NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 20, 2014

10:28 a.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

Father Young.

REVEREND YOUNG: Thank you, Senator.

Let us pray.

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

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

This invocation calls us to be true

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

Amen.

ACTING PRESIDENT GRIFFO: Thank you, Father.

The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

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

The Secretary will read.

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

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

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

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

On page 22, Senator Dilan moves to

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

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

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

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

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

On page 30, Senator Maziarz moves

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

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

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

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

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

On page 31, Senator Skelos moves to

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

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

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

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

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

And on page 33, Senator Savino

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

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

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

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

THE SECRETARY: Calendar Number 192, substituted earlier by Member of the Assembly Cook, Assembly Print 7461A, an act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

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

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

families as part of this initiative.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 977, by Senator Maziarz, Senate Print 7312B, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53. Nays, 2. Senators Hoylman and Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to explain his vote.

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

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

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

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

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

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

I vote no.

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

Announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you, Mr. President.

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

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

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

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

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

(Laughter.)

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

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

I'll vote yes, Mr. President.

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

Announce the results.

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

LaValle, Ranzenhofer and Zeldin.

Ayes, 52. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

The Secretary will announce the results.

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

Ayes, 52. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

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

Ayes, 53. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Gipson to explain his vote.

SENATOR GIPSON: Thank you, Mr. President.

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

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

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

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

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

Senator Martins to explain his vote.

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

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

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

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

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

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

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

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

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

I'll vote yes. Thank you.

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

Announce the results.

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

Ayes, 37. Nays, 21.

ACTING PRESIDENT GRIFFO: Senator Ball to explain his vote.

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

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

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

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

create jobs and allow people to enjoy the American dream.

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

SENATOR GIANARIS: Mr. President, point of order.

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

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

SENATOR BALL: -- so people know --

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

Why do you rise, Senator Gianaris?

SENATOR GIANARIS: Point of order.

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

ACTING PRESIDENT GRIFFO:

Senator -- Senator Gianaris. Senator Gianaris.

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

Thank you.

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

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

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

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

SENATOR BALL: Yes.

ACTING PRESIDENT GRIFFO: Senator Ball votes in the affirmative.

Senator O'Brien to explain your vote.

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

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

Legislature, or should it be local officials?

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

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

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

I vote no.

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

Announce the results.

THE SECRETARY: Ayes, 37. Nays, 21.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1561, by Senator Marchione, Senate Print 6679A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1562, by Senator Marchione, Senate Print 6680A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1568, by Senator Lanza, Senate Print 7554A, an act to amend the Public Housing Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Stavisky to explain her vote.

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

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

the evictions.

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

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

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

amend Chapter 746 of the Laws of 1988.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1569, those recorded in the negative are Senators Ball, DeFrancisco, Felder, Ranzenhofer and Zeldin.

Ayes, 53. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1573, substituted earlier by the Assembly Committee on Rules, Assembly Print 10128, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

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

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

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

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

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

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

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

Announce the results.

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

Ayes, 47. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

Calendar 1574.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bonacic to explain his vote.

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

Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

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

Family Court judge outside New York City, 2005.

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

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

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

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

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

Thank you, Mr. President. I vote aye.

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

Senator Little to explain her vote.

SENATOR LITTLE: Thank you, Mr. President.

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

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

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

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

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

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

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

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

Thank you very much. I vote aye.

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

Senator Farley to explain his vote.

SENATOR FARLEY: Thank you, Mr. President.

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator

Farley to be recorded in the affirmative.

Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

Senator Hassell-Thompson to explain

her vote.

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

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

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

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

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

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

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

Is there any other Senator wishing to explain their vote?

The Secretary will announce the results.

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR LIBOUS: Lay it aside temporarily.

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

The Secretary will continue with Calendar Number 1589.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1591, by Senator Young, Senate Print 7898, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1606, by Senator Addabbo, Senate Print 5944B, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR DeFRANCISCO: Lay the bill aside.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

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

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

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

I vote no, Mr. President.

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

Senator LaValle to explain his vote.

SENATOR LaVALLE: I'll follow Senator Grisanti.

ACTING PRESIDENT GRIFFO: Senator

Gianaris to explain his vote.

SENATOR GIANARIS: No.

ACTING PRESIDENT GRIFFO: No?

Senator O'Brien to explain his vote.

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

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

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

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

Mr. President, I vote aye.

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

Senator Kennedy to explain his vote.

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

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

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

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

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

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

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

Senator Latimer to explain his vote.

SENATOR LATIMER: Thank you, Mr. President.

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

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

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

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

Thank you, Mr. President.

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

Senator Grisanti to explain his vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

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

Senator LaValle to explain his vote.

SENATOR LaVALLE: Thank you, Mr. President.

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

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

get a bill that works.

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

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

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

I vote aye.

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

Senator Marcellino to explain his vote.

SENATOR MARCELLINO: Thank you,

Mr. President.

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

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

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

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

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

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

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

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

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

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

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

Announce the results.

THE SECRETARY: Ayes, 58. Nays. 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

Could I have some order in the house.

SENATOR LIBOUS: Mr. President,

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

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

(Pause.)

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

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

The Secretary will read.

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

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

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

SENATOR LIBOUS: Move to accept the message.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

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

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

manufacturer of medical marijuana.

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes. First

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

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

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

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

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

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

Would you yield, Senator Savino?

SENATOR SAVINO: Certainly, Senator DeFrancisco.

ACTING PRESIDENT GRIFFO: Senator Savino yields, Senator DeFrancisco.

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

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

Are you familiar with that provision?

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

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

(Laughter.)

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

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

SENATOR DeFRANCISCO: Okay. And --

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

SENATOR DeFRANCISCO: Yes, please.

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

SENATOR SAVINO: Yes, Mr. President.

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

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

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

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

SENATOR DeFRANCISCO: Would the Senator continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

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

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

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

dosing. It will also be on their packaging.

SENATOR DeFRANCISCO: Would you continue to yield?

ACTING PRESIDENT GRIFFO: Senator Savino yields.

SENATOR SAVINO: Yes.

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

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

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

SENATOR DeFRANCISCO: Would you continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator

Savino yields.

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

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

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

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

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

However, there is expected to be

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

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

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

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

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

license application process.

SENATOR DeFRANCISCO: Okay. Thank you.

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

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

SENATOR DeFRANCISCO: And that's one price?

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

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

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

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

SENATOR DeFRANCISCO: Will the Senator continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

SENATOR DeFRANCISCO: Will you continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

SENATOR SAVINO: Through you,

Mr. President, no.

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

ACTING PRESIDENT GRIFFO: Senator Savino yields.

SENATOR SAVINO: Yes.

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

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

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

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

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

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

SENATOR DeFRANCISCO: Would Senator Savino continue to yield.

SENATOR SAVINO: Yes, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

SENATOR SAVINO: No. No insurance

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

SENATOR DeFRANCISCO: All right.

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

SENATOR SAVINO: Correct.

SENATOR DeFRANCISCO: All right. What about other felonies?

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

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

SENATOR DeFRANCISCO: Would Senator Savino continue to yield.

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator

Savino yields.

SENATOR SAVINO: Yes.

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

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

SENATOR DeFRANCISCO: Okay. All right.

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

(Laughter.)

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

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

SENATOR DeFRANCISCO: And would she continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

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

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

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

SENATOR DeFRANCISCO: Would the Senator continue to yield?

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

SENATOR SAVINO: Excuse me one moment, Senator DeFrancisco.

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

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

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

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

SENATOR SAVINO: One moment, please.

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

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

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

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

SENATOR SAVINO: You may have a different print.

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

and then it goes into 5.

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

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

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

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

SENATOR DeFRANCISCO: All right. And --

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

SENATOR DeFRANCISCO: Please, yes.

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

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

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

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

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

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

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

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

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

SENATOR SAVINO: Thank you.

SENATOR DeFRANCISCO: On the bill.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco on the bill.

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

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

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

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

My concern is the medical evidence

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

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

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

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

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

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

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

And this is the wrong message, in

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

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

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

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

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

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

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

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

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

the State of New York.

Thank you, Mr. President.

Thank you, Senator Savino, for your answers.

ACTING PRESIDENT GRIFFO: Senator Hannon.

SENATOR HANNON: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

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

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

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

"Under this paragraph or its

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

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

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

I too was visited by parents with

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT GRIFFO: Senator O'Brien.

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

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

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

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

SENATOR SAVINO: Yes.

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

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

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

ACTING PRESIDENT GRIFFO: Senator Savino yields.

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

SENATOR O'BRIEN: Thank you.

SENATOR SAVINO: Thank you.

SENATOR O'BRIEN: On the bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Larkin on the bill?

SENATOR LARKIN: Yes.

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

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

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

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

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

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

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

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

(Laughter.)

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

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

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

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

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

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

Thank you.

(Extended applause.)

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

Senator Libous.

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

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

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

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

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

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

session, I have to have chemotherapy every 21 days.

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

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

I heard the word "cure" used. This

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator

Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

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

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

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

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

and behaviors caused by the underlying disease. So yes, we must continue to search for cures.

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

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

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

There is research showing that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

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

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

ACTING PRESIDENT GRIFFO: Senator Savino, will you yield?

SENATOR SAVINO: Yes, Mr. President.

ACTING PRESIDENT GRIFFO: The

Senator yields.

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

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

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

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

SENATOR SAVINO: Yes.

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

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

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

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

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

tax paid.

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

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

SENATOR SAVINO: Yes.

SENATOR BONACIC: Okay, thank you, Senator Savino.

SENATOR SAVINO: Thank you.

SENATOR BONACIC: On the bill.

ACTING PRESIDENT GRIFFO: Senator Bonacic on the bill.

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

I had -- it's amazing what this

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

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

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

And I want to make another point.

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

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

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

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

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

I vote yes.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator LaValle.

SENATOR LaVALLE: Thank you, Mr. President.

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

SENATOR LaVALLE: On the bill.

ACTING PRESIDENT GRIFFO: Senator LaValle on the bill.

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

And so part of our mission, and you

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

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

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

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

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

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

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

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

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

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

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

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

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

So in some ways we're giving people

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

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

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

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

ACTING PRESIDENT GRIFFO: Will the

sponsor yield?

SENATOR SAVINO: Yes, Mr. President.

ACTING PRESIDENT GRIFFO: The sponsor yields, Senator Smith.

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

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

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

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

Senator Smith, you may continue.

His mike is on now.

SENATOR SMITH: Thank you, Mr. President.

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

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

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

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

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR SAVINO: Yes.

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

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

would require an act of the Legislature.

SENATOR SMITH: Thank you.

If the sponsor would continue to yield.

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SAVINO: Yes.

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

SENATOR SAVINO: Yes.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

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

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

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SMITH: I appreciate the

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

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

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

SENATOR SMITH: Okay.

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

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

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

SENATOR SAVINO: Yes.

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

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

As you stated, under the proposed

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

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

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

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

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

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

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

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

SENATOR SMITH: Okay.

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

more questions.

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

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

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

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

SENATOR SAVINO: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

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

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

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

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

Thank you, Senator Savino.

ACTING PRESIDENT GRIFFO: Senator Smith on the bill.

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

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

And it's very difficult in terms of

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Tkaczyk.

SENATOR TKACZYK: Thank you,

Mr. President.

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT GRIFFO: Senator Squadron.

SENATOR SQUADRON: Thank you, Mr. President.

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

SENATOR SQUADRON: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator

Squadron on the bill.

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

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

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

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

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

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

Depressants -- Valium and Xanax and

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

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

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

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

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

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

issues.

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Boyle.

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

ACTING PRESIDENT GRIFFO: Senator Boyle on the bill.

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

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

piece of legislation, the Compassionate Care Act.

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator

Martins on the bill?

SENATOR MARTINS: On the bill.

ACTING PRESIDENT GRIFFO: Senator Martins on the bill.

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

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

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

thoughtful.

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

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

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

those who should not have it.

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Grisanti.

SENATOR GRISANTI: On the bill.

ACTING PRESIDENT GRIFFO: Senator Grisanti.

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

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

SENATOR GRISANTI: On the bill.

ACTING PRESIDENT GRIFFO: Senator Grisanti on the bill.

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

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

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

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

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

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

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

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

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

That's what's important to remember

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer.

SENATOR RANZENHOFER: Thank you,

Mr. President.

ACTING PRESIDENT GRIFFO: Are you on the bill?

SENATOR RANZENHOFER: Yes, on the bill.

ACTING PRESIDENT GRIFFO: Senator Ranzenhofer on the bill.

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

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

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

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

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

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

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

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

about the list of illnesses that are in there.

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Stewart-Cousins.

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

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

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

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

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

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

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

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

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

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

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

(Laughter.)

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

And what we're talking being are

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

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

Thank you.

(Applause from gallery.)

ACTING PRESIDENT GRIFFO: Senator Skelos.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. President, I'll be voting aye.

ACTING PRESIDENT GRIFFO: Senator Klein.

(Applause from the gallery.)

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

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

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

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

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

And then she went to work to

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

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

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

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

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

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

(Applause from the gallery.)

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

SENATOR SAVINO: Thank you, Mr. President.

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

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

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

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

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

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

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

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

that.

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

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

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

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

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

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

We will not be able to provide a cure for people with these conditions. I'm very aware of that. What we can provide, though, is treatment options and relief for patients. And

the ability of patients and their doctors to make those decisions for themselves. That's what today is about.

I want to thank a few people, though, before I sit. I know we have been at this a long time, and I really want to thank each and every one of you. I know that I can be somewhat persuasive, I think Senator Klein pointed out.

(Laughter.)

SENATOR SAVINO: I've seen some of you run away from me. But when I caught you, you still were respectful and you listened.

More importantly, I listened. When I picked up this bill from Senator Tom Duane, it was a very, very different piece of legislation. And it's been a very different piece of legislation since I reintroduced it at the beginning of this year. And a lot of those changes came about because I had the opportunity to talk to each and every one of you, even those of you who are still voting no on the bill. I sought your input, I listened to your concerns, and I tried to find a way to address them in the legislation. I believe that is what we are

supposed to do with huge pieces of public policy like this.

So even if you don't vote for it today, you still had input on this bill. You can still proudly say that you helped this bill become the strongest, most regulated medical marijuana statute in the country, and you can partially take credit for the relief that's going to be extended to patients even if you vote no. Because I listened to you.

And I was able to work with Assemblyman Gottfried, who, by the way, is an amazing individual. I had the pleasure of working on this bill with Dick Gottfried, who's been carrying it for 18 years. We would never have gotten where we were if not for his diligence.

I would not be where we are tonight or this afternoon if someone else in this chamber didn't have the guts to be the deciding vote to move the bill out of the Health Committee, and that is Senator Bill Larkin.

(Sustained applause.)

SENATOR SAVINO: Senator Klein, I'm sure everyone here can imagine how grateful

I am to you for your leadership. In more ways than one.

Senator Skelos, thank you for putting up with our demand that this come to the floor. And I'm so happy that you're voting for it now, because I know I was a pest.

Senator Stewart-Cousins, for showing leadership in your conference. We would not be passing this bill if they hadn't already been signed onto the bill from the very beginning.

There are a few other people I just have to mention that have been involved in this process, starting first and foremost with my staff. Barbara O'Neill is behind me. But Bryan Clenahan, my counsel, has really done the most amazing job on this bill.

(Applause.)

SENATOR SAVINO: All of our staff -- John Emrick, the chief of staff to the IDC, had to put up with me every day, and I think he's probably going to qualify under the posttraumatic stress portion of the bill at some point in the future.

(Laughter.)

SENATOR SAVINO: Lisa Reid and Pat McCarthy, Vince Marrone, Jess Schafroth, Artie Malkin, Gabriel Sayegh, Julie Netherland, Liz Hamlen --

(Applause.)

SENATOR SAVINO: -- they helped us every day work this bill through both houses. And as a result of their tireless efforts, we are here at this moment where we are finally going to make New York State the next state to have medical marijuana available to the patients.

And finally, to the patients, to the families, to the mothers, to everyone, thank you. We would not be here if not for you and your willingness to travel -- and this was not easy for you to be here on a weekly basis to meet with members, to just continue to press the case for your family members. You are the reason we're here today. You are what this bill is all about. Thank you.

(Extended applause.)

ACTING PRESIDENT GRIFFO: The debate is closed.

The Secretary will ring the bell.

I would ask members to please take their seats. On their explanation of votes today, we will comply with the rules. We've had an extensive discussion of the issue.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: The Secretary will call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Mr. President.

We call it compassionate care, but we have left a legion of folk out from the compassion. As a veteran, I cannot stand idle and allow vets not to be mentioned here. We also have PSTD -- PTD -- I'm so mad that I can't even get it right.

However, we're not mentioned in here. We have been left out of this. There are so many ways that this can be undone. It can be undone by the Police Department, the Health

Department. It starts in 2015.

However, a lot of good people fought hard and long on this issue. Senator Savino, of course, quickly comes up, along with all of these other people that have been mentioned.

This is a very timid beginning, but perhaps it is a beginning. And in order to stop the pain that's going on out here, I vote yes on this issue.

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

Senator Gallivan to explain his vote.

SENATOR GALLIVAN: Thank you, Mr. President.

This debate not just today but over the last six months has been very extensive and, as we heard from many people, often very emotional. Which sometimes makes a reasoned decision even more difficult.

But after hearing from constituents time and time again, extensive discussion with medical experts, and not just my own but my staff's extensive review of available research,

I now believe that limited use of marijuana for seriously ill patients under a doctor's care is justified and warranted.

As a former state trooper and sheriff of Erie County, I have concerns and have had concerns about the production and distribution of the product and the potential for abuse. I believe, though, the proposed legislation provides adequate safeguards and feel the potential benefits outweigh the negatives.

I am further comforted in knowing that the program can be suspended in the event it does not perform as intended, and that the Legislature will have the opportunity to revisit this as appropriate.

Throughout this process, I felt it important that my ultimate vote be based on the latest medical and scientific research and that any approved program be strictly regulated and administered. While some disagree, I believe we've reached this threshold and achieved the proper balance.

I've always felt that those in public service are there to help others,

especially those seriously in need. Today we get that opportunity.

I vote aye.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to support this legislation that has been decades in the making.

I want to thank the bill's sponsor for her leadership, my colleagues on both sides of the aisle in making today a reality, and especially those folks that have joined us, the advocates -- the mothers, the fathers, the friends, the relatives, the neighbors, the community activists that have banded together and have spread the word on why it makes sense for New York State to join the ranks of over 20 states in the nation in giving further medical options to those individuals that need it the most.

You know, I look up and I see these beautiful young children that are going to

benefit and, you know, their families, and I see the tears. And I'm so proud that those tears, that I'm sure over the years have been tears of agony, are now tears of joy as New York State takes a positive step forward in the right direction in helping your families, your children, maybe yourselves.

I know that we pass hundreds of pieces of legislation throughout the year every single year, and rarely, if ever, does a bill that we pass have the impact on someone's health that this will have on so many thousands of individuals that are suffering from debilitating diseases. So I'm proud to join in support of this legislation, and thank you for making today a reality.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number --

ACTING PRESIDENT GRIFFO: Senator Marchione to explain her vote.

SENATOR MARCHIONE: Thank you. I actually waited to be last to explain my vote, because I wanted to listen to everyone in this conference.

I usually walk in into a room and I've done my homework, I've combed the bills, and my colleagues realize that. Thank you so much, Dean, for allowing today to happen today, because I wanted to do that. I did that. It was very, very late when I got home.

I combed your bill, Senator Savino, the first time, your Compassionate Care Bill, and I found lots of things in it that I felt weren't right. And I had such concern. I have to tell you, like many of my colleagues here today, I have such concerns that we cannot end up like a California.

You know, I heard mentioned today that someone got relief in California, and that's wonderful. I also have a picture on my cellphone that my niece sent me two weeks ago when she was in California with a person in a wheelchair with a sign that said "Money for weed."

We can't become California. We

must protect our young people from having this become another epidemic like heroin is. We worked on that yesterday. We passed 11 bills because it is such a concern.

This bill itself I have concerns about. So many of the concerns were listed today. I have a concern that the Department of Health Commissioner has a right to add different debilitating diseases or diseases that are not debilitating, just serious, to this list without us having oversight over that. I have concern about that.

I have a concern that it's cash and not health insurance so that everyone who is in need who may not have the funds could partake in it.

I have many concerns. And I know, Diane, you probably thought as you walked around and you talked to people, why bother. I'm the conservative Senator who is just going to absolutely vote no on this legislation.

ACTING PRESIDENT GRIFFO: Senator Marchione, could you wrap --

SENATOR MARCHIONE: I will wrap up, thank you.

But I'm not. I'm going to vote yes. And I have agonized over this as I sat here. I have a yes speech, and I have a no speech.

(Laughter.)

SENATOR MARCHIONE: And this has been one of the most difficult votes for me in my pragmatic way, because it's not pragmatic. It's about caring for people as well.

So I'm going to leave my pragmatic way and I'm going to trust that this legislation is going to be legislation that is going to protect people, going to help people, and not let us become a California.

Thank you for the extra time.

(Applause from the gallery.)

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

Senator Latimer to explain his vote.

SENATOR LATIMER: Mr. President, we're all casting today a vote of hope.

There is a story in the Scriptures that many of us believe to be the words of Jesus Christ, when he said: "When I was hungry,

you gave me food. When I was in need of clothing, you clothed me, unto the kingdom of heaven."

And the individual said, "Lord, when did I see you hungry? When did I see you naked? When did I see you in prison?"

He said, "When you did this for the least of my brothers, you did it unto me."

Our vote today is a vote of hope because whatever we feel, we see people in need. We see people hungry for something that might make their life better. And that vote of hope is something that as conservative or as liberal or as moderate as we may be, we share in that hope. And we hope that the story to be told about what we've done today will allow us, 10 years, 20 years from now, to say that we collectively did do the right thing.

Senator Marchione, we did the right thing today.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 1659, those recorded in the negative are Senators Ball, DeFrancisco, Griffo, Hannon, LaValle, Libous, Nozzolio, Ritchie, Seward and Zeldin.

Ayes, 49. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

(Cheers, sustained applause.)

ACTING PRESIDENT GRIFFO: Senator Libous, that completes the controversial reading of the calendar.

Senator Gianaris, why do you stand?

SENATOR GIANARIS: Mr. President, can you please call on Senator Serrano for an announcement.

ACTING PRESIDENT GRIFFO: Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

There will be an immediate meeting of the Senate Democratic Conference in Room 315.

ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Democratic Conference in Room 315, immediate meeting of the Democratic Conference.

Senator Libous.

SENATOR LIBOUS: There will be a Rules Committee meeting at 2:45 in Room 332.

ACTING PRESIDENT GRIFFO: There will be a Rules Committee meeting in Room 332 at 2:45.

The Senate will stand temporarily at ease.

(Whereupon, the Senate stood at ease at 2:22 p.m.)

(Whereupon, the Senate reconvened at 3:25 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

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

ACTING PRESIDENT GRIFFO: There is a report of the Rules Committee at the desk.

The Secretary will read.

THE SECRETARY: Senator Skelos, from the Committee on Rules, reports the following bills:

Senate Print 592, by Senator Gianaris, an act to amend the Real Property Tax Law;

Senate 4926C, by Senator Hannon, an act to amend Section 38 of Part A of the Chapter 60 of the Laws of 2014;

Senate 5227B, by Senator Robach, an act in relation to the transportation;

Senate 5705B, by Senator Lanza, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law;

Senate 5942A, by Senator Kennedy, an act to amend the Social Services Law;

Senate 6389A, by Senator Stewart-Cousins, an act to amend the Vehicle and Traffic Law;

Senate 6553A, by Senator Kennedy, an act to amend the Social Services Law;

Senate 6804, by Senator Lanza, an act to amend the Criminal Procedure Law;

Senate 6890, by Senator Ranzenhofer, an act to amend the Public Authorities Law;

Senate 6892, by Senator Ranzenhofer, an act to amend the Public

Authorities Law;

Senate 7185, by Senator Golden, an act to amend the Local Finance Law;

Senate 7236A, by Senator Hassell-Thompson, an act to amend the Vehicle and Traffic Law;

Senate 7387A, by Senator Golden, an act to amend the Public Health Law;

Senate 7431A, by Senator Grisanti, an act to amend the Mental Hygiene Law;

Senate 7640, by Senator Savino, an act to amend the Real Property Tax Law;

Senate 7702, by the Committee on Rules, an act to amend Chapter 20 of the Laws of 2009;

Senate 7704, by the Committee on Rules, an act to amend Chapter 22 of the Laws of 2009;

Senate 7732, by Senator Felder, an act to amend the Public Authorities Law;

Senate 7746, by Senator Little, an act to amend the Tax Law;

Senate 7800, by the Committee on Rules, an act to amend the Public Health Law;

Senate 7810, by Senator Golden, an

act to amend the Civil Service Law;

Senate 7815, by Senator Flanagan, an act to amend Chapter 675 of the Laws of 1984;

Senate 7832, by Senator Hannon, an act in relation to directing;

Senate 7853, by the Committee on Rules, an act to amend the Nassau County Administrative Code;

Senate 7880, by the Committee on Rules, an act to amend a chapter of the Laws of 2014;

And Senate 7916, by Senator Lanza, an act to amend the Environmental Conservation Law.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I move to accept the report of the Rules Committee.

ACTING PRESIDENT GRIFFO: All in favor of accepting the Rules Committee report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Committee on Rules report is accepted and before the house.

SENATOR LIBOUS: Mr. President, could we go to motions, please.

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

SENATOR LIBOUS: I'd like to adopt today's Resolution Calendar, with the exception of Resolutions 6123 and 6072.

ACTING PRESIDENT GRIFFO: All in favor of adopting the Resolution Calendar, with the exceptions that have been indicated, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time Senator Hannon has a resolution at the

desk. It's Number 6123. I believe he would like the title read, and then if you could call on Senator Hannon. And I think several other of my colleagues may also want to speak on this.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6123, by Senator Hannon, calling on the federal government to reevaluate guidelines and allocate additional funding related to Lyme and tick-borne diseases.

ACTING PRESIDENT GRIFFO: Senator Hannon.

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

Earlier this week the Task Force on Lyme Disease and Tick-Borne Diseases made its report and recommendations. Yesterday we passed a statute in regard to part of the state's enforcement mechanism on physicians. And today what we'd like to do is call on the federal government to deal with this disease in a far more comprehensive and in-depth way than they've done before.

The resolution talks about it's

only recently that Lyme became a reportable disease, in '86. More recently -- namely, last year -- the CDC said there's about 300,000 Americans diagnosed with Lyme each year, most of which are in the Northeast. And we recognize this as an epidemic.

And so we call upon the federal government -- the CDC, National Institute of Health, anyone else doing research, such as the Department of Defense -- to focus on this disease, expand its research, and look at the treatment guidelines from the CDC, which have caused a great amount of concern.

So for that reason, there are some other extraordinarily well-versed members of the task force, I'd ask that you call upon them to comment on this resolution.

ACTING PRESIDENT GRIFFO: Senator LaValle.

SENATOR LaVALLE: Thank you, Mr. President.

I just want to thank again Senator Hannon for his leadership on this task force.

And the members that were on that

task force worked very, very hard. We really worked very well together. And we've provided for people of this state a blueprint in moving forward for an action plan, an action plan both at a state level and a federal level. This resolution outlines the federal plan and what we're asking the feds to do.

And I believe it's probably one of the most effective task forces that I have served on while being in the Legislature. We've provided legislation to deal with the problem which we discussed the other day, financial support and public relations support to make the case that Lyme disease and tick-borne diseases are very serious, people have died from these ailments, gone untreated.

And I vote aye.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

I too would like to speak on this resolution, having been part of the task force, and again thank Senator Hannon for his leadership on this.

Lyme disease was first discovered or named in 1986, and I think Connecticut became a place where it was pretty rampant. But it quickly crossed the borders and has entered New York State and is moving north, coming north into the Adirondacks.

The treatment protocols for Lyme disease vary, as they would vary, from doctor to doctor. And one of the things that came to our attention is that many people using -- the doctors that use the guidelines from the CDC were finding that many people needed to have more treatment than those guidelines allowed.

Therefore, what we are asking is for the CDC to look at the treatment protocols that they have been putting out as guidelines and to look at the best practices that have been instituted by doctors in New York State and throughout the country to see if we can come up with a better way of dealing with people who have Lyme disease.

I'm very fortunate in my district to have the Trudeau Institute, which has been world-renowned for studying vaccines, beginning certainly with TB, is how it began, and going on

to other diseases that they have developed vaccines for.

Dr. Tim Sellati, who is at the Trudeau Institute, spoke at a meeting we had in Glens Falls and also came down and spoke to our task force and really gave an interesting take on it. As they deal -- and they deal with mice. As they treat mice and try to figure out how each reacts, is that these mice, as people will do, react differently to the tick and the tick-borne disease. And there are other parts of -- you know, some get it mildly, some get it really difficult, and some really end up with what we call chronic Lyme disease.

So what we need is more money for research, more money to help us develop ways of preventing people from getting Lyme disease, more money so that we can treat the mice and the deer and the ticks that are around so that they are not poisoning people and causing this disease.

So we're asking the CDC and the NIH to help us in this effort and giving them the results of our task force and the things that we have come up with, and certainly hoping that

they will pay more attention to Lyme disease and to address the issue of how it is best treated in this country.

So I look forward to seeing a result, but I really appreciate the opportunity to serve on this task force and to be able to move it to the federal level so that we can help people who -- many of them who suffer from Lyme disease for a long period of time, and it takes lot of effort and time to be diagnosed.

So thank you very much. Thank you, Senator Hannon. Thank you to all my colleagues for joining us. Thank you.

ACTING PRESIDENT GRIFFO: Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

I also served as a member of the task force and would like to thank Senator Hannon for his leadership and all of his effort and work, and for everyone who served on the committee and for those who came and testified before us. I learned more about tick-borne diseases that I thought I would ever learn in my life, and I know I have much, much

more to learn.

But I do believe that this body moved forward, we listened, we understood, and we took action. And I certainly am thankful to be part of a task force that actually followed through and really made some good strides forward to help the people in New York State.

I represent Rensselaer, Saratoga and two other counties. But those two counties are some of the most hard-hit in tick-borne diseases in all of New York State. I hear horror stories all the time from people in my district about the financial and the psychological and the physical concerns and problems that they have just to go about their daily activities.

So I just want to again thank Senator Hannon, call on the federal government to join us, and hope that they can move forward and have as much action as we have had in the Senate.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, Resolution Number 6072, by Senator Smith, is at the desk. Could you have the title read, and I believe Senator Smith would like to make some comments.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 6072, by Senator Smith, commending Meredith L. Henderson upon the occasion of her designation for special recognition by the Alpha Kappa Alpha Sorority, Inc.

ACTING PRESIDENT GRIFFO: Senator Smith.

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

Colleagues, I rise this afternoon to pay tribute to a young lady who has spent

most of her life working on behalf of improving people's lives as well as working on behalf of the State of New York.

Meredith L. Henderson, who I have good fortune of her being my chief of staff, has achieved the distinction, much to the excitement of many people around the city and around the state. She is a young lady who, as many of you know, has always spent a lot of time helping people. She's held a number of positions in the Senate. She was in the budget office, she was director of the Black and Puerto Rican and Hispanic Legislative caucus. She served as the first African-American female deputy secretary to the Majority Leader, and she's now serving as chief of staff in my office in the Senate.

She's a graduate of Union College and Binghamton University as well.

She has recently been recognized and elected by her peers in the Alpha Kappa Alpha Sorority, one of the oldest -- or the oldest African-American female sorority in this country, started in 1908. It is now 106 years old. She has served there as part of the international nominating committee, she's been a

parliamentarian, she served as the scholarship chairman and most notably as a graduate advisor.

But what she has achieved, which many people are unfamiliar with but will now know as we pause for deliberation to acknowledge her accomplishments, in recent she has been elected as the North Atlantic regional director for the Alpha Kappa Alpha Sorority.

Now, some will say, Malcolm, what does that mean? Well, let me give you the significance of being elected to that position and what it means. She is now the North Atlantic regional director. That puts her, as a supervisory individual, over approximately nine states, from Maine to Maryland. She reigns over 11 regions in the Northeast corridor. She is also over 138 chapters, which has over 10,000 members. I actually believe that I now work for Meredith L. Henderson, as opposed to her working with me.

But this is a great day that we stand on this floor of the Senate to acknowledge her accomplishments, a young lady who is very soft-spoken but carries a very large intellectual stick. And I am proud to stand on

this floor and congratulate her, and I ask my colleagues to join me in congratulating her as well.

Mr. President, I would like to open this resolution for the entire Senate to cosponsor.

ACTING PRESIDENT GRIFFO: Senator Libous, the sponsor has requested that the resolution be opened for cosponsorship.

Before then, I'm going to recognize Senator Montgomery.

Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I rise to join my colleague and thank Senator Smith. It's very appropriate, obviously, that the Senator sponsor this resolution. But I must say this is my own soro. So he's jumped ahead of me, but that's quite all right. And I'm happy to join him, and definitely I want to be part of that resolution.

It is not very often that we have an opportunity to rise in this situation and be able to honor someone who represents the best of what I believe women represent, and especially

African-American women in this country. And that's what Meredith represents in and of herself, but also as a member of this sorority.

And I must say that while we are Alpha Kappa Alpha women, there are some Delta women and Omega women, and those are also part of this large community of sorority sisters who reflect what we believe are the best of our tradition and our communities and our people and women.

So thank you, Senator Smith. And I certainly join you in honoring this great accomplishment of Meredith today.

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: Thank you, Mr. President. On the resolution.

I want to add my voice to both Senator Smith and Senator Montgomery in honoring Meredith Henderson, who is not only a friend and a great professional who has worked very hard for this body, but someone who has gone above and beyond the work that she does in her job in terms of community service but also providing service to the community.

She's been involved in a lot of the life here in Albany, you know, from charter schools to working with young women to just making a better way of life for the people in the community which she lives in. And that has really been a reflection not just of her own values, but the work that she has done with her sorority.

Alpha Kappa Alpha, the first black female sorority in the nation, boasts some great members in it, including the late Dr. Maya Angelou, Toni Morrison, Gladys Knight, Coretta Scott King, Ella Fitzgerald, Jada Pinkett Smith, and Marion Anderson, the great singer, were all members of this sorority. And of course our own Senator Velmanette Montgomery.

And so in honoring Meredith Henderson, we really honor this long legacy of women, of this tradition of giving back to the community and putting service first. And so we'd like to thank her and all the women of Alpha Kappa Alpha for their contributions to the people of State of New York.

ACTING PRESIDENT GRIFFO: Thank you, Senator Parker.

Senator Stavisky.

SENATOR STAVISKY: Yes, thank you, Mr. President.

I too want to honor Meredith Henderson. In college I did belong to a sorority, but not that one.

(Laughter.)

SENATOR STAVISKY: But that doesn't stop me from talking about the good work that Meredith Henderson has done. I've known her for quite a few years. And I commend her on her distinction with Alpha Kappa Alpha.

Thank you.

ACTING PRESIDENT GRIFFO: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

We want to extend our congratulations to Meredith and thank her for the outstanding work she does.

And, Senator Libous, the sponsor

has asked for the resolution to be opened for cosponsorship.

SENATOR LIBOUS: Both the resolutions that were on the floor we'd like to open up for cosponsorship. And if for some reason somebody doesn't want to go on them, to let the desk know.

ACTING PRESIDENT GRIFFO: The resolutions are open for cosponsorship. Should you choose not to be a sponsor, please so notify the desk.

Thank you, Senator Libous.

SENATOR LIBOUS: Mr. President, if it's okay with you and the rest of my colleagues, I'd like to take up Supplemental Calendar 54A, the noncontroversial reading.

ACTING PRESIDENT GRIFFO: By all means.

The Secretary shall read.

THE SECRETARY: Senator Gianaris moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 2124 and substitute it for the identical Senate Bill Number 592, Third Reading Calendar 1663.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1663, by Member of the Assembly Simotas, Assembly Print 2124, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number 5476D and substitute it for the identical Senate Bill Number 4926C, Third Reading Calendar 1664.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1664, by Member of the Assembly Cymbrowitz, Assembly Print 5476D, an act to amend Section 38 of Part A of the Chapter 60 of the Laws of 2014.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1665, by Senator Robach, Senate Print 5227B, an act in relation to the transportation of students.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1666, by Senator Lanza, Senate Print 5705B, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bonacic to explain his vote.

SENATOR BONACIC: Yes. This bill was exactly the same two years ago when the Governor vetoed it. There's not one change here.

They're trying to revive, in New York City, OTB. And in my judgment it's been a failed system, the OTBs in the State of New York, for the most part. The City of New York is against this. Yonkers Racetrack is

against this.

And what this legislation is trying to do is take Catskill Regional OTB that's sitting on about $15 million that should have been reinvested in the 10 counties in Catskill OTB, and they want to jump and make a merger with New York City to revive a system that failed in New York City.

So let me just sum it up briefly. When New York City OTB closed in 2010, they owed Yonkers more than $21 million, which has never been paid. And also, when I talked about the failed system, Nassau OTB has an outstanding debt to Yonkers Raceway.

Again, I just don't think OTB -- it's outdated, they have not kept up with technology -- should be consolidated. This is a failed system, and I don't know why the Governor wouldn't veto it again, because nothing has changed.

I vote no. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1666, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Gianaris, Griffo, Hoylman, Krueger, Little, Marchione, Seward and Squadron. Also Senator Gipson. Also Senator Ranzenhofer.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Before we go to final roll, could you give us a second here?

ACTING PRESIDENT GRIFFO: Sure.

(Pause.)

ACTING PRESIDENT GRIFFO: The Secretary will continue the roll.

THE SECRETARY: In relation to Calendar 1666, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Gianaris, Gipson, Griffo, Hoylman, Krueger, Libous, Little, Marchione, Ranzenhofer --

(Pause.)

ACTING PRESIDENT GRIFFO: We're going to announce the results again, so pay attention.

(Laughter.)

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: In relation to Calendar 1666, those recorded in the negative are Senators Ball, Bonacic, DeFrancisco, Gianaris, Gipson, Griffo, Hoylman, Krueger, Little, Marchione, Ranzenhofer, Seward, Squadron and Tkaczyk. Also Senator Nozzolio.

Ayes, 44. Nays, 15.

ACTING PRESIDENT GRIFFO: The bill is passed.

On Calendar Number 1667, the Senate version is high. The Assembly version is aged, and the Secretary will read.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 1987A and substitute it for the identical Senate Bill Number 5942A, Third Reading Calendar 1667.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: Calendar Number 1667, by Member of the Assembly Titus, Assembly Print 1987A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Kennedy to explain his vote.

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

This piece of legislation is very serious in nature. It further helps us as we put forward the comprehensive legislation to transform our Child Protective Services system throughout New York State.

Across our country, as we've talked about so many times in this chamber, about 700,000 children have suffered from abuse and neglect. In New York State that number is at about 80,000 children.

When the hotline is called here in New York State, in the past there has been these reports taken individually and reported out to the various municipalities. This legislation

will take into account previous investigations and reports of abuse and neglect.

In Erie County we've seen some very high-profile deaths of children over the course of the last few years -- the deaths of Abdi Mohamud, Eain Brooks, Mayouna Smith, Gage Seneca, Jacob Noe. And young children across the state have died because of these unthinkable and horrific abuses.

And one of the most alarming findings in OCFS's recent review of Erie County's CPS department was that approximately 72 percent of the reports involve families with histories of previous Child Protective Service investigations within the past four years. Twenty-four percent had five or more previous reports.

So it's fitting that when the hotline is called, that the reports take into consideration those previous investigations and that is referred out to the municipalities.

I appreciate the leadership bringing this to the floor for a vote. With that, Mr. President, I vote aye.

ACTING PRESIDENT GRIFFO: Senator

Kennedy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 8250A and substitute it for the identical Senate Bill Number 6389A, Third Reading Calendar 1668.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

There is a home-rule message at the desk.

The Secretary will read.

THE SECRETARY: Calendar Number 1668, by Member of the Assembly Paulin, Assembly Print 8250A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 15. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1668, those recorded in the negative are Senators Ball, DeFrancisco, Griffo, Ranzenhofer and Zeldin. Also Senator Larkin.

Ayes, 53. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will continue on Calendar Number 1669.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Children and Families, Assembly Bill Number 8418A and substitute it for the identical Senate Bill Number 6553A, Third Reading Calendar 1669.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1669, by Member of the Assembly Mayer, Assembly Print 8418A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Codes, Assembly Bill Number 8749A and substitute it for the identical Senate Bill Number 6804, Third Reading Calendar 1670.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1670, by Member of the Assembly Paulin, Assembly Print 8749A, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1671, by Senator Ranzenhofer, Senate Print 6890, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1672, by Senator Ranzenhofer, Senate Print 6892, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Local Government, Assembly Bill Number 9463 and substitute it for the identical Senate Bill Number 7185, Third Reading Calendar 1673.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1673, by Member of the Assembly Farrell, Assembly Print 9463, an act to amend the Local Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Hassell-Thompson moves to discharge, from the Committee on Rules, Assembly Bill Number 8368B and substitute it for the identical Senate Bill Number 7236A, Third Reading Calendar 1674.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1674, by Member of the Assembly Pretlow, Assembly Print 8368B, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 15. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar Number 1674, those recorded in the negative are Senators Ball, DeFrancisco, Griffo and Zeldin. Also Senator Larkin. Also Senator Ranzenhofer.

Ayes, 53. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9021D and substitute it for the identical Senate Bill Number 7387A, Third Reading Calendar 1675.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1675, by Member of the Assembly Davila, Assembly Print 9021D, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1676, by Senator Grisanti, Senate Print 7431A, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Grisanti to explain his vote.

SENATOR GRIFFO: Yes, thank you, Mr. President. Believe it or not, I will be brief.

This legislation, this legislation establishes a plan to increase housing opportunities for people with developmental

disabilities. We know, we know that there's a severe housing shortage. You have individuals in their eighties that are taking care of children that are in their fifties with disabilities that they have no idea what's going to happen to them when they pass.

This is a start. The Assembly never picked it up. We're going to have to come back to it next year. But this is something that we've got to keep on the radar screen and get this accomplished once and for all. We have too many people that do not have housing in New York State. In my area, it's up to about 2100. Check it out in your district and let's get together and do something next year on it.

Thank you very much. I vote aye.

ACTING PRESIDENT GRIFFO: How do you vote, Senator Grisanti?

SENATOR GRISANTI: Aye.

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

It was so brief that I wanted to make sure I heard it.

(Laughter.)

ACTING PRESIDENT GRIFFO: The

Secretary will announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 9744 and substitute it for the identical Senate Bill Number 7640, Third Reading Calendar 1677.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1677, by Member of the Assembly Kavanagh, Assembly Print 9744, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect July 1, 2014.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Senator Skelos moves to discharge, from the Committee on Rules, Assembly Bill Number 9739 and substitute it for the identical Senate Bill Number 7702, Third Reading Calendar 1678.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1678, by Member of the Assembly Mayer, Assembly Print 9739, an act to amend Chapter 20 of the Laws of 2009.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1678, those recorded in the negative

are Senators Ball, DeFrancisco, Larkin, O'Mara and Zeldin.

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Skelos moves to discharge, from the Committee on Rules, Assembly Bill Number 9498 and substitute it for the identical Senate Bill Number 7704, Third Reading Calendar 1679.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1679, by Member of the Assembly Gantt, Assembly Print 9498, an act to amend Chapter 22 of the Laws of 2009.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1679, those recorded in the negative are Senators Ball, DeFrancisco, Larkin, O'Mara and Zeldin.

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Felder moves to discharge, from the Committee on Rules, Assembly Bill Number 9718 and substitute it for the identical Senate Bill Number 7732, Third Reading Calendar 1680.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1680, by Member of the Assembly Nolan, Assembly Print 9718, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Martins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Little moves to discharge, from the Committee on Rules, Assembly Bill Number 10049 and substitute it for the identical Senate Bill Number 7746, Third Reading Calendar 1681.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1681, by the Assembly Committee on Rules, Assembly Print 10049, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays,

2. Senators Ball and DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Skelos moves to discharge, from the Committee on Rules, Assembly Bill Number 9421A and substitute it for the identical Senate Bill Number 7800, Third Reading Calendar 1682.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1682, by Member of the Assembly Morelle, Assembly Print 9421A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1, 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9970 and substitute it for the identical Senate Bill Number 7810, Third Reading Calendar 1683.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1683, by the Assembly Committee on Rules, Assembly Print 9970, an act to amend the Civil Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Flanagan

moves to discharge, from the Committee on Rules, Assembly Bill Number 10019 and substitute it for the identical Senate Bill Number 7815, Third Reading Calendar 1684.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1684, by the Assembly Committee on Rules, Assembly Print 10019, an act to amend Chapter 675 of the Laws of 1984.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number 9492 and substitute it for the identical Senate Bill Number 7832,

Third Reading Calendar 1685.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1685, by Member of the Assembly Saladino, Assembly Print 9492, an act in relation to directing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

My colleagues, the County of Nassau spends about $80 million to $100 million a year in commercial tax certiorari repayments each and every year. This bill will provide relief not only this year, but next year and each year thereafter, to the tune of $80 to $100 million.

It's been requested by the county executive. It was approved unanimously by the Nassau County Legislature. It provides savings going forward for every Nassau County property taxpayer, residential taxpayer. It provides relief for our school districts. It will not impact them and, if anything, will provide them with additional funding each and every year. And it does not impact in any way the county's continued obligations with regard to the county guarantee with regard to tax certioraris for schools in Nassau County.

It's something the county executive wants. It's something each and every one of the county legislators has asked us to do. And I thank you for your support today.

Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 1. Senator Boyle recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Skelos

moves to discharge, from the Committee on Rules, Assembly Bill Number 10097 and substitute it for the identical Senate Bill Number 7853, Third Reading Calendar 1686.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1686, by the Assembly Committee on Rules, Assembly Print 10097, an act to amend the Nassau County Administrative Code.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 4. Senators Ball, Boyle, Gipson and Lanza recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1687, by the Senate Committee on Rules,

Senate Print 7880, an act to amend a chapter of the Laws of 2014.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 10153 and substitute it for the identical Senate Bill Number 7916, Third Reading Calendar 1688.

ACTING PRESIDENT GRIFFO: Senator Libous, the bill is high.

SENATOR LIBOUS: Mr. President, is there a message at the desk?

ACTING PRESIDENT GRIFFO: There is a message, but we'd like to substitute first, Senator Libous.

SENATOR LIBOUS: I'm always ahead of myself, Mr. President.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

Senator Libous.

SENATOR LIBOUS: Is there a message of necessity at the desk?

ACTING PRESIDENT GRIFFO: The message of necessity is at the desk.

SENATOR LIBOUS: I move that we accept the message of necessity.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The message of necessity from the Governor is accepted.

The Secretary will read.

THE SECRETARY: Calendar Number 1688, by the Assembly Committee on Rules, Assembly Print 10153, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2014.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1688, those recorded in the negative are Senators Ball, Griffo, Marchione, Perkins, Ranzenhofer, Seward and Zeldin. Also Senator Libous.

Ayes, 51. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the --

THE SECRETARY: Also Senator Farley.

ACTING PRESIDENT GRIFFO: We're going to reannounce the results on Calendar

Number 1688.

THE SECRETARY: In relation to Calendar 1688, those recorded in the negative are Senators Ball, Farley, Griffo, Libous, Marchione, Maziarz, Perkins, Ranzenhofer, Seward and Zeldin.

(Pause.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1688, those recorded in the negative are Senators Ball, Farley, Gallivan, Griffo, Larkin, Libous, Marchione, Maziarz, Nozzolio, Ranzenhofer, Seward and Zeldin.

Ayes, 47. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that now concludes the noncontroversial reading of Senate Supplemental Calendar 54A.

SENATOR LIBOUS: Mr. President, how long can you hold your breath for?

ACTING PRESIDENT GRIFFO: How long would you like me to?

(Laughter.)

SENATOR LIBOUS: If you could hold your breath for a minute, we'll be with you shortly and we'll make a couple of announcements.

(Pause.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: If you'll allow me to exhale.

SENATOR LIBOUS: Please exhale, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous, you may continue.

SENATOR LIBOUS: Thank you for holding your breath.

There will be a Finance Committee meeting at 4:30 in Room 332. That would be the Finance Committee. At the conclusion of the Finance Committee, we will then come back here to the floor and take up nominations that will be discussed in the Finance Committee.

And then in the meantime, we will be working on another Rules report and an active list. And the goal would be to move things right along as quickly as possible so that we could all adjourn and be on our way to our homes

and our districts and those people who hopefully still love us.

ACTING PRESIDENT GRIFFO: There will be a meeting of the Finance Committee at 4:30 in Room 332. That will be followed by activity to be determined and so designated.

(Laughter.)

ACTING PRESIDENT GRIFFO: Until such time, the Senate will stand at ease.

SENATOR LIBOUS: Mr. President, I'm supposed to get the laughs, not you.

(Whereupon, the Senate stood at ease at 4:16 p.m.)

(Whereupon, the Senate reconvened at 6:10 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Mr. President, there will be an immediate meeting of the Finance Committee in 332.

ACTING PRESIDENT GRIFFO: There is an immediate meeting of the Senate Finance Committee in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 6:10 p.m.)

(Whereupon, the Senate reconvened at 6:59 p.m.)

SENATOR LIBOUS: Mr. President, I believe there's some resolutions at the desk, if we could take them up in order.

ACTING PRESIDENT GRIFFO: The Senate will come to order.

The Secretary will read.

THE SECRETARY: Senate Resolution by Senators Skelos and Klein, establishing a plan setting forth an itemized list of grantees for certain appropriations in the 2014-2015 state fiscal year.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Senate Resolution by Senators Skelos and Klein, establishing a plan setting forth an itemized list of grantees for certain appropriations in the 2014-2015

state fiscal year.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Senate Resolution by Senators Skelos and Klein, establishing a plan setting forth an itemized list of grantees for certain appropriations for the 2014-2015 state fiscal year for grants in aid for drug, violence and crime control and prevention programs; for grants that prevent domestic violence or aid victims of domestic violence; grants for civil or criminal domestic violence legal services; grants for law enforcement, anti-drug, anti-violence, crime control and prevention programs, as required by a plan setting forth an itemized list of grantees with the amount to be received by each, or the methodology for allocating such appropriation. Such plan shall be subject to the approval of the Temporary President of the Senate and the Director of the Budget and thereafter shall be

included in a resolution calling for the expenditure of such monies, which resolution must be approved by a majority vote of all members elected to the Senate upon a roll call vote.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Senate Resolution, by Senators Skelos and Klein, amending Senate Resolution R2682 of 2013 establishing a plan setting forth an itemized list of grantees for the New York State Economic Development Assistance Program established pursuant to an appropriation in the 2008-2009 state fiscal year and in Part QQ of Chapter 57 of the Laws of 2008 relating to such itemized list of grantees.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The

resolution is adopted.

(Pause.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: I think there's a report of the Finance Committee at the desk. Could we have it read at this time. Maybe two reports, actually.

ACTING PRESIDENT GRIFFO: We will return to reports of standing committees.

And there are two reports of the Finance Committee at the desk. The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, offers the following nomination.

As chief enforcement counsel of the State Board of Elections: Risa S. Sugarman, of Pine Bush.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I'm happy to move this nomination. And due to the lateness of the hour and how long the nominee

has been sitting there waiting for this historic moment where we have an enforcement officer, the first one in the history of the State of New York, being added to the Board of Elections.

She was approved unanimously in the Finance Committee. She has an incredible, incredible record not only prosecuting homicide cases in the Bronx, but also supervising individuals who are prosecuting homicides, and many, many other government jobs where she had supervisory responsibility.

She was very clear, during my private discussion with her and during the hearing that -- and to many other Senators, that she doesn't view this job as a gotcha job where she's going to be looking for technical violations. Basically, the board is going to be looking to help people conform to the technical requirements of the law and obviously investigate serious allegations.

So that's exactly what we're looking for, a person who's going to act in a bipartisan way and go after serious violations, not technical ones.

So with that said, I move the

nomination.

ACTING PRESIDENT GRIFFO: The question on the nomination of Risa S. Sugarman, of Pine Bush, as chief enforcement counsel of the State Board of Elections. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: Risa S. Sugarman is hereby confirmed as chief enforcement counsel of the New York State Board of Elections.

Congratulations, Risa.

(Applause.)

ACTING PRESIDENT GRIFFO: The Secretary will continue.

THE SECRETARY: As trustees of the State University of New York Board of Trustees: Lawrence W. Waldman, of Roslyn Heights, and Eric Corngold, of Brooklyn.

SENATOR DeFRANCISCO: Move the nominations.

ACTING PRESIDENT GRIFFO: The question is on the nominations of Lawrence J.

Waldman --

Senator LaValle.

SENATOR LaVALLE: Yes, I'd like to speak on Larry Waldman as a member of the SUNY Board of Trustees.

Mr. Waldman is an accountant, is on numerous boards within the Long Island region, on the Long Island Association, and is an adjunct professor at Hofstra and on the Dean's Council at Hofstra. He's involved with the State University at Stony Brook and has a wonderful demeanor and can work -- has been on corporate boards, so that he knows how to play in the sandbox and be a good member of a board.

I support the nomination and move the nomination, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator LaValle.

The question is on the nominations of Lawrence J. Waldman, of Roslyn Heights, and Eric Corngold, of Brooklyn, as trustees of the State University of New York Board of Trustees. All in favor indicate by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: Lawrence J. Waldman and Eric Corngold have been confirmed as trustees of the State University of New York Board of Trustees.

Congratulations.

The Secretary will continue.

THE SECRETARY: As member of the Metropolitan Transportation Authority: Iris Weinshall, of Brooklyn.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT GRIFFO: The question is on the nomination of Iris Weinshall, of Brooklyn, as a member of the Metropolitan Transportation Authority. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: Iris Weinshall has been confirmed as member of the Metropolitan Transportation Authority.

The Secretary will continue.

THE SECRETARY: As member of the

State Fire Prevention and Building Code Council: Shawn Hamlin, of Albany.

SENATOR DeFRANCISCO: Move the nomination.

ACTING PRESIDENT GRIFFO: The question is on the nomination of Shawn Hamlin as a member of the State Fire Prevention and Building Code Council. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: Shawn Hamlin has been confirmed as a member of the State Fire Prevention and Building Code Council.

Senator Libous, we have completed the nominations.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: There will be a Rules Committee meeting at 8 o'clock. In the meantime, we'll stand at ease.

ACTING PRESIDENT GRIFFO: There will be a Rules Committee meeting in Room 332 at

8 p.m. Until such time, the Senate shall stand at ease.

SENATOR LIBOUS: Mr. President, would you call on Senator Gianaris.

ACTING PRESIDENT GRIFFO: Senator Gianaris.

SENATOR GIANARIS: Mr. President, there will be a conference for the Democratic Conference at 7:45.

ACTING PRESIDENT GRIFFO: There will be a Democratic Conference at 7:45 in Room 315. Is that correct?

SENATOR PARKER: Yes.

ACTING PRESIDENT GRIFFO: 7:45 p.m., Democratic conference, Room 315.

The Senate stands at ease.

(Whereupon, the Senate stood at ease at 7:11 p.m.)

(Whereupon, the Senate reconvened at 8:40 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Could we have the noncontroversial reading of the supplemental active list dated Friday, June 20th.

ACTING PRESIDENT GRIFFO: The Secretary will read the noncontroversial supplemental active list.

THE SECRETARY: Calendar Number 204, by Senator Grisanti, Senate Print 3947A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 204, those recorded in the negative are Senators Avella, Gipson, Hoylman, Krueger, Serrano and Squadron.

Ayes, 53. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 498, by Senator DeFrancisco, Senate Print 5959,

an act to amend the Election Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I would like to thank Senator DeFrancisco for sponsoring this bill.

Now, this would require, of course, a full process of multiple votes and taking it to the people. But -- it's a quarter to nine; I don't know how many people are listening. But the most recent example was there was a casino amendment to the constitution that the way it was written when it was brought to the voters didn't really look anything like what it was when we voted for it here.

I personally believe if the exact language of what we had passed here had been on

the ballot, we would have seen a different result on the casino vote. I think it's critical to have not only truth in advertising but factual statements to the public when we're asking them their position on a referendum or at the ballot box.

I very much hope this becomes law. I vote yes.

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

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Senator Krueger should know I was listening, anyway, and I agree with her a hundred percent.

(Laughter.)

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 14, Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 8251B

and substitute it for the identical Senate Bill Number 6964C, Third Reading Calendar 547.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 547, by Member of the Assembly Cymbrowitz, Assembly Print 8251B, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Bonacic and Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 15, Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number 9299D and substitute it for the identical Senate Bill Number 7027C, Third Reading Calendar 565.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 565, by Member of the Assembly Rosenthal, Assembly Print 9299D, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 665, by Senator DeFrancisco, Senate Print 3852B, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

Well, sometimes a sponsor is right and sometimes they're wrong. This is one of the cases where he's wrong.

And in fact, if this were to become law, it could translate into tobacco companies getting away with not meeting their legal obligations when they lose court cases, because they've been killing people for decades and lying about it. I don't want to reward them in any way, shape or form. I'm voting no and hoping this does not become law.

Thank you, Mr. President.

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

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes, I was listening to that too. And I just want to

respond.

This isn't for the protection of the companies who sell cigarettes, it's for the protection of people who have gotten judgments against companies, including some of our counties in the state who have actually got settlements that have to be paid.

If the bond is too high and they can't pay the bond, the company goes under and those settlements aren't satisfied. So -- but had she known that, I'm sure she would have changed her vote.

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

Announce the results.

THE SECRETARY: In relation to Calendar 665, those recorded in the negative are Senators Avella, Gianaris, Hassell-Thompson, Hoylman, Kennedy, Krueger, O'Brien, Rivera, Squadron and Stavisky. Also Senator Serrano.

Ayes, 48. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 26, Senator Seward moves to discharge, from the

Committee on Insurance, Assembly Bill Number 9154A and substitute it for the identical Senate Bill Number 6507A, Third Reading Calendar 1102.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1102, by Member of the Assembly Cymbrowitz, Assembly Print 9154A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1172, by Senator Hannon, Senate Print 7521, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1459, by Senator LaValle, Senate Print 7850A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2015.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Bonacic recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1565, by Member of the Assembly Silver, Assembly Print 9462, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1565, those recorded in the negative are Senators Ball, Golden and Lanza.

Ayes, 56. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1580, by Senator Flanagan, Senate Print 7866, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1583, by Senator Flanagan, Senate Print 7871, an act relating to regional tuition.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the supplemental active list reading, noncontroversial.

SENATOR LIBOUS: Thank you, Mr. President.

I have a Supplemental Active List Number 2 dated Friday, June 20th. Could we do the noncontroversial reading.

ACTING PRESIDENT GRIFFO: We will have the second supplemental active list to be read by the Secretary.

The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 9028C and substitute it for the identical Senate Bill Number 6738B, Third Reading Calendar 698.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 698, by Member of the Assembly Abinanti, Assembly Print 9028C, an act to amend Chapter 566 of the Laws of 1967.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1160, by Senator Avella, Senate Print 726A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 23. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

Well, I agree with many of my colleagues that the City of New York desperately needs to modernize and make more equitable its property tax system. In fact, we have innumerable times in this house urged them to complete their studies and submit to us a proposal on how to improve their own property tax system so that it's both fairer to all and also ensures enough revenue for the City of New York. And so I appreciate the sponsor's desire to do part of the job, perhaps out of frustration.

And so this bill would, if held up -- and it's not clear it could meet

constitutional muster. But this bill would reduce some people's property taxes, co-op and condo owners. It would actually probably reduce my taxes; I'm a co-op owner. Nonetheless, the way it's set up, somebody else would just be taking those taxes for us co-op and condo owners, and I find that very unfair to the people of New York who rent their apartments or who live in other kinds of housing.

So I will be voting no with respect for the fact that I will continue to call on the City of New York to develop a package to change their property tax structure to ensure that it is fair and equitable for all.

I vote no, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1160, those recorded in the negative are Senators Ball, Hassell-Thompson, Hoylman, Kennedy, Krueger, Little, Maziarz, Nozzolio, Rivera, Serrano, Squadron and Young.

Ayes, 47. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 10078A and substitute it for the identical Senate Bill Number 7842, Third Reading Calendar 1627.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1627, by the Assembly Committee on Rules, Assembly Print 10078A, an act in relation.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes the noncontroversial reading of Supplemental Active List 2.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a report of the Rules Committee at the desk. Could we have it read at this time.

ACTING PRESIDENT GRIFFO: There is a report of the Rules Committee at the desk.

The Secretary will read.

ACTING PRESIDENT GRIFFO: Senator Skelos, from the Committee on Rules, reports the following bills:

Senate Print 338, by Senator DeFrancisco, an act to amend the Insurance Law;

Senate 2136, by Senator Lanza, an act to amend the Vehicle and Traffic Law;

Senate 4142, by Senator Lanza, an act to amend the Public Officers Law;

Senate 5048, by Senator Serrano, an act to amend Chapter 115 of the Laws of 1894;

Senate 5809, by Senator Nozzolio, an act to amend the County Law;

Senate 5990A, by Senator Seward, an

act to amend the County Law;

Senate 6675C, by Senator Martins, an act to amend the Executive Law;

Senate 6683, by Senator Breslin, an act to amend Chapter 454 of the Laws of 2010;

Senate 7400B, by Senator Carlucci, an act to amend the Public Health Law;

Senate 7634B, by Senator Martins, an act to amend the Workers' Compensation Law;

Senate 7698, by Senator Montgomery, an act authorizing;

Senate 7747B, by Senator Little, an act to amend the Public Health Law;

Senate 7823, by Senator Maziarz, an act to amend the Workers' Compensation Law;

Senate 7833, by Senator Klein, an act to amend the Tax Law;

Senate 7851B, by Senator O'Mara, an act to amend the Environmental Conservation Law;

Senate 5056, by Senator Carlucci, an act to amend the Education Law;

Senate 6898, by Senator Avella, an act to amend the Alcoholic Beverage Control Law;

Senate 7295A, by Senator Breslin, an act to amend the Vehicle and Traffic Law;

Senate 7483, by Senator Ball, an act to amend the Executive Law;

Senate 7500A, by Senator Hannon, an act to amend the Public Health Law;

And Senate 7259A, by Senator Gipson, an act creating.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator Libous, I'll entertain a motion.

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

ACTING PRESIDENT GRIFFO: All in favor of accepting the Committee on Rules report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Committee on Rules report is accepted and before the house.

Senator Libous.

SENATOR LIBOUS: We now have Supplemental Calendar 54B. Could we have the noncontroversial reading.

ACTING PRESIDENT GRIFFO: The Secretary will read Senate Supplemental Calendar 54B, noncontroversial.

THE SECRETARY: Calendar Number 1689, by Senator DeFrancisco, Senate Print 338, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Breslin and Seward recorded in the negative. Also Senator Hannon.

Ayes, 56. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1690, by Senator Lanza, Senate Print 2136, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 2448 and substitute it for the identical Senate Bill Number 4142, Third Reading Calendar 1691.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1691, by Member of the Assembly Rozic, Assembly Print 2448, an act to amend the Public Officers Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Zeldin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Serrano moves to discharge, from the Committee on Rules, Assembly Bill Number 2046 and substitute it for the identical Senate Bill Number 5048, Third Reading Calendar 1692.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1692, by Member of the Assembly Kavanagh, Assembly Print 2046, an act to amend Chapter 115 of the Laws of 1894.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Serrano to explain his vote.

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

Very quickly, I just want to thank all of my colleagues for supporting this legislation. For all of us who care about animals in the City of New York, this is a major victory. It will modernize the dog licensing process and it will allow the city to generate more revenue, if needed, to help care for animals.

I want to thank my colleague in the Assembly, Assemblymember Brian Kavanagh, for his leadership on this issue.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Zeldin recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Nozzolio moves to discharge, from the Committee on Rules, Assembly Bill Number 8035 and substitute it for the identical Senate Bill Number 5809, Third Reading Calendar 1693.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1693, by Member of the Assembly Morelle, Assembly Print 8035, an act to amend the County Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1693, those recorded in the negative are Senators Ball, Carlucci, Gipson, Golden, Griffo, Kennedy, LaValle, Marchione, O'Brien,

O'Mara, Tkaczyk and Zeldin.

Ayes, 47. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 8303A and substitute it for the identical Senate Bill Number 5990A, Third Reading Calendar 1694.

ACTING PRESIDENT GRIFFO: The substitution is ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1694, by Member of the Assembly Crouch, Assembly Print 8303A, an act to amend the County Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Can I ask for a little order in the house, please.

Announce the results.

THE SECRETARY: In relation to Calendar 1694, those recorded in the negative are Senators Ball, Carlucci, Gipson, Golden, Griffo, Kennedy, O'Brien, O'Mara, Tkaczyk and Zeldin. Also Senator Marchione.

Ayes, 48. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Martins moves to discharge, from the Committee on Rules, Assembly Bill Number 1869D and substitute it for the identical Senate Bill Number 6675C, Third Reading Calendar 1695.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1695, by Member of the Assembly Schimel, Assembly Print Number 1869D, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 4. Senators Ball, Krueger, Little and Marchione recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Transportation, Assembly Bill Number 8877 and substitute it for the identical Senate Bill Number 6683, Third Reading Calendar 1696.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1696, by Member of the Assembly Fahy, Assembly Print 8877, an act to amend Chapter 454 of the Laws of 2010.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 9766A and substitute it for the identical Senate Bill Number 7400B, Third Reading Calendar 1697.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1697, by Member of the Assembly Gunther, Assembly Print 9766A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Martins moves to discharge, from the Committee on Rules, Assembly Bill Number 9721B and substitute it for the identical Senate Bill Number 7634B, Third Reading Calendar 1698.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1698, by Member of the Assembly Bronson, Assembly Print 9721B, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Montgomery moves to discharge, from the Committee on Rules, Assembly Bill Number 9874 and substitute it for the identical Senate Bill Number 7698, Third Reading Calendar 1699.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1699, by Member of the Assembly Mosley, Assembly Print 9874, an act authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1700, by Senator Little, Senate Print 7747B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 180 days after it shall become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 4. Senators Golