned
21 decision even more difficult.

22 But after hearing from constituents
23 time and time again, extensive discussion with
24 medical experts, and not just my own but my
25 staff's extensive review of available research,

1 I now believe that limited use of marijuana for
2 seriously ill patients under a doctor's care is
3 justified and warranted.

4 As a former state trooper and
5 sheriff of Erie County, I have concerns and have
6 had concerns about the production and
7 distribution of the product and the potential
8 for abuse. I believe, though, the proposed
9 legislation provides adequate safeguards and
10 feel the potential benefits outweigh the
11 negatives.

12 I am further comforted in knowing
13 that the program can be suspended in the event
14 it does not perform as intended, and that the
15 Legislature will have the opportunity to revisit
16 this as appropriate.

17 Throughout this process, I felt it
18 important that my ultimate vote be based on the
19 latest medical and scientific research and that
20 any approved program be strictly regulated and
21 administered. While some disagree, I believe
22 we've reached this threshold and achieved the
23 proper balance.

24 I've always felt that those in
25 public service are there to help others,

1 especially those seriously in need. Today we
2 get that opportunity.

3 I vote aye.

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

6 Senator Kennedy to explain his
7 vote.

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

10 I rise today to support this
11 legislation that has been decades in the making.

12 I want to thank the bill's
13 sponsor for her leadership, my colleagues on
14 both sides of the aisle in making today a
15 reality, and especially those folks that have
16 joined us, the advocates -- the mothers, the
17 fathers, the friends, the relatives, the
18 neighbors, the community activists that have
19 banded together and have spread the word on why
20 it makes sense for New York State to join the
21 ranks of over 20 states in the nation in giving
22 further medical options to those individuals
23 that need it the most.

24 You know, I look up and I see these
25 beautiful young children that are going to

1 benefit and, you know, their families, and I see
2 the tears. And I'm so proud that those tears,
3 that I'm sure over the years have been tears of
4 agony, are now tears of joy as New York State
5 takes a positive step forward in the right
6 direction in helping your families, your
7 children, maybe yourselves.

8 I know that we pass hundreds of
9 pieces of legislation throughout the year every
10 single year, and rarely, if ever, does a bill
11 that we pass have the impact on someone's health
12 that this will have on so many thousands of
13 individuals that are suffering from debilitating
14 diseases. So I'm proud to join in support of
15 this legislation, and thank you for making today
16 a reality.

17 Thank you, Mr. President. I vote
18 aye.

19 ACTING PRESIDENT GRIFFO: Senator
20 Kennedy to be recorded in the affirmative.

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number --

24 ACTING PRESIDENT GRIFFO: Senator
25 Marchione to explain her vote.

1 SENATOR MARCHIONE: Thank you. I
2 actually waited to be last to explain my vote,
3 because I wanted to listen to everyone in this
4 conference.

5 I usually walk in into a room and
6 I've done my homework, I've combed the bills,
7 and my colleagues realize that. Thank you so
8 much, Dean, for allowing today to happen today,
9 because I wanted to do that. I did that. It
10 was very, very late when I got home.

11 I combed your bill, Senator Savino,
12 the first time, your Compassionate Care Bill,
13 and I found lots of things in it that I felt
14 weren't right. And I had such concern. I have
15 to tell you, like many of my colleagues here
16 today, I have such concerns that we cannot end
17 up like a California.

18 You know, I heard mentioned today
19 that someone got relief in California, and
20 that's wonderful. I also have a picture on my
21 cellphone that my niece sent me two weeks ago
22 when she was in California with a person in a
23 wheelchair with a sign that said "Money for
24 weed."

25 We can't become California. We

1 must protect our young people from having this
2 become another epidemic like heroin is. We
3 worked on that yesterday. We passed 11 bills
4 because it is such a concern.

5 This bill itself I have concerns
6 about. So many of the concerns were listed
7 today. I have a concern that the Department of
8 Health Commissioner has a right to add different
9 debilitating diseases or diseases that are not
10 debilitating, just serious, to this list without
11 us having oversight over that. I have concern
12 about that.

13 I have a concern that it's cash and
14 not health insurance so that everyone who is in
15 need who may not have the funds could partake in
16 it.

17 I have many concerns. And I know,
18 Diane, you probably thought as you walked around
19 and you talked to people, why bother. I'm the
20 conservative Senator who is just going to
21 absolutely vote no on this legislation.

22 ACTING PRESIDENT GRIFFO: Senator
23 Marchione, could you wrap --

24 SENATOR MARCHIONE: I will wrap
25 up, thank you.

1 But I'm not. I'm going to vote
2 yes. And I have agonized over this as I sat
3 here. I have a yes speech, and I have a no
4 speech.

5 (Laughter.)

6 SENATOR MARCHIONE: And this has
7 been one of the most difficult votes for me in
8 my pragmatic way, because it's not pragmatic.
9 It's about caring for people as well.

10 So I'm going to leave my pragmatic
11 way and I'm going to trust that this legislation
12 is going to be legislation that is going to
13 protect people, going to help people, and not
14 let us become a California.

15 Thank you for the extra time.

16 (Applause from the gallery.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Marchione to be recorded in the affirmative.

19 Senator Latimer to explain his
20 vote.

21 SENATOR LATIMER: Mr. President,
22 we're all casting today a vote of hope.

23 There is a story in the Scriptures
24 that many of us believe to be the words of
25 Jesus Christ, when he said: "When I was hungry,

1 you gave me food. When I was in need of
2 clothing, you clothed me, unto the kingdom of
3 heaven."

4 And the individual said, "Lord,
5 when did I see you hungry? When did I see you
6 naked? When did I see you in prison?"

7 He said, "When you did this for the
8 least of my brothers, you did it unto me."

9 Our vote today is a vote of hope
10 because whatever we feel, we see people in need.
11 We see people hungry for something that might
12 make their life better. And that vote of hope
13 is something that as conservative or as liberal
14 or as moderate as we may be, we share in that
15 hope. And we hope that the story to be told
16 about what we've done today will allow us,
17 10 years, 20 years from now, to say that we
18 collectively did do the right thing.

19 Senator Marchione, we did the right
20 thing today.

21 Thank you, Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator
23 Latimer to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 1659, those recorded in the negative
2 are Senators Ball, DeFrancisco, Griffo, Hannon,
3 LaValle, Libous, Nozzolio, Ritchie, Seward and
4 Zeldin.

5 Ayes, 49. Nays, 10.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 (Cheers, sustained applause.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Libous, that completes the controversial reading
11 of the calendar.

12 Senator Gianaris, why do you stand?

13 SENATOR GIANARIS: Mr. President,
14 can you please call on Senator Serrano for an
15 announcement.

16 ACTING PRESIDENT GRIFFO: Senator
17 Serrano.

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

20 There will be an immediate meeting
21 of the Senate Democratic Conference in Room 315.

22 ACTING PRESIDENT GRIFFO: There
23 will be an immediate meeting of the Democratic
24 Conference in Room 315, immediate meeting of the
25 Democratic Conference.

1 Senator Libous.

2 SENATOR LIBOUS: There will be a
3 Rules Committee meeting at 2:45 in Room 332.

4 ACTING PRESIDENT GRIFFO: There
5 will be a Rules Committee meeting in Room 332 at
6 2:45.

7 The Senate will stand temporarily
8 at ease.

9 (Whereupon, the Senate stood at
10 ease at 2:22 p.m.)

11 (Whereupon, the Senate reconvened
12 at 3:25 p.m.)

13 ACTING PRESIDENT GRIFFO: The
14 Senate will come to order.

15 Senator Libous.

16 SENATOR LIBOUS: Mr. President, I
17 believe there's a report of the Rules Committee
18 at the desk. Could we have it read at this
19 time.

20 ACTING PRESIDENT GRIFFO: There is
21 a report of the Rules Committee at the desk.

22 The Secretary will read.

23 THE SECRETARY: Senator Skelos,
24 from the Committee on Rules, reports the
25 following bills:

1 Senate Print 592, by Senator
2 Gianaris, an act to amend the Real Property Tax
3 Law;

4 Senate 4926C, by Senator Hannon, an
5 act to amend Section 38 of Part A of the
6 Chapter 60 of the Laws of 2014;

7 Senate 5227B, by Senator Robach, an
8 act in relation to the transportation;

9 Senate 5705B, by Senator Lanza, an
10 act to amend the Racing, Pari-Mutuel Wagering
11 and Breeding Law;

12 Senate 5942A, by Senator Kennedy,
13 an act to amend the Social Services Law;

14 Senate 6389A, by Senator
15 Stewart-Cousins, an act to amend the Vehicle and
16 Traffic Law;

17 Senate 6553A, by Senator Kennedy,
18 an act to amend the Social Services Law;

19 Senate 6804, by Senator Lanza, an
20 act to amend the Criminal Procedure Law;

21 Senate 6890, by Senator
22 Ranzenhofer, an act to amend the Public
23 Authorities Law;

24 Senate 6892, by Senator
25 Ranzenhofer, an act to amend the Public

1 Authorities Law;

2 Senate 7185, by Senator Golden, an
3 act to amend the Local Finance Law;

4 Senate 7236A, by Senator
5 Hassell-Thompson, an act to amend the Vehicle
6 and Traffic Law;

7 Senate 7387A, by Senator Golden, an
8 act to amend the Public Health Law;

9 Senate 7431A, by Senator Grisanti,
10 an act to amend the Mental Hygiene Law;

11 Senate 7640, by Senator Savino, an
12 act to amend the Real Property Tax Law;

13 Senate 7702, by the Committee on
14 Rules, an act to amend Chapter 20 of the Laws of
15 2009;

16 Senate 7704, by the Committee on
17 Rules, an act to amend Chapter 22 of the Laws of
18 2009;

19 Senate 7732, by Senator Felder, an
20 act to amend the Public Authorities Law;

21 Senate 7746, by Senator Little, an
22 act to amend the Tax Law;

23 Senate 7800, by the Committee on
24 Rules, an act to amend the Public Health Law;

25 Senate 7810, by Senator Golden, an

1 act to amend the Civil Service Law;

2 Senate 7815, by Senator Flanagan,
3 an act to amend Chapter 675 of the Laws of 1984;

4 Senate 7832, by Senator Hannon, an
5 act in relation to directing;

6 Senate 7853, by the Committee on
7 Rules, an act to amend the Nassau County
8 Administrative Code;

9 Senate 7880, by the Committee on
10 Rules, an act to amend a chapter of the Laws of
11 2014;

12 And Senate 7916, by Senator Lanza,
13 an act to amend the Environmental Conservation
14 Law.

15 All bills reported direct to third
16 reading.

17 ACTING PRESIDENT GRIFFO: Senator
18 Libous.

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

21 I move to accept the report of the
22 Rules Committee.

23 ACTING PRESIDENT GRIFFO: All in
24 favor of accepting the Rules Committee report
25 signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The
5 Committee on Rules report is accepted and before
6 the house.

7 SENATOR LIBOUS: Mr. President,
8 could we go to motions, please.

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

11 SENATOR LIBOUS: I'd like to adopt
12 today's Resolution Calendar, with the exception
13 of Resolutions 6123 and 6072.

14 ACTING PRESIDENT GRIFFO: All in
15 favor of adopting the Resolution Calendar, with
16 the exceptions that have been indicated, signify
17 by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: The
22 Resolution Calendar is adopted.

23 Senator Libous.

24 SENATOR LIBOUS: Mr. President, at
25 this time Senator Hannon has a resolution at the

1 desk. It's Number 6123. I believe he would
2 like the title read, and then if you could call
3 on Senator Hannon. And I think several other of
4 my colleagues may also want to speak on this.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Legislative
8 Resolution Number 6123, by Senator Hannon,
9 calling on the federal government to reevaluate
10 guidelines and allocate additional funding
11 related to Lyme and tick-borne diseases.

12 ACTING PRESIDENT GRIFFO: Senator
13 Hannon.

14 SENATOR HANNON: Thank you very
15 much, Mr. President.

16 Earlier this week the Task Force on
17 Lyme Disease and Tick-Borne Diseases made its
18 report and recommendations. Yesterday we passed
19 a statute in regard to part of the state's
20 enforcement mechanism on physicians. And today
21 what we'd like to do is call on the federal
22 government to deal with this disease in a far
23 more comprehensive and in-depth way than they've
24 done before.

25 The resolution talks about it's

1 only recently that Lyme became a reportable
2 disease, in '86. More recently -- namely, last
3 year -- the CDC said there's about 300,000
4 Americans diagnosed with Lyme each year, most of
5 which are in the Northeast. And we recognize
6 this as an epidemic.

7 And so we call upon the federal
8 government -- the CDC, National Institute of
9 Health, anyone else doing research, such as the
10 Department of Defense -- to focus on this
11 disease, expand its research, and look at the
12 treatment guidelines from the CDC, which have
13 caused a great amount of concern.

14 So for that reason, there are some
15 other extraordinarily well-versed members of the
16 task force, I'd ask that you call upon them to
17 comment on this resolution.

18 ACTING PRESIDENT GRIFFO: Senator
19 LaValle.

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

22 I just want to thank again
23 Senator Hannon for his leadership on this task
24 force.

25 And the members that were on that

1 task force worked very, very hard. We really
2 worked very well together. And we've provided
3 for people of this state a blueprint in moving
4 forward for an action plan, an action plan both
5 at a state level and a federal level. This
6 resolution outlines the federal plan and what
7 we're asking the feds to do.

8 And I believe it's probably one of
9 the most effective task forces that I have
10 served on while being in the Legislature. We've
11 provided legislation to deal with the problem
12 which we discussed the other day, financial
13 support and public relations support to make the
14 case that Lyme disease and tick-borne
15 diseases are very serious, people have died from
16 these ailments, gone untreated.

17 And I vote aye.

18 ACTING PRESIDENT GRIFFO: Senator
19 Little.

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

22 I too would like to speak on this
23 resolution, having been part of the task force,
24 and again thank Senator Hannon for his
25 leadership on this.

1 Lyme disease was first discovered
2 or named in 1986, and I think Connecticut became
3 a place where it was pretty rampant. But it
4 quickly crossed the borders and has entered
5 New York State and is moving north, coming north
6 into the Adirondacks.

7 The treatment protocols for Lyme
8 disease vary, as they would vary, from doctor to
9 doctor. And one of the things that came to our
10 attention is that many people using-- the
11 doctors that use the guidelines from the CDC
12 were finding that many people needed to have
13 more treatment than those guidelines allowed.

14 Therefore, what we are asking is
15 for the CDC to look at the treatment protocols
16 that they have been putting out as guidelines
17 and to look at the best practices that have been
18 instituted by doctors in New York State and
19 throughout the country to see if we can come up
20 with a better way of dealing with people who
21 have Lyme disease.

22 I'm very fortunate in my district
23 to have the Trudeau Institute, which has been
24 world-renowned for studying vaccines, beginning
25 certainly with TB, is how it began, and going on

1 to other diseases that they have developed
2 vaccines for.

3 Dr. Tim Sellati, who is at the
4 Trudeau Institute, spoke at a meeting we had in
5 Glens Falls and also came down and spoke to our
6 task force and really gave an interesting take
7 on it. As they deal -- and they deal with mice.
8 As they treat mice and try to figure out how
9 each reacts, is that these mice, as people will
10 do, react differently to the tick and the
11 tick-borne disease. And there are other parts
12 of -- you know, some get it mildly, some get it
13 really difficult, and some really end up with
14 what we call chronic Lyme disease.

15 So what we need is more money for
16 research, more money to help us develop ways of
17 preventing people from getting Lyme disease,
18 more money so that we can treat the mice and the
19 deer and the ticks that are around so that they
20 are not poisoning people and causing this
21 disease.

22 So we're asking the CDC and the NIH
23 to help us in this effort and giving them the
24 results of our task force and the things that we
25 have come up with, and certainly hoping that

1 they will pay more attention to Lyme disease and
2 to address the issue of how it is best treated
3 in this country.

4 So I look forward to seeing a
5 result, but I really appreciate the opportunity
6 to serve on this task force and to be able to
7 move it to the federal level so that we can help
8 people who -- many of them who suffer from Lyme
9 disease for a long period of time, and it takes
10 lot of effort and time to be diagnosed.

11 So thank you very much. Thank you,
12 Senator Hannon. Thank you to all my colleagues
13 for joining us. Thank you.

14 ACTING PRESIDENT GRIFFO: Senator
15 Marchione.

16 SENATOR MARCHIONE: Thank you,
17 Mr. President.

18 I also served as a member of the
19 task force and would like to thank
20 Senator Hannon for his leadership and all of his
21 effort and work, and for everyone who served on
22 the committee and for those who came and
23 testified before us. I learned more about
24 tick-borne diseases that I thought I would ever
25 learn in my life, and I know I have much, much

1 more to learn.

2 But I do believe that this body
3 moved forward, we listened, we understood, and
4 we took action. And I certainly am thankful to
5 be part of a task force that actually followed
6 through and really made some good strides
7 forward to help the people in New York State.

8 I represent Rensselaer, Saratoga
9 and two other counties. But those two counties
10 are some of the most hard-hit in tick-borne
11 diseases in all of New York State. I hear
12 horror stories all the time from people in my
13 district about the financial and the
14 psychological and the physical concerns and
15 problems that they have just to go about their
16 daily activities.

17 So I just want to again thank
18 Senator Hannon, call on the federal government
19 to join us, and hope that they can move forward
20 and have as much action as we have had in the
21 Senate.

22 Thank you, Mr. President.

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

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The
5 resolution is adopted.

6 Senator Libous.

7 SENATOR LIBOUS: Mr. President,
8 Resolution Number 6072, by Senator Smith, is at
9 the desk. Could you have the title read, and I
10 believe Senator Smith would like to make some
11 comments.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: Legislative
15 Resolution Number 6072, by Senator Smith,
16 commending Meredith L. Henderson upon the
17 occasion of her designation for special
18 recognition by the Alpha Kappa Alpha Sorority,
19 Inc.

20 ACTING PRESIDENT GRIFFO: Senator
21 Smith.

22 SENATOR SMITH: Thank you very
23 much, Mr. President.

24 Colleagues, I rise this afternoon
25 to pay tribute to a young lady who has spent

1 most of her life working on behalf of improving
2 people's lives as well as working on behalf of
3 the State of New York.

4 Meredith L. Henderson, who I have
5 good fortune of her being my chief of staff, has
6 achieved the distinction, much to the excitement
7 of many people around the city and around the
8 state. She is a young lady who, as many of you
9 know, has always spent a lot of time helping
10 people. She's held a number of positions in the
11 Senate. She was in the budget office, she was
12 director of the Black and Puerto Rican and
13 Hispanic Legislative caucus. She served as the
14 first African-American female deputy secretary
15 to the Majority Leader, and she's now serving as
16 chief of staff in my office in the Senate.

17 She's a graduate of Union College
18 and Binghamton University as well.

19 She has recently been recognized
20 and elected by her peers in the Alpha Kappa
21 Alpha Sorority, one of the oldest -- or the
22 oldest African-American female sorority in this
23 country, started in 1908. It is now 106 years
24 old. She has served there as part of the
25 international nominating committee, she's been a

1 parliamentarian, she served as the scholarship
2 chairman and most notably as a graduate advisor.

3 But what she has achieved, which
4 many people are unfamiliar with but will now
5 know as we pause for deliberation to acknowledge
6 her accomplishments, in recent she has been
7 elected as the North Atlantic regional director
8 for the Alpha Kappa Alpha Sorority.

9 Now, some will say, Malcolm, what
10 does that mean? Well, let me give you the
11 significance of being elected to that position
12 and what it means. She is now the North
13 Atlantic regional director. That puts her, as a
14 supervisory individual, over approximately nine
15 states, from Maine to Maryland. She reigns over
16 11 regions in the Northeast corridor. She is
17 also over 138 chapters, which has over 10,000
18 members. I actually believe that I now work for
19 Meredith L. Henderson, as opposed to her working
20 with me.

21 But this is a great day that we
22 stand on this floor of the Senate to acknowledge
23 her accomplishments, a young lady who is very
24 soft-spoken but carries a very large
25 intellectual stick. And I am proud to stand on

1 this floor and congratulate her, and I ask my
2 colleagues to join me in congratulating her as
3 well.

4 Mr. President, I would like to open
5 this resolution for the entire Senate to
6 cosponsor.

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous, the sponsor has requested that the
9 resolution be opened for cosponsorship.

10 Before then, I'm going to recognize
11 Senator Montgomery.

12 Senator Montgomery.

13 SENATOR MONTGOMERY: Thank you,
14 Mr. President.

15 I rise to join my colleague and
16 thank Senator Smith. It's very appropriate,
17 obviously, that the Senator sponsor this
18 resolution. But I must say this is my own soro.
19 So he's jumped ahead of me, but that's quite all
20 right. And I'm happy to join him, and
21 definitely I want to be part of that resolution.

22 It is not very often that we have
23 an opportunity to rise in this situation and be
24 able to honor someone who represents the best of
25 what I believe women represent, and especially

1 African-American women in this country. And
2 that's what Meredith represents in and of
3 herself, but also as a member of this sorority.

4 And I must say that while we are
5 Alpha Kappa Alpha women, there are some Delta
6 women and Omega women, and those are also part
7 of this large community of sorority sisters who
8 reflect what we believe are the best of our
9 tradition and our communities and our people and
10 women.

11 So thank you, Senator Smith. And I
12 certainly join you in honoring this great
13 accomplishment of Meredith today.

14 ACTING PRESIDENT GRIFFO: Senator
15 Parker.

16 SENATOR PARKER: Thank you,
17 Mr. President. On the resolution.

18 I want to add my voice to both
19 Senator Smith and Senator Montgomery in honoring
20 Meredith Henderson, who is not only a friend and
21 a great professional who has worked very hard
22 for this body, but someone who has gone above
23 and beyond the work that she does in her job in
24 terms of community service but also providing
25 service to the community.

1 She's been involved in a lot of the
2 life here in Albany, you know, from charter
3 schools to working with young women to just
4 making a better way of life for the people in
5 the community which she lives in. And that has
6 really been a reflection not just of her own
7 values, but the work that she has done with her
8 sorority.

9 Alpha Kappa Alpha, the first black
10 female sorority in the nation, boasts some great
11 members in it, including the late Dr. Maya
12 Angelou, Toni Morrison, Gladys Knight, Coretta
13 Scott King, Ella Fitzgerald, Jada Pinkett Smith,
14 and Marion Anderson, the great singer, were all
15 members of this sorority. And of course our own
16 Senator Velmanette Montgomery.

17 And so in honoring Meredith
18 Henderson, we really honor this long legacy of
19 women, of this tradition of giving back to the
20 community and putting service first. And so
21 we'd like to thank her and all the women of
22 Alpha Kappa Alpha for their contributions to the
23 people of State of New York.

24 ACTING PRESIDENT GRIFFO: Thank
25 you, Senator Parker.

1 Senator Stavisky.

2 SENATOR STAVISKY: Yes, thank you,
3 Mr. President.

4 I too want to honor Meredith
5 Henderson. In college I did belong to a
6 sorority, but not that one.

7 (Laughter.)

8 SENATOR STAVISKY: But that
9 doesn't stop me from talking about the good work
10 that Meredith Henderson has done. I've known
11 her for quite a few years. And I commend her on
12 her distinction with Alpha Kappa Alpha.

13 Thank you.

14 ACTING PRESIDENT GRIFFO: The
15 question is on the resolution. All in favor
16 signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT GRIFFO: Opposed?

19 (No response.)

20 ACTING PRESIDENT GRIFFO: The
21 resolution is adopted.

22 We want to extend our
23 congratulations to Meredith and thank her for
24 the outstanding work she does.

25 And, Senator Libous, the sponsor

1 has asked for the resolution to be opened for
2 cosponsorship.

3 SENATOR LIBOUS: Both the
4 resolutions that were on the floor we'd like to
5 open up for cosponsorship. And if for some
6 reason somebody doesn't want to go on them, to
7 let the desk know.

8 ACTING PRESIDENT GRIFFO: The
9 resolutions are open for cosponsorship. Should
10 you choose not to be a sponsor, please so notify
11 the desk.

12 Thank you, Senator Libous.

13 SENATOR LIBOUS: Mr. President, if
14 it's okay with you and the rest of my
15 colleagues, I'd like to take up Supplemental
16 Calendar 54A, the noncontroversial reading.

17 ACTING PRESIDENT GRIFFO: By all
18 means.

19 The Secretary shall read.

20 THE SECRETARY: Senator Gianaris
21 moves to discharge, from the Committee on
22 Veterans, Homeland Security and Military
23 Affairs, Assembly Bill Number 2124 and
24 substitute it for the identical Senate Bill
25 Number 592, Third Reading Calendar 1663.

1 ACTING PRESIDENT GRIFFO: The
2 substitution is so ordered.

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 1663, by Member of the Assembly Simotas,
6 Assembly Print 2124, an act to amend the
7 Real Property Tax Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 59.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Senator Hannon
19 moves to discharge, from the Committee on Rules,
20 Assembly Bill Number 5476D and substitute it for
21 the identical Senate Bill Number 4926C, Third
22 Reading Calendar 1664.

23 ACTING PRESIDENT GRIFFO: The
24 substitution is so ordered.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1664, by Member of the Assembly Cymbrowitz,
3 Assembly Print 5476D, an act to amend Section 38
4 of Part A of the Chapter 60 of the Laws of 2014.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

7 THE SECRETARY: Section 2. 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, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1665, by Senator Robach, Senate Print 5227B, an
17 act in relation to the transportation of
18 students.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1666, by Senator Lanza, Senate Print 5705B, an
6 act to amend the Racing, Pari-Mutuel Wagering
7 and Breeding Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 6. 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: Senator
16 Bonacic to explain his vote.

17 SENATOR BONACIC: Yes. This bill
18 was exactly the same two years ago when the
19 Governor vetoed it. There's not one change
20 here.

21 They're trying to revive, in
22 New York City, OTB. And in my judgment it's
23 been a failed system, the OTBs in the State of
24 New York, for the most part. The City of
25 New York is against this. Yonkers Racetrack is

1 against this.

2 And what this legislation is trying
3 to do is take Catskill Regional OTB that's
4 sitting on about \$15 million that should have
5 been reinvested in the 10 counties in Catskill
6 OTB, and they want to jump and make a merger
7 with New York City to revive a system that
8 failed in New York City.

9 So let me just sum it up briefly.
10 When New York City OTB closed in 2010, they owed
11 Yonkers more than \$21 million, which has never
12 been paid. And also, when I talked about the
13 failed system, Nassau OTB has an outstanding
14 debt to Yonkers Raceway.

15 Again, I just don't think OTB --
16 it's outdated, they have not kept up with
17 technology -- should be consolidated. This is a
18 failed system, and I don't know why the Governor
19 wouldn't veto it again, because nothing has
20 changed.

21 I vote no. Thank you,
22 Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator
24 Bonacic to be recorded in the negative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar 1666, those recorded in the negative
3 are Senators Ball, Bonacic, DeFrancisco,
4 Gianaris, Griffio, Hoylman, Krueger, Little,
5 Marchione, Seward and Squadron. Also Senator
6 Gipson. Also Senator Ranzenhofer.

7 SENATOR LIBOUS: Mr. President.

8 ACTING PRESIDENT GRIFFIO: Senator
9 Libous.

10 SENATOR LIBOUS: Before we go to
11 final roll, could you give us a second here?

12 ACTING PRESIDENT GRIFFIO: Sure.

13 (Pause.)

14 ACTING PRESIDENT GRIFFIO: The
15 Secretary will continue the roll.

16 THE SECRETARY: In relation to
17 Calendar 1666, those recorded in the negative
18 are Senators Ball, Bonacic, DeFrancisco,
19 Gianaris, Gipson, Griffio, Hoylman, Krueger,
20 Libous, Little, Marchione, Ranzenhofer --

21 (Pause.)

22 ACTING PRESIDENT GRIFFIO: We're
23 going to announce the results again, so pay
24 attention.

25 (Laughter.)

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read.

3 THE SECRETARY: In relation to
4 Calendar 1666, those recorded in the negative
5 are Senators Ball, Bonacic, DeFrancisco,
6 Gianaris, Gipson, Griffio, Hoylman, Krueger,
7 Little, Marchione, Ranzenhofer, Seward, Squadron
8 and Tkaczyk. Also Senator Nozzolio.

9 Ayes, 44. Nays, 15.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 On Calendar Number 1667, the Senate
13 version is high. The Assembly version is aged,
14 and the Secretary will read.

15 THE SECRETARY: Senator Kennedy
16 moves to discharge, from the Committee on Rules,
17 Assembly Bill Number 1987A and substitute it for
18 the identical Senate Bill Number 5942A, Third
19 Reading Calendar 1667.

20 ACTING PRESIDENT GRIFFO: The
21 substitution is so ordered.

22 THE SECRETARY: Calendar Number
23 1667, by Member of the Assembly Titus, Assembly
24 Print 1987A, an act to amend the Social Services
25 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 ACTING PRESIDENT GRIFFO: Senator
9 Kennedy to explain his vote.

10 SENATOR KENNEDY: Thank you very
11 much, Mr. President.

12 This piece of legislation is very
13 serious in nature. It further helps us as we
14 put forward the comprehensive legislation to
15 transform our Child Protective Services system
16 throughout New York State.

17 Across our country, as we've talked
18 about so many times in this chamber, about
19 700,000 children have suffered from abuse and
20 neglect. In New York State that number is
21 at about 80,000 children.

22 When the hotline is called here in
23 New York State, in the past there has been these
24 reports taken individually and reported out to
25 the various municipalities. This legislation

1 will take into account previous investigations
2 and reports of abuse and neglect.

3 In Erie County we've seen some very
4 high-profile deaths of children over the course
5 of the last few years -- the deaths of Abdi
6 Mohamud, Eain Brooks, Mayouna Smith, Gage
7 Seneca, Jacob Noe. And young children across
8 the state have died because of these unthinkable
9 and horrific abuses.

10 And one of the most alarming
11 findings in OCFS's recent review of Erie
12 County's CPS department was that approximately
13 72 percent of the reports involve families with
14 histories of previous Child Protective Service
15 investigations within the past four years.
16 Twenty-four percent had five or more previous
17 reports.

18 So it's fitting that when the
19 hotline is called, that the reports take into
20 consideration those previous investigations and
21 that is referred out to the municipalities.

22 I appreciate the leadership
23 bringing this to the floor for a vote. With
24 that, Mr. President, I vote aye.

25 ACTING PRESIDENT GRIFFO: Senator

1 Kennedy to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator
7 Stewart-Cousins moves to discharge, from the
8 Committee on Rules, Assembly Bill Number 8250A
9 and substitute it for the identical Senate Bill
10 Number 6389A, Third Reading Calendar 1668.

11 ACTING PRESIDENT GRIFFO: The
12 substitution is so ordered.

13 There is a home-rule message at the
14 desk.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1668, by Member of the Assembly Paulin, Assembly
18 Print 8250A, an act to amend the Vehicle and
19 Traffic Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 15. 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: In relation to
3 Calendar 1668, those recorded in the negative
4 are Senators Ball, DeFrancisco, Griffo,
5 Ranzenhofer and Zeldin. Also Senator Larkin.

6 Ayes, 53. Nays, 6.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 The Secretary will continue on
10 Calendar Number 1669.

11 THE SECRETARY: Senator Kennedy
12 moves to discharge, from the Committee on
13 Children and Families, Assembly Bill Number
14 8418A and substitute it for the identical Senate
15 Bill Number 6553A, Third Reading Calendar 1669.

16 ACTING PRESIDENT GRIFFO: The
17 substitutions are so ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1669, by Member of the Assembly Mayer, Assembly
21 Print 8418A, an act to amend the Social Services
22 Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Senator Lanza
9 moves to discharge, from the Committee on Codes,
10 Assembly Bill Number 8749A and substitute it for
11 the identical Senate Bill Number 6804,
12 Third Reading Calendar 1670.

13 ACTING PRESIDENT GRIFFO: The
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1670, by Member of the Assembly Paulin,
18 Assembly Print 8749A, an act to amend the
19 Criminal Procedure Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1671, by Senator Ranzenhofer, Senate Print 6890,
7 an act to amend the Public Authorities 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, 57. Nays,
16 2. Senators Ball and DeFrancisco recorded in
17 the negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1672, by Senator Ranzenhofer, Senate Print 6892,
22 an act to amend the Public Authorities Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 3. 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, 57. Nays,
6 2. Senators Ball and DeFrancisco recorded in
7 the negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Senator Golden
11 moves to discharge, from the Committee on Local
12 Government, Assembly Bill Number 9463 and
13 substitute it for the identical Senate Bill
14 Number 7185, Third Reading Calendar 1673.

15 ACTING PRESIDENT GRIFFO: The
16 substitution is so ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1673, by Member of the Assembly Farrell,
20 Assembly Print 9463, an act to amend the Local
21 Finance 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. Nays,
5 1. Senator Ball recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Senator
9 Hassell-Thompson moves to discharge, from the
10 Committee on Rules, Assembly Bill Number 8368B
11 and substitute it for the identical Senate Bill
12 Number 7236A, Third Reading Calendar 1674.

13 ACTING PRESIDENT GRIFFO: There is
14 a home-rule message at the desk.

15 The substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1674, by Member of the Assembly Pretlow,
19 Assembly Print 8368B, an act to amend the
20 Vehicle and Traffic Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 15. This
24 act shall take effect on the 30th day.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: In relation to
4 Calendar Number 1674, those recorded in the
5 negative are Senators Ball, DeFrancisco, Griffo
6 and Zeldin. Also Senator Larkin. Also
7 Senator Ranzenhofer.

8 Ayes, 53. Nays, 6.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Senator Golden
12 moves to discharge, from the Committee on Rules,
13 Assembly Bill Number 9021D and substitute it for
14 the identical Senate Bill Number 7387A, Third
15 Reading Calendar 1675.

16 ACTING PRESIDENT GRIFFO: The
17 substitution is so ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1675, by Member of the Assembly Davila,
21 Assembly Print 9021D, an act to amend the
22 Public Health Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. 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, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1676, by Senator Grisanti, Senate Print 7431A,
10 an act to amend the Mental Hygiene Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Senator
19 Grisanti to explain his vote.

20 SENATOR GRIFFO: Yes, thank you,
21 Mr. President. Believe it or not, I will be
22 brief.

23 This legislation, this legislation
24 establishes a plan to increase housing
25 opportunities for people with developmental

1 disabilities. We know, we know that there's a
2 severe housing shortage. You have individuals
3 in their eighties that are taking care of
4 children that are in their fifties with
5 disabilities that they have no idea what's going
6 to happen to them when they pass.

7 This is a start. The Assembly
8 never picked it up. We're going to have to come
9 back to it next year. But this is something
10 that we've got to keep on the radar screen and
11 get this accomplished once and for all. We have
12 too many people that do not have housing in
13 New York State. In my area, it's up to about
14 2100. Check it out in your district and let's
15 get together and do something next year on it.

16 Thank you very much. I vote aye.

17 ACTING PRESIDENT GRIFFO: How do
18 you vote, Senator Grisanti?

19 SENATOR GRISANTI: Aye.

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

22 It was so brief that I wanted to
23 make sure I heard it.

24 (Laughter.)

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will announce the results.

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Senator Savino
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 9744 and substitute it for
8 the identical Senate Bill Number 7640, Third
9 Reading Calendar 1677.

10 ACTING PRESIDENT GRIFFO: The
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1677, by Member of the Assembly Kavanagh,
15 Assembly Print 9744, an act to amend the
16 Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 4. This
20 act shall take effect July 1, 2014.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Senator Skelos
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 9739 and substitute it for
5 the identical Senate Bill Number 7702, Third
6 Reading Calendar 1678.

7 ACTING PRESIDENT GRIFFO: There is
8 a home-rule message at the desk.

9 The substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1678, by Member of the Assembly Mayer, Assembly
13 Print 9739, an act to amend Chapter 20 of the
14 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: In relation to
25 Calendar 1678, those recorded in the negative

1 are Senators Ball, DeFrancisco, Larkin, O'Mara
2 and Zeldin.

3 Ayes, 54. Nays, 5.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator Skelos
7 moves to discharge, from the Committee on Rules,
8 Assembly Bill Number 9498 and substitute it for
9 the identical Senate Bill Number 7704, Third
10 Reading Calendar 1679.

11 ACTING PRESIDENT GRIFFO: There is
12 a home-rule message at the desk.

13 The substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1679, by Member of the Assembly Gantt, Assembly
17 Print 9498, an act to amend Chapter 22 of the
18 Laws of 2009.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: In relation to
2 Calendar 1679, those recorded in the negative
3 are Senators Ball, DeFrancisco, Larkin, O'Mara
4 and Zeldin.

5 Ayes, 54. Nays, 5.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Senator Felder
9 moves to discharge, from the Committee on Rules,
10 Assembly Bill Number 9718 and substitute it for
11 the identical Senate Bill Number 7732,
12 Third Reading Calendar 1680.

13 ACTING PRESIDENT GRIFFO: The
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1680, by Member of the Assembly Nolan,
18 Assembly Print 9718, an act to amend the
19 Public Authorities Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58. Nays,

3 1. Senator Martins recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Senator Little
7 moves to discharge, from the Committee on Rules,
8 Assembly Bill Number 10049 and substitute it for
9 the identical Senate Bill Number 7746, Third
10 Reading Calendar 1681.

11 ACTING PRESIDENT GRIFFO: The
12 substitution is so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1681, by the Assembly Committee on Rules,
16 Assembly Print 10049, an act to amend the
17 Tax Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 2. 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, 57. Nays,

1 2. Senators Ball and DeFrancisco recorded in
2 the negative.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Senator Skelos
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 9421A and substitute it for
8 the identical Senate Bill Number 7800, Third
9 Reading Calendar 1682.

10 ACTING PRESIDENT GRIFFO: The
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1682, by Member of the Assembly Morelle,
15 Assembly Print 9421A, an act to amend the
16 Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 3. This
20 act shall take effect January 1, 2015.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 58. Nays,
25 1. Senator Ball recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Senator Golden
4 moves to discharge, from the Committee on Rules,
5 Assembly Bill Number 9970 and substitute it for
6 the identical Senate Bill Number 7810,
7 Third Reading Calendar 1683.

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

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1683, by the Assembly Committee on Rules,
13 Assembly Print 9970, an act to amend the
14 Civil Service Law.

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 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Senator Flanagan

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 10019 and substitute it for
3 the identical Senate Bill Number 7815, Third
4 Reading Calendar 1684.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1684, by the Assembly Committee on Rules,
10 Assembly Print 10019, an act to amend
11 Chapter 675 of the Laws of 1984.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Senator Hannon
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 9492 and substitute it for
25 the identical Senate Bill Number 7832,

1 Third Reading Calendar 1685.

2 ACTING PRESIDENT GRIFFO: The
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1685, by Member of the Assembly Saladino,
7 Assembly Print 9492, an act in relation to
8 directing.

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 ACTING PRESIDENT GRIFFO: Senator
17 Martins to explain his vote.

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

20 My colleagues, the County of Nassau
21 spends about \$80 million to \$100 million a year
22 in commercial tax certiorari repayments each and
23 every year. This bill will provide relief not
24 only this year, but next year and each year
25 thereafter, to the tune of \$80 to \$100 million.

1 It's been requested by the county
2 executive. It was approved unanimously by the
3 Nassau County Legislature. It provides savings
4 going forward for every Nassau County property
5 taxpayer, residential taxpayer. It provides
6 relief for our school districts. It will not
7 impact them and, if anything, will provide them
8 with additional funding each and every year.
9 And it does not impact in any way the county's
10 continued obligations with regard to the county
11 guarantee with regard to tax certioraris for
12 schools in Nassau County.

13 It's something the county executive
14 wants. It's something each and every one of the
15 county legislators has asked us to do. And I
16 thank you for your support today.

17 Mr. President, I vote aye.

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

20 Announce the results.

21 THE SECRETARY: Ayes, 58. Nays,
22 1. Senator Boyle recorded in the negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Senator Skelos

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 10097 and substitute it for
3 the identical Senate Bill Number 7853,
4 Third Reading Calendar 1686.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1686, by the Assembly Committee on Rules,
10 Assembly Print 10097, an act to amend the
11 Nassau County Administrative Code.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55. Nays,
20 4. Senators Ball, Boyle, Gipson and Lanza
21 recorded in the negative.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1687, by the Senate Committee on Rules,

1 Senate Print 7880, an act to amend a chapter of
2 the Laws of 2014.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 58. Nays,
11 1. Senator Ball recorded in the negative.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Senator Lanza
15 moves to discharge, from the Committee on Rules,
16 Assembly Bill Number 10153 and substitute it for
17 the identical Senate Bill Number 7916, Third
18 Reading Calendar 1688.

19 ACTING PRESIDENT GRIFFO: Senator
20 Libous, the bill is high.

21 SENATOR LIBOUS: Mr. President, is
22 there a message at the desk?

23 ACTING PRESIDENT GRIFFO: There is
24 a message, but we'd like to substitute first,
25 Senator Libous.

1 SENATOR LIBOUS: I'm always ahead
2 of myself, Mr. President.

3 ACTING PRESIDENT GRIFFO: The
4 substitution is so ordered.

5 Senator Libous.

6 SENATOR LIBOUS: Is there a
7 message of necessity at the desk?

8 ACTING PRESIDENT GRIFFO: The
9 message of necessity is at the desk.

10 SENATOR LIBOUS: I move that we
11 accept the message of necessity.

12 ACTING PRESIDENT GRIFFO: All in
13 favor of accepting the message of necessity
14 signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT GRIFFO: Opposed?

17 (No response.)

18 ACTING PRESIDENT GRIFFO: The
19 message of necessity from the Governor is
20 accepted.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1688, by the Assembly Committee on Rules,
24 Assembly Print 10153, an act to amend the
25 Environmental Conservation Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the same date and in
5 the same manner as a chapter of the Laws of
6 2014.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 1688, those recorded in the negative
14 are Senators Ball, Griffo, Marchione, Perkins,
15 Ranzenhofer, Seward and Zeldin. Also Senator
16 Libous.

17 Ayes, 51. Nays, 8.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 Senator Libous, that completes
21 the --

22 THE SECRETARY: Also Senator
23 Farley.

24 ACTING PRESIDENT GRIFFO: We're
25 going to reannounce the results on Calendar

1 Number 1688.

2 THE SECRETARY: In relation to
3 Calendar 1688, those recorded in the negative
4 are Senators Ball, Farley, Griffo, Libous,
5 Marchione, Maziarz, Perkins, Ranzenhofer, Seward
6 and Zeldin.

7 (Pause.)

8 ACTING PRESIDENT GRIFFO: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1688, those recorded in the negative
12 are Senators Ball, Farley, Gallivan, Griffo,
13 Larkin, Libous, Marchione, Maziarz, Nozzolio,
14 Ranzenhofer, Seward and Zeldin.

15 Ayes, 47. Nays, 12.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 Senator Libous, that now concludes
19 the noncontroversial reading of Senate
20 Supplemental Calendar 54A.

21 SENATOR LIBOUS: Mr. President,
22 how long can you hold your breath for?

23 ACTING PRESIDENT GRIFFO: How long
24 would you like me to?

25 (Laughter.)

1 SENATOR LIBOUS: If you could hold
2 your breath for a minute, we'll be with you
3 shortly and we'll make a couple of
4 announcements.

5 (Pause.)

6 SENATOR LIBOUS: Mr. President.

7 ACTING PRESIDENT GRIFFO: If
8 you'll allow me to exhale.

9 SENATOR LIBOUS: Please exhale,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Libous, you may continue.

13 SENATOR LIBOUS: Thank you for
14 holding your breath.

15 There will be a Finance Committee
16 meeting at 4:30 in Room 332. That would be the
17 Finance Committee. At the conclusion of the
18 Finance Committee, we will then come back here
19 to the floor and take up nominations that will
20 be discussed in the Finance Committee.

21 And then in the meantime, we will
22 be working on another Rules report and an active
23 list. And the goal would be to move things
24 right along as quickly as possible so that we
25 could all adjourn and be on our way to our homes

1 and our districts and those people who hopefully
2 still love us.

3 ACTING PRESIDENT GRIFFO: There
4 will be a meeting of the Finance Committee at
5 4:30 in Room 332. That will be followed by
6 activity to be determined and so designated.

7 (Laughter.)

8 ACTING PRESIDENT GRIFFO: Until
9 such time, the Senate will stand at ease.

10 SENATOR LIBOUS: Mr. President,
11 I'm supposed to get the laughs, not you.

12 (Whereupon, the Senate stood at
13 ease at 4:16 p.m.)

14 (Whereupon, the Senate reconvened
15 at 6:10 p.m.)

16 ACTING PRESIDENT GRIFFO: The
17 Senate will come to order.

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President,
20 there will be an immediate meeting of the
21 Finance Committee in 332.

22 ACTING PRESIDENT GRIFFO: There is
23 an immediate meeting of the Senate Finance
24 Committee in Room 332.

25 The Senate will stand at ease.

1 (Whereupon, the Senate stood at
2 ease at 6:10 p.m.)

3 (Whereupon, the Senate reconvened
4 at 6:59 p.m.)

5 SENATOR LIBOUS: Mr. President, I
6 believe there's some resolutions at the desk, if
7 we could take them up in order.

8 ACTING PRESIDENT GRIFFO: The
9 Senate will come to order.

10 The Secretary will read.

11 THE SECRETARY: Senate Resolution
12 by Senators Skelos and Klein, establishing a
13 plan setting forth an itemized list of grantees
14 for certain appropriations in the 2014-2015
15 state fiscal year.

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

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The
21 resolution is adopted.

22 THE SECRETARY: Senate Resolution
23 by Senators Skelos and Klein, establishing a
24 plan setting forth an itemized list of grantees
25 for certain appropriations in the 2014-2015

1 state fiscal year.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll on the resolution.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The
7 resolution is adopted.

8 THE SECRETARY: Senate Resolution
9 by Senators Skelos and Klein, establishing a
10 plan setting forth an itemized list of grantees
11 for certain appropriations for the 2014-2015
12 state fiscal year for grants in aid for drug,
13 violence and crime control and prevention
14 programs; for grants that prevent domestic
15 violence or aid victims of domestic violence;
16 grants for civil or criminal domestic violence
17 legal services; grants for law enforcement,
18 anti-drug, anti-violence, crime control and
19 prevention programs, as required by a plan
20 setting forth an itemized list of grantees with
21 the amount to be received by each, or the
22 methodology for allocating such appropriation.
23 Such plan shall be subject to the approval of
24 the Temporary President of the Senate and the
25 Director of the Budget and thereafter shall be

1 included in a resolution calling for the
2 expenditure of such monies, which resolution
3 must be approved by a majority vote of all
4 members elected to the Senate upon a roll call
5 vote.

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

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The
11 resolution is adopted.

12 THE SECRETARY: Senate Resolution,
13 by Senators Skelos and Klein, amending Senate
14 Resolution R2682 of 2013 establishing a plan
15 setting forth an itemized list of grantees for
16 the New York State Economic Development
17 Assistance Program established pursuant to an
18 appropriation in the 2008-2009 state fiscal year
19 and in Part QQ of Chapter 57 of the Laws of 2008
20 relating to such itemized list of grantees.

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

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The

1 resolution is adopted.

2 (Pause.)

3 SENATOR LIBOUS: Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator
5 Libous.

6 SENATOR LIBOUS: I think there's a
7 report of the Finance Committee at the desk.
8 Could we have it read at this time. Maybe two
9 reports, actually.

10 ACTING PRESIDENT GRIFFO: We will
11 return to reports of standing committees.

12 And there are two reports of the
13 Finance Committee at the desk. The Secretary
14 will read.

15 THE SECRETARY: Senator
16 DeFrancisco, from the Committee on Finance,
17 offers the following nomination.

18 As chief enforcement counsel of the
19 State Board of Elections: Risa S. Sugarman, of
20 Pine Bush.

21 ACTING PRESIDENT GRIFFO: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: Yes, I'm
24 happy to move this nomination. And due to the
25 lateness of the hour and how long the nominee

1 has been sitting there waiting for this historic
2 moment where we have an enforcement officer, the
3 first one in the history of the State of
4 New York, being added to the Board of Elections.

5 She was approved unanimously in the
6 Finance Committee. She has an incredible,
7 incredible record not only prosecuting homicide
8 cases in the Bronx, but also supervising
9 individuals who are prosecuting homicides, and
10 many, many other government jobs where she had
11 supervisory responsibility.

12 She was very clear, during my
13 private discussion with her and during the
14 hearing that -- and to many other Senators, that
15 she doesn't view this job as a gotcha job where
16 she's going to be looking for technical
17 violations. Basically, the board is going to be
18 looking to help people conform to the technical
19 requirements of the law and obviously
20 investigate serious allegations.

21 So that's exactly what we're
22 looking for, a person who's going to act in a
23 bipartisan way and go after serious violations,
24 not technical ones.

25 So with that said, I move the

1 nomination.

2 ACTING PRESIDENT GRIFFO: The
3 question on the nomination of Risa S. Sugarman,
4 of Pine Bush, as chief enforcement counsel of
5 the State Board of Elections. All in favor
6 signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (No response.)

10 ACTING PRESIDENT GRIFFO: Risa S.
11 Sugarman is hereby confirmed as chief
12 enforcement counsel of the New York State Board
13 of Elections.

14 Congratulations, Risa.

15 (Applause.)

16 ACTING PRESIDENT GRIFFO: The
17 Secretary will continue.

18 THE SECRETARY: As trustees of the
19 State University of New York Board of Trustees:
20 Lawrence W. Waldman, of Roslyn Heights, and
21 Eric Corngold, of Brooklyn.

22 SENATOR DeFRANCISCO: Move the
23 nominations.

24 ACTING PRESIDENT GRIFFO: The
25 question is on the nominations of Lawrence J.

1 Waldman --

2 Senator LaValle.

3 SENATOR LaVALLE: Yes, I'd like to
4 speak on Larry Waldman as a member of the SUNY
5 Board of Trustees.

6 Mr. Waldman is an accountant, is on
7 numerous boards within the Long Island region,
8 on the Long Island Association, and is an
9 adjunct professor at Hofstra and on the Dean's
10 Council at Hofstra. He's involved with the
11 State University at Stony Brook and has a
12 wonderful demeanor and can work -- has been on
13 corporate boards, so that he knows how to play
14 in the sandbox and be a good member of a board.

15 I support the nomination and move
16 the nomination, Mr. President.

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

19 The question is on the nominations
20 of Lawrence J. Waldman, of Roslyn Heights, and
21 Eric Corngold, of Brooklyn, as trustees of the
22 State University of New York Board of Trustees.
23 All in favor indicate by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT GRIFFO: Opposed?

1 (No response.)

2 ACTING PRESIDENT GRIFFO: Lawrence
3 J. Waldman and Eric Corngold have been confirmed
4 as trustees of the State University of New York
5 Board of Trustees.

6 Congratulations.

7 The Secretary will continue.

8 THE SECRETARY: As member of the
9 Metropolitan Transportation Authority: Iris
10 Weinshall, of Brooklyn.

11 SENATOR DeFRANCISCO: Move the
12 nomination.

13 ACTING PRESIDENT GRIFFO: The
14 question is on the nomination of Iris Weinshall,
15 of Brooklyn, as a member of the Metropolitan
16 Transportation Authority. All in favor signify
17 by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: Iris
22 Weinshall has been confirmed as member of the
23 Metropolitan Transportation Authority.

24 The Secretary will continue.

25 THE SECRETARY: As member of the

1 State Fire Prevention and Building Code Council:
2 Shawn Hamlin, of Albany.

3 SENATOR DeFRANCISCO: Move the
4 nomination.

5 ACTING PRESIDENT GRIFFO: The
6 question is on the nomination of Shawn Hamlin as
7 a member of the State Fire Prevention and
8 Building Code Council. All in favor signify by
9 saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO: Opposed?

12 (No response.)

13 ACTING PRESIDENT GRIFFO: Shawn
14 Hamlin has been confirmed as a member of the
15 State Fire Prevention and Building Code Council.

16 Senator Libous, we have completed
17 the nominations.

18 SENATOR LIBOUS: Mr. President.

19 ACTING PRESIDENT GRIFFO: Senator
20 Libous.

21 SENATOR LIBOUS: There will be a
22 Rules Committee meeting at 8 o'clock. In the
23 meantime, we'll stand at ease.

24 ACTING PRESIDENT GRIFFO: There
25 will be a Rules Committee meeting in Room 332 at

1 8 p.m. Until such time, the Senate shall stand
2 at ease.

3 SENATOR LIBOUS: Mr. President,
4 would you call on Senator Gianaris.

5 ACTING PRESIDENT GRIFFO: Senator
6 Gianaris.

7 SENATOR GIANARIS: Mr. President,
8 there will be a conference for the Democratic
9 Conference at 7:45.

10 ACTING PRESIDENT GRIFFO: There
11 will be a Democratic Conference at 7:45 in
12 Room 315. Is that correct?

13 SENATOR PARKER: Yes.

14 ACTING PRESIDENT GRIFFO:
15 7:45 p.m., Democratic conference, Room 315.

16 The Senate stands at ease.

17 (Whereupon, the Senate stood at
18 ease at 7:11 p.m.)

19 (Whereupon, the Senate reconvened
20 at 8:40 p.m.)

21 ACTING PRESIDENT GRIFFO: The
22 Senate will come to order.

23 SENATOR LIBOUS: Mr. President.

24 ACTING PRESIDENT GRIFFO: Senator
25 Libous.

1 SENATOR LIBOUS: Could we have the
2 noncontroversial reading of the supplemental
3 active list dated Friday, June 20th.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read the noncontroversial
6 supplemental active list.

7 THE SECRETARY: Calendar Number
8 204, by Senator Grisanti, Senate Print 3947A, an
9 act to amend the Public Health Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: In relation to
18 Calendar 204, those recorded in the negative are
19 Senators Avella, Gipson, Hoylman, Krueger,
20 Serrano and Squadron.

21 Ayes, 53. Nays, 6.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 498, by Senator DeFrancisco, Senate Print 5959,

1 an act to amend the Election Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Krueger to explain her vote.

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

13 I would like to thank Senator
14 DeFrancisco for sponsoring this bill.

15 Now, this would require, of course,
16 a full process of multiple votes and taking it
17 to the people. But -- it's a quarter to nine; I
18 don't know how many people are listening. But
19 the most recent example was there was a casino
20 amendment to the constitution that the way it
21 was written when it was brought to the voters
22 didn't really look anything like what it was
23 when we voted for it here.

24 I personally believe if the exact
25 language of what we had passed here had been on

1 the ballot, we would have seen a different
2 result on the casino vote. I think it's
3 critical to have not only truth in advertising
4 but factual statements to the public when we're
5 asking them their position on a referendum or at
6 the ballot box.

7 I very much hope this becomes law.
8 I vote yes.

9 ACTING PRESIDENT GRIFFO: Senator
10 Krueger to be recorded in the affirmative.

11 Senator DeFrancisco to explain his
12 vote.

13 SENATOR DeFRANCISCO: Senator
14 Krueger should know I was listening, anyway, and
15 I agree with her a hundred percent.

16 (Laughter.)

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: On page 14,
24 Senator Savino moves to discharge, from the
25 Committee on Rules, Assembly Bill Number 8251B

1 and substitute it for the identical Senate Bill
2 Number 6964C, Third Reading Calendar 547.

3 ACTING PRESIDENT GRIFFO: The
4 substitution is so ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number
7 547, by Member of the Assembly Cymbrowitz,
8 Assembly Print 8251B, an act to authorize.

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, 57. Nays,
17 2. Senators Bonacic and Krueger recorded in the
18 negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: On page 15,
22 Senator Hannon moves to discharge, from the
23 Committee on Rules, Assembly Bill Number 9299D
24 and substitute it for the identical Senate Bill
25 Number 7027C, Third Reading Calendar 565.

1 ACTING PRESIDENT GRIFFO: The
2 substitution is so ordered.

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 565, by Member of the Assembly Rosenthal,
6 Assembly Print 9299D, an act to amend the Public
7 Health Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 2. 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, 59.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 665, by Senator DeFrancisco, Senate Print 3852B,
20 an act to amend the Civil Practice Law and
21 Rules.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: Senator
5 Krueger to explain her vote.

6 SENATOR KRUEGER: Thank you,
7 Mr. President.

8 Well, sometimes a sponsor is right
9 and sometimes they're wrong. This is one of the
10 cases where he's wrong.

11 And in fact, if this were to become
12 law, it could translate into tobacco companies
13 getting away with not meeting their legal
14 obligations when they lose court cases, because
15 they've been killing people for decades and
16 lying about it. I don't want to reward them in
17 any way, shape or form. I'm voting no and
18 hoping this does not become law.

19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Senator
21 Krueger to be recorded in the negative.

22 Senator DeFrancisco to explain his
23 vote.

24 SENATOR DeFRANCISCO: Yes, I was
25 listening to that too. And I just want to

1 respond.

2 This isn't for the protection of
3 the companies who sell cigarettes, it's for the
4 protection of people who have gotten judgments
5 against companies, including some of our
6 counties in the state who have actually got
7 settlements that have to be paid.

8 If the bond is too high and they
9 can't pay the bond, the company goes under and
10 those settlements aren't satisfied. So -- but
11 had she known that, I'm sure she would have
12 changed her vote.

13 ACTING PRESIDENT GRIFFO: Senator
14 DeFrancisco to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 665, those recorded in the negative are
18 Senators Avella, Gianaris, Hassell-Thompson,
19 Hoylman, Kennedy, Krueger, O'Brien, Rivera,
20 Squadron and Stavisky. Also Senator Serrano.

21 Ayes, 48. Nays, 11.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: On page 26,
25 Senator Seward moves to discharge, from the

1 Committee on Insurance, Assembly Bill Number
2 9154A and substitute it for the identical Senate
3 Bill Number 6507A, Third Reading Calendar 1102.

4 ACTING PRESIDENT GRIFFO: The
5 substitution is so ordered.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1102, by Member of the Assembly Cymbrowitz,
9 Assembly Print 9154A, an act to amend the
10 Insurance Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1172, by Senator Hannon, Senate Print 7521, an
22 act to amend the Real Property Tax Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. 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, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1459, by Senator LaValle, Senate Print 7850A, an
10 act to amend the Real Property Tax Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect January 1, 2015.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 58. Nays,
19 1. Senator Bonacic recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1565, by Member of the Assembly Silver, Assembly
24 Print 9462, an act to amend the Tax Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: In relation to
8 Calendar 1565, those recorded in the negative
9 are Senators Ball, Golden and Lanza.

10 Ayes, 56. Nays, 3.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1580, by Senator Flanagan, Senate Print 7866, an
15 act to amend the Education 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, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1583, by Senator Flanagan, Senate Print 7871, an
3 act relating to regional tuition.

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, 59.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 Senator Libous, that completes the
15 supplemental active list reading,
16 noncontroversial.

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

19 I have a Supplemental Active List
20 Number 2 dated Friday, June 20th. Could we do
21 the noncontroversial reading.

22 ACTING PRESIDENT GRIFFO: We will
23 have the second supplemental active list to be
24 read by the Secretary.

25 The Secretary will read.

1 THE SECRETARY: Senator
2 Stewart-Cousins moves to discharge, from the
3 Committee on Rules, Assembly Bill Number 9028C
4 and substitute it for the identical Senate Bill
5 Number 6738B, Third Reading Calendar 698.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 698, by Member of the Assembly Abinanti,
11 Assembly Print 9028C, an act to amend
12 Chapter 566 of the Laws of 1967.

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, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1160, by Senator Avella, Senate Print 726A, an
25 act to amend the Real Property Tax Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 23. This
4 act shall take effect on the first of January.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Krueger to explain her vote.

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

12 Well, I agree with many of my
13 colleagues that the City of New York desperately
14 needs to modernize and make more equitable its
15 property tax system. In fact, we have
16 innumerable times in this house urged them to
17 complete their studies and submit to us a
18 proposal on how to improve their own property
19 tax system so that it's both fairer to all and
20 also ensures enough revenue for the City of
21 New York. And so I appreciate the sponsor's
22 desire to do part of the job, perhaps out of
23 frustration.

24 And so this bill would, if held
25 up -- and it's not clear it could meet

1 constitutional muster. But this bill would
2 reduce some people's property taxes, co-op and
3 condo owners. It would actually probably reduce
4 my taxes; I'm a co-op owner. Nonetheless, the
5 way it's set up, somebody else would just be
6 taking those taxes for us co-op and condo
7 owners, and I find that very unfair to the
8 people of New York who rent their apartments or
9 who live in other kinds of housing.

10 So I will be voting no with respect
11 for the fact that I will continue to call on the
12 City of New York to develop a package to change
13 their property tax structure to ensure that it
14 is fair and equitable for all.

15 I vote no, Mr. President. Thank
16 you.

17 ACTING PRESIDENT GRIFFO: Senator
18 Krueger to be recorded in the negative.

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar 1160, those recorded in the negative
22 are Senators Ball, Hassell-Thompson, Hoylman,
23 Kennedy, Krueger, Little, Maziarz, Nozzolio,
24 Rivera, Serrano, Squadron and Young.

25 Ayes, 47. Nays, 12.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Senator
4 Stewart-Cousins moves to discharge, from the
5 Committee on Rules, Assembly Bill Number 10078A
6 and substitute it for the identical Senate Bill
7 Number 7842, Third Reading Calendar 1627.

8 ACTING PRESIDENT GRIFFO: There is
9 a home-rule message at the desk.

10 The substitution is so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1627, by the Assembly Committee on Rules,
14 Assembly Print 10078A, an act in relation.

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 THE SECRETARY: Ayes, 58. Nays,
23 1. Senator Ball recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 Senator Libous, that completes the
2 noncontroversial reading of Supplemental Active
3 List 2.

4 SENATOR LIBOUS: Thank you,
5 Mr. President.

6 I believe there's a report of the
7 Rules Committee at the desk. Could we have it
8 read at this time.

9 ACTING PRESIDENT GRIFFO: There is
10 a report of the Rules Committee at the desk.

11 The Secretary will read.

12 ACTING PRESIDENT GRIFFO: Senator
13 Skelos, from the Committee on Rules, reports the
14 following bills:

15 Senate Print 338, by Senator
16 DeFrancisco, an act to amend the Insurance Law;

17 Senate 2136, by Senator Lanza, an
18 act to amend the Vehicle and Traffic Law;

19 Senate 4142, by Senator Lanza, an
20 act to amend the Public Officers Law;

21 Senate 5048, by Senator Serrano, an
22 act to amend Chapter 115 of the Laws of 1894;

23 Senate 5809, by Senator Nozzolio,
24 an act to amend the County Law;

25 Senate 5990A, by Senator Seward, an

1 act to amend the County Law;

2 Senate 6675C, by Senator Martins,

3 an act to amend the Executive Law;

4 Senate 6683, by Senator Breslin, an

5 act to amend Chapter 454 of the Laws of 2010;

6 Senate 7400B, by Senator Carlucci,

7 an act to amend the Public Health Law;

8 Senate 7634B, by Senator Martins,

9 an act to amend the Workers' Compensation Law;

10 Senate 7698, by Senator Montgomery,

11 an act authorizing;

12 Senate 7747B, by Senator Little, an

13 act to amend the Public Health Law;

14 Senate 7823, by Senator Maziarz, an

15 act to amend the Workers' Compensation Law;

16 Senate 7833, by Senator Klein, an

17 act to amend the Tax Law;

18 Senate 7851B, by Senator O'Mara, an

19 act to amend the Environmental Conservation Law;

20 Senate 5056, by Senator Carlucci,

21 an act to amend the Education Law;

22 Senate 6898, by Senator Avella, an

23 act to amend the Alcoholic Beverage Control Law;

24 Senate 7295A, by Senator Breslin,

25 an act to amend the Vehicle and Traffic Law;

1 Senate 7483, by Senator Ball, an
2 act to amend the Executive Law;

3 Senate 7500A, by Senator Hannon, an
4 act to amend the Public Health Law;

5 And Senate 7259A, by Senator
6 Gipson, an act creating.

7 All bills reported direct to third
8 reading.

9 ACTING PRESIDENT GRIFFO: Senator
10 Libous, I'll entertain a motion.

11 SENATOR LIBOUS: I move to accept
12 the report of the Rules Committee.

13 ACTING PRESIDENT GRIFFO: All in
14 favor of accepting the Committee on Rules report
15 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT GRIFFO: Opposed?

18 (No response.)

19 ACTING PRESIDENT GRIFFO: The
20 Committee on Rules report is accepted and before
21 the house.

22 Senator Libous.

23 SENATOR LIBOUS: We now have
24 Supplemental Calendar 54B. Could we have the
25 noncontroversial reading.

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read Senate Supplemental Calendar
3 54B, noncontroversial.

4 THE SECRETARY: Calendar Number
5 1689, by Senator DeFrancisco, Senate Print 338,
6 an act to amend the Insurance Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 57. Nays,
15 2. Senators Breslin and Seward recorded in the
16 negative. Also Senator Hannon.

17 Ayes, 56. Nays, 3.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1690, by Senator Lanza, Senate Print 2136, an
22 act to amend the Vehicle and Traffic Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Senator Lanza
9 moves to discharge, from the Committee on Rules,
10 Assembly Bill Number 2448 and substitute it for
11 the identical Senate Bill Number 4142, Third
12 Reading Calendar 1691.

13 ACTING PRESIDENT GRIFFO: The
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1691, by Member of the Assembly Rozic, Assembly
18 Print 2448, an act to amend the Public Officers
19 Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 57. Nays,
3 2. Senators Ball and Zeldin recorded in the
4 negative.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Senator Serrano
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 2046 and substitute it for
10 the identical Senate Bill Number 5048, Third
11 Reading Calendar 1692.

12 ACTING PRESIDENT GRIFFO: There is
13 a home-rule message at the desk.

14 The substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1692, by Member of the Assembly Kavanagh,
18 Assembly Print 2046, an act to amend Chapter 115
19 of the Laws of 1894.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 7. This
23 act shall take effect on the 60th day.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator
3 Serrano to explain his vote.

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

6 Very quickly, I just want to thank
7 all of my colleagues for supporting this
8 legislation. For all of us who care about
9 animals in the City of New York, this is a major
10 victory. It will modernize the dog licensing
11 process and it will allow the city to generate
12 more revenue, if needed, to help care for
13 animals.

14 I want to thank my colleague in the
15 Assembly, Assemblymember Brian Kavanagh, for his
16 leadership on this issue.

17 Thank you.

18 ACTING PRESIDENT GRIFFO: Senator
19 Serrano to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 57. Nays,
22 2. Senators Ball and Zeldin recorded in the
23 negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Senator Nozzolio
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 8035 and substitute it for
4 the identical Senate Bill Number 5809, Third
5 Reading Calendar 1693.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1693, by Member of the Assembly Morelle,
11 Assembly Print 8035, an act to amend the
12 County Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 1693, those recorded in the negative
24 are Senators Ball, Carlucci, Gipson, Golden,
25 Griffo, Kennedy, LaValle, Marchione, O'Brien,

1 O'Mara, Tkaczyk and Zeldin.

2 Ayes, 47. Nays, 12.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Senator Seward
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 8303A and substitute it for
8 the identical Senate Bill Number 5990A, Third
9 Reading Calendar 1694.

10 ACTING PRESIDENT GRIFFO: The
11 substitution is ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1694, by Member of the Assembly Crouch, Assembly
15 Print 8303A, an act to amend the County 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 ACTING PRESIDENT GRIFFO: Can I
24 ask for a little order in the house, please.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar 1694, those recorded in the negative
3 are Senators Ball, Carlucci, Gipson, Golden,
4 Griffo, Kennedy, O'Brien, O'Mara, Tkaczyk and
5 Zeldin. Also Senator Marchione.

6 Ayes, 48. Nays, 11.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Senator Martins
10 moves to discharge, from the Committee on Rules,
11 Assembly Bill Number 1869D and substitute it for
12 the identical Senate Bill Number 6675C, Third
13 Reading Calendar 1695.

14 ACTING PRESIDENT GRIFFO: The
15 substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1695, by Member of the Assembly Schimel,
19 Assembly Print Number 1869D, an act to amend the
20 Executive Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect on the first of January.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 55. Nays,
4 4. Senators Ball, Krueger, Little and Marchione
5 recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Senator Breslin
9 moves to discharge, from the Committee on
10 Transportation, Assembly Bill Number 8877 and
11 substitute it for the identical Senate Bill
12 Number 6683, Third Reading Calendar 1696.

13 ACTING PRESIDENT GRIFFO: There is
14 a home-rule message at the desk.

15 The substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1696, by Member of the Assembly Fahy, Assembly
19 Print 8877, an act to amend Chapter 454 of the
20 Laws of 2010.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays,

4 1. Senator Ball recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Senator Carlucci
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 9766A and substitute it for
10 the identical Senate Bill Number 7400B, Third
11 Reading Calendar 1697.

12 ACTING PRESIDENT GRIFFO: The
13 substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1697, by Member of the Assembly Gunther,
17 Assembly Print 9766A, an act to amend the
18 Public Health Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Senator Martins
5 moves to discharge, from the Committee on Rules,
6 Assembly Bill Number 9721B and substitute it for
7 the identical Senate Bill Number 7634B, Third
8 Reading Calendar 1698.

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

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1698, by Member of the Assembly Bronson,
14 Assembly Print 9721B, an act to amend the
15 Workers' Compensation Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Senator Montgomery
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 9874 and substitute it for
4 the identical Senate Bill Number 7698,
5 Third Reading Calendar 1699.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1699, by Member of the Assembly Mosley,
11 Assembly Print 9874, an act authorizing.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 58. Nays,
20 1. Senator Ball recorded in the negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1700, by Senator Little, Senate Print 7747B, an
25 act to amend the Public Health Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect 180 days after it shall
5 become a law.

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 55. Nays,
10 4. Senators Golden, LaValle, Marcellino and
11 Martins recorded in the negative.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1701, by Senator Maziarz, Senate Print 7823, an
16 act to amend the Workers' Compensation 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, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Senator Klein
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 10075 and substitute it for
5 the identical Senate Bill Number 7833, Third
6 Reading Calendar 1702.

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

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1702, by the Assembly Committee on Rules,
12 Assembly Print 10075, an act to amend the
13 Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Senator
22 Krueger to explain her vote.

23 SENATOR KRUEGER: Thank you,
24 Mr. President. I rise to vote no.

25 The memo says that we'll expand

1 free play, which is free gambling, to increase
2 revenue. Well, actually it will just increase
3 gambling. So apparently people can't get hooked
4 on it easily enough, we need to give them free
5 play so we can addict them more quickly and more
6 effectively.

7 And thank goodness this bill will
8 also expand facilities to be able to be open, I
9 believe, 20 or 22 hours a day, just in case you
10 couldn't get enough of that gambling in in the
11 current number of hours.

12 I vote no, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Krueger to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 1702, those recorded in the negative
18 are Senators Ball, Kennedy, Krueger and LaValle.

19 Ayes, 55. Nays, 4.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Senator O'Mara
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 9619B and substitute it for
25 the identical Senate Bill Number 7851B, Third

1 Reading Calendar 1703.

2 ACTING PRESIDENT GRIFFO: The
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1703, by Member of the Assembly Lifton,
7 Assembly Print 9619B, an act to amend the
8 Environmental Conservation Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect after one year.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1703, those recorded in the negative
20 are Senators DeFrancisco --

21 SENATOR LIBOUS: Mr. President, I
22 can't hear the desk. There seems to be a lot of
23 chatter in the back of the chamber.

24 ACTING PRESIDENT GRIFFO: We have
25 a number of people in the chamber right now.

1 I'd ask everybody, if you're going to have
2 conversations, to please take it outside the
3 chamber as we're in here continuing to finalize
4 the business before the desk. If we could have
5 some quiet, I'd appreciate it.

6 The Secretary will announce the
7 results.

8 THE SECRETARY: In relation to
9 Calendar 1703, those recorded in the negative
10 are Senators DeFrancisco, Flanagan, Griffo,
11 Libous, Maziarz, Nozzolio, Ranzenhofer, Ritchie,
12 Robach and Seward.

13 Ayes, 49. Nays, 10.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1704, by Senator Carlucci, Senate Print 5056, an
18 act to amend the Education Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Okay,
2 results.

3 THE SECRETARY: In relation to
4 Calendar 1704, those recorded in the negative
5 are Senators Ball, Farley, Flanagan, LaValle,
6 Little, Marcellino, Martins, Nozzolio,
7 Ranzenhofer, Robach, Seward, Young and Zeldin.
8 Ayes, 46. Nays -- also Senator Hannon.

9 In relation to Calendar 1704, those
10 recorded in the negative are Senators Ball,
11 Farley, Flanagan, Golden, Hannon, LaValle,
12 Libous, Little, Marcellino, Martins, Montgomery,
13 Nozzolio, Ranzenhofer, Robach, Seward, Young and
14 Zeldin.

15 Ayes, 42. Nays, 17.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1705, by Senator Avella, Senate Print 6898, 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 immediately.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays,

4 1. Senator Ball recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Ayes, 57. Nays,

8 2. Senators Ball and Robach recorded in the
9 negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 is still passed.

12 (Laughter.)

13 THE SECRETARY: Senator Breslin
14 moves to discharge, from the Committee on Rules,
15 Assembly Bill Number 9583A and substitute it for
16 the identical Senate Bill Number 7295A, Third
17 Reading Calendar 1706.

18 ACTING PRESIDENT GRIFFO: There is
19 a home-rule message at the desk.

20 The substitution is so ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1706, by Member of the Assembly Fahy,
24 Assembly Print 9583A, an act to amend the
25 Vehicle and Traffic Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 15. This
4 act shall take effect on the 30th day.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: In relation to
9 Calendar 1706, those recorded in the negative
10 are Senators Ball, Griffo, Marchione, O'Mara and
11 Zeldin.

12 Ayes, 54. Nays, 5.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Senator Ball moves
16 to discharge, from the Committee on Veterans,
17 Homeland Security and Military Affairs,
18 Assembly Bill Number 8489A and substitute it for
19 the identical Senate Bill Number 7483,
20 Third Reading Calendar 1707.

21 ACTING PRESIDENT GRIFFO: Can I
22 get some order in the chamber, please.

23 The substitution is so ordered.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 1707, by Member of the Assembly Buchwald,
2 Assembly Print 8489A, an act to amend the
3 Executive 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, 59.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Senator Hannon
15 moves to discharge, from the Committee on Rules,
16 Assembly Bill Number --

17 SENATOR LIBOUS: Lay it aside for
18 the day.

19 ACTING PRESIDENT GRIFFO: The bill
20 is laid aside for the day.

21 The Secretary will continue.

22 THE SECRETARY: Senator Gipson
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 9847A and substitute it for
25 the identical Senate Bill Number 7259A,

1 Third Reading Calendar 1709.

2 ACTING PRESIDENT GRIFFO: The
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1709, by Member of the Assembly Cahill, Assembly
7 Print 9847A, an act creating.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 2. 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. Nays,
16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 Senator Skelos, that completes the
20 Senate Supplemental Calendar 54B
21 noncontroversial reading.

22 SENATOR LIBOUS: Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator
24 Libous.

25 Again, may I have some order in the

1 chamber.

2 SENATOR LIBOUS: Mr. President,
3 there are three Assembly bills at the desk. I
4 move to reconsider the substitutions and have
5 the Senate bills restored to the Third Reading
6 Calendar.

7 ACTING PRESIDENT GRIFFO: The
8 Secretary will read.

9 THE SECRETARY: Assembly Bill
10 Number 5625A, Assembly 9576, and Assembly 9720.

11 ACTING PRESIDENT GRIFFO: The
12 request is so ordered.

13 SENATOR LIBOUS: Mr. President, I
14 now move to recommit the calendar.

15 ACTING PRESIDENT GRIFFO: So
16 ordered.

17 (Pause.)

18 ACTING PRESIDENT GRIFFO: Thank
19 you very much, everyone, for your silence.

20 (Laughter.)

21 ACTING PRESIDENT GRIFFO: I now
22 would like to recognize Senator Stewart-Cousins.

23 SENATOR STEWART-COUSINS: I was
24 enjoying the silence here for a minute.

25 I want to thank you, Mr. President.

1 And I know the hour is late, so I won't spend a
2 lot of time. But I do want to thank
3 Senator Skelos during this session, and
4 Senator Klein as well. And of course I want to
5 thank Governor Cuomo for his vision and
6 leadership in helping to move our state forward.

7 And I want to thank our partners in
8 the other legislative house, especially
9 Speaker Silver, who's been a true friend and a
10 real progressive leader here.

11 I also want to thank the staff on
12 both sides of the aisle, because you work so
13 very hard. And you'll hear this over and over
14 again: You make us all look good. And the work
15 that you've put in over the past two years has
16 really been invaluable. I really, really thank
17 you. I thanked all of the staff before so that
18 I wouldn't name names and get in trouble. But I
19 really appreciate, we all do, what you've done.

20 As we wrap up the two-year term, I
21 think of what we've experienced. I think about
22 how this began for me -- historic -- when my
23 great colleagues entrusted me with the
24 leadership of the Democratic Conference. And
25 not only did you do that, but in so doing we

1 made history when I became the first female
2 legislative leader in this state. And I want to
3 thank you for that.

4 There was another piece of history
5 that happened that day as well, and that history
6 for us was kind of unfortunate. It was the
7 first time in this chamber that two groups came
8 together to disenfranchise the majority of
9 elected Democrats, to seize our power and to
10 thwart the will of the electorate.

11 While we were not given our
12 rightful place in the majority, we understood
13 that what we came here to do was to serve the
14 people and provide leadership. And although
15 what happened was extremely disappointing, we
16 rolled up our sleeves, we held our heads high,
17 and we got to work. And we used the power of
18 our votes and the power of our voices to help
19 pass some wonderful pieces of legislation.

20 Right out of the gate, we stood
21 with our Governor to enact the SAFE Act. We
22 provided a crucial number of votes for this
23 important legislation. We passed our third and
24 fourth consecutive on-time budgets. We passed
25 legislation that grew our economy, created jobs.

1 We passed legislation that increased funding to
2 our schools, funding statewide universal pre-K.
3 We created tools to combat the heroin scourge
4 facing our state.

5 We provided some tax relief --
6 although I'm sure we would all agree it's not
7 enough -- to thousands of New Yorkers. We
8 revised our Common Core. We revised teacher
9 evaluations. And we helped change the
10 conversation away from a certain veto of medical
11 marijuana legislation to a compromise, allowing
12 us to provide much-needed pain relief to those
13 who are most in need.

14 These some of the bipartisan
15 victories that all of us accomplished together
16 and we can all celebrate today. But we have to
17 talk about the failures that were a result of
18 the unfortunate agreement I mentioned earlier.

19 We failed to help over a million
20 hardworking New Yorkers rise out of
21 bone-crushing poverty by not raising the minimum
22 wage enough and not giving our local governments
23 the option to raise it on their own. We failed
24 to stand up for women's health and equality by
25 not passing the entire Women's Equality Act. We

1 filed to provide some real mandate relief to our
2 local governments. We failed to provide even
3 stronger ethics and strong campaign finance,
4 including public campaign financing. And we
5 failed to provide equal access to educational
6 opportunities to all children by not passing the
7 DREAM Act.

8 And while of course these failures
9 are disappointing, it doesn't mean we stopped
10 fighting. Because sometimes we learn our
11 greatest lessons when we fail. So you can be
12 assured that we will keep fighting.

13 But tonight, as we wish each other
14 a fun, happy summer and rest of the year and we
15 go into the political season, I really want to
16 thank you for all that we've been able to
17 accomplish here. I want to wish everyone on
18 both sides of the aisle good luck, Godspeed.

19 And even though sometimes we
20 disagree on the issues or their outcome, I am
21 assured and I know that we all agree that our
22 most important job is respecting the people of
23 New York. And I think that's, when we're at our
24 best, what we do best.

25 So thank you very much, and enjoy

1 the summer.

2 (Applause.)

3 ACTING PRESIDENT GRIFFO: Senator
4 Klein.

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

7 First, I want to thank my fellow
8 leaders, Senator Skelos, Senator Cousins, for
9 their spirit of cooperation, and of course
10 Governor Cuomo, as we worked together over the
11 past six months to deliver for working families
12 across the State of New York.

13 It was two years ago that myself
14 and Senator Skelos, in a bipartisan fashion,
15 formed the first-ever coalition government in
16 the more-than-125-year history of the State
17 Senate. We left partisan bickering aside. We
18 chose to govern, when the dust settled on that
19 election, and I think we were validated to see
20 that we were able to come together and, for the
21 first time in a long time in the New York State
22 Senate, finally get things done.

23 I think we can only look and see
24 what's not going on in Washington, where they
25 can't seem to figure out -- to understand, that

1 is, when the election is over, our constituents
2 expect us to govern.

3 I'm very proud that the Independent
4 Democratic Conference earlier this year unveiled
5 a plan called Affordable New York. It was a
6 common-sense approach based on a simple premise,
7 that New York is becoming unaffordable for most.
8 We rolled up our sleeves, we got the majority of
9 our agenda passed, and I think in the process we
10 did make New York more affordable.

11 We kept our promise to 4-year-olds
12 around the State of New York by finally fully
13 funding the first ever universal pre-K plan in
14 the State of New York's history.

15 For the first time we recognized
16 the burden on working families and restored
17 child care subsidies so working families can now
18 go out and work and also be able to afford
19 affordable child care.

20 We recognized that our senior
21 citizens are being priced out of this state each
22 and every day, and enhanced the EPIC program so
23 senior citizens can save on prescription
24 destruction.

25 We also recognized that senior

1 citizens, especially in the City of New York,
2 are suffering from spiraling rents, and we
3 increased the SCRIE program to make sure more
4 and more senior citizens can afford the rent
5 they pay each and every day.

6 We recognized a simple truth, that
7 the American dream of homeownership has to be
8 kept alive not only for this generation, but
9 future generations, and again helped homeowners
10 who are facing foreclosure stay in their homes.

11 For the first time we recognized
12 that we had to do something about the problem
13 and the tragedies that occur each and every day
14 on the streets of the City of New York and do
15 something about reducing traffic fatalities.
16 First we authorized 140 more speed cameras
17 around schools in the City of New York. We
18 allowed the City of New York to lower the speed
19 limit to 25 miles an hour, thus saving lives in
20 the future on the streets of New York City.

21 One of the things that I do want to
22 say a very special thank you to are the many
23 people who help us each and every day in the
24 Independent Democratic Conference. But most of
25 all, I want too thank my colleagues. I'm very

1 lucky that the Independent Democratic Conference
2 is made up of hardworking members who recognize
3 they're sent here to our State Capitol to
4 espouse the hopes and aspirations not only of
5 the residents of the State of New York, but of
6 their districts.

7 Senator Savino, who led the fight
8 for medical marijuana in the State of New York.
9 Senator Carlucci, who each and every day fights
10 for the disabled and led a major role in
11 stopping heroin abuse and addiction. Senator
12 Valesky, who each and every day wakes up with a
13 very simple truth, how can we make sure that
14 senior citizens in our state can live out their
15 golden years in comfort and dignity. And of
16 course Senator Avella, who's a hardworking
17 community activist, even though he's a great
18 State Senator, who each and every day figures
19 out a way how he can make the quality of life of
20 the people he represents better.

21 I also want to say a very thank you
22 to the staff, both sides of the aisle: Beth
23 Garvey, Robert Mujica, who do such a great job
24 and are great public servants, but of course the
25 members of the IDC team.

1 First and foremost, our chief of
2 staff, John Emrick, who works his heart out each
3 and every day to make sure not only the members
4 of the IDC are well taken care of, but really
5 our entire legislative body here in the State
6 Senate. Our policy director, Dana Carotenuto.
7 Francesc Marti, our budget director. Shelley
8 Andrews, our counsel. And our press team, led
9 by Candice Giove. I want to thank them, and I
10 think they deserve a tremendous hand, everybody.

11 (Applause.)

12 SENATOR KLEIN: I'm very pleased
13 to be able to say that for the past four years
14 the Independent Democratic Conference has been a
15 strong, stabilizing, sensible force for
16 governing in this state, and we will continue
17 our laser-beam focus on getting things done for
18 the people of the great State of New York.

19 I want to really thank each and
20 every one here. I think we had a very
21 successful two years. But I think everyone
22 knows we need to do more. So I think the work
23 goes on for solid schools, safer neighborhoods,
24 stronger communities, and a sustainable and
25 growing path to prosperity for our working

1 families. I think we cannot only ensure a
2 strong economy for tomorrow, we can also
3 strengthen New Yorkers today.

4 Thank you all, and I wish everyone
5 a happy and healthy and of course a great
6 summer.

7 (Applause.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Skelos.

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

12 Before I make my comments, two
13 members on our side of the aisle will not be
14 with us next year.

15 Congressman-soon-to-be Lee Zeldin,
16 we thank you for your contributions to this
17 chamber, and we wish you the best of luck.

18 (Applause.)

19 SENATOR SKELOS: Greg Ball.

20 (Laughter.)

21 SENATOR SKELOS: You certainly
22 have made things interesting in this chamber.

23 But your dedication and your focus
24 on helping the veterans and fighting for them
25 every day and achieving legislation that has not

1 been accomplished for years, we thank you for
2 that. And we wish you the best of luck in your
3 future. Thank you, Greg.

4 (Applause.)

5 SENATOR SKELOS: We've reached the
6 conclusion of another legislative session, and
7 the 2014 session builds on our accomplishment of
8 the last four years. We're very proud of what
9 we've achieved on behalf of hardworking
10 taxpayers and their families. I appreciate the
11 input of each and every member of the Senate in
12 helping us get there.

13 I want to especially thank our
14 governing partner Senator Jeff Klein and members
15 of the Independent Democrat Conference. Working
16 together, we've shown that bipartisanship can
17 work. You can show that the public is
18 disenfranchised when government doesn't work and
19 when there's gridlock and chaos. And working
20 together, we've managed to stop that in this
21 chamber. So we thank you for that.

22 (Applause.)

23 SENATOR SKELOS: I want to thank
24 Senators Gianaris, Valesky, and certainly my
25 buddy here, Tom Libous, for making the floor

1 operate so efficiently and in a very respectful
2 way. We thank all of you.

3 And in particular, I want to thank
4 you, Tom, for the great job that you have done
5 despite the many personal challenges that you
6 have had. We thank you.

7 (Standing ovation.)

8 SENATOR SKELOS: As I said, I
9 still believe that government works best when
10 Democrats and Republicans work together. It's
11 what the people of this state want, and we'll
12 continue to work towards that goal every chance
13 we get.

14 Over the last four years, we've cut
15 taxes 49 times, saving hardworking taxpayers
16 more than \$5.5 billion. We've capped spending,
17 eliminated a \$10 billion deficit, and New York
18 now has its highest bond rating in 50 years.
19 Thanks to our leadership, thousands of
20 businesses and schools no longer pay the
21 job-killing MTA payroll tax that was passed when
22 Republicans were in the minority. We're also
23 starting to eliminate the Gap Elimination
24 Adjustment which was imposed upon our school
25 districts when, again, we were in the minority

1 and you were in the majority.

2 We've passed the toughest property
3 tax cap in the nation and extended real relief
4 to the middle class. We have restored balance
5 and fairness to the school aid formula. And
6 we've passed four consecutive on-time budgets
7 and made government function once again.

8 Bipartisan accomplishments have
9 included establishing a universal pre-K program
10 in the state without raising taxes, and raising
11 the minimum wage while helping businesses create
12 new jobs. And this house came together, led by
13 Senator Boyle and members of the Joint Task
14 Force on Heroin and Opiate Addiction, to take
15 swift action to address the growing heroin
16 epidemic.

17 As we move forward, let's keep
18 reducing taxes, regulations, and lay out the
19 welcome mat for new and expanding businesses.
20 Let's help students afford college and be able
21 to stay in New York State, with our seniors, by
22 making it more affordable. Let's provide bright
23 new opportunities for individuals looking for a
24 job and those inspired to find a better one.

25 We're fighting to make sure our

1 children have a future in New York, and it's a
2 fight we must wage every single day.

3 Someone want us to return to the
4 way things were before, when they won and
5 New Yorkers lost. We're not going to go back to
6 the days of chaos and dysfunction. There's
7 simply too much at stake.

8 A couple of issues that Senator
9 Stewart-Cousins touched on, and I'd like to just
10 mention one, the women's equality bill. For two
11 years our Women's Equality Agenda has been held
12 hostage because of your insistence on a
13 provision that would allow non-doctors to
14 perform an abortion right up until the moment of
15 a baby's birth. This extreme measure would put
16 the health and safety of women in jeopardy, and
17 that's not something that members on both sides
18 of the aisle are willing to do.

19 We've acted in this house to
20 approve a comprehensive women's agenda. It
21 would ensure equal pay for equal work, help the
22 victims of domestic violence, and stamp out
23 human trafficking to protect innocent women,
24 along with other equally important measures.

25 Why didn't the members of the

1 Senate Democrat Conference stand up like
2 Assemblywoman Paulin and call upon the Assembly
3 to take up these bills separately? It's very
4 easy to vote on the bills as they were presented
5 individually in this chamber and claim credit,
6 but what would have been more productive is if
7 you stood with Assemblywoman Paulin and others,
8 insisting that the Speaker pass these bills
9 individually, rather than looking for a
10 political opportunity. The women of this state
11 waited long enough for these important bills to
12 become law, and the Senate Democrats haven't
13 lifted a finger to make it happen.

14 So as we move through the summer
15 and we enact the Compassionate Campaign Act --
16 because I know we will all be very kind to each
17 other --

18 (Laughter.)

19 SENATOR SKELOS: -- there will be
20 many issues that will be discussed. And
21 certainly I hope that we enjoy the beginning of
22 summer and that we have the opportunity to
23 discuss all of these issues with our
24 constituents.

25 To all of our members, I say thank

1 you. To the staff on both sides of the aisle, I
2 say thank you. You all are the best.

3 To Kelly Cummings, my
4 communications director, wherever you are, thank
5 you for making me look good. Thanks, Kelly.

6 To Beth, your first full year as
7 counsel. You've done an outstanding job, and
8 certainly --

9 (Applause.)

10 SENATOR SKELOS: -- and treated
11 each member and each staff person with the
12 respect they deserve.

13 I know our Bill Drafting
14 Commission -- I don't know if there are any
15 here; they're probably still preparing bills.
16 But they work throughout the night. We thank
17 them very much.

18 And to Robert Mujica, I would be
19 lost as co-leader in the Senate. Every single
20 one of us, whether Republican, Democrat,
21 independent Democrat conference members, would
22 be -- the Governor would also be lost without
23 Robert Mujica, because so many times Robert has
24 to show him the way.

25 And Governor, if you're listening,

1 don't take it personally.

2 (Laughter.)

3 SENATOR SKELOS: But Robert is
4 just a great person. And Robert, we thank you
5 for all that you have done. Thank you, Robert.

6 (Applause.)

7 SENATOR SKELOS: So let's all
8 enjoy the summer. Let's take a few days rest
9 and then go out and chat with our constituents
10 as we are supposed to do every two years.

11 Thank you for allowing me to lead
12 you with Jeff. This has been a wonderful,
13 wonderful experience for me, I believe for all
14 of us. And the New York State Senate has made
15 history in this state by showing -- in this
16 nation by showing that Republicans and Democrats
17 can work together to get positive results.

18 Thank you, and God bless.

19 (Extended applause.)

20 SENATOR LIBOUS: Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Libous.

23 SENATOR LIBOUS: Is there any
24 further business at the desk?

25 ACTING PRESIDENT GRIFFO: There is

1 no further business before the desk.

2 SENATOR LIBOUS: Mr. President and
3 my colleagues, there being no further business,
4 I move that the Senate adjourn to the call of
5 the Temporary Presidents, intervening days being
6 legislative days.

7 ACTING PRESIDENT GRIFFO: On
8 motion, the Senate stands adjourned sine die, at
9 the call of the Temporary Presidents,
10 intervening days being legislative days.

11 The Senate is adjourned.

12 (Whereupon, at 9:38 p.m., the
13 Senate adjourned.)

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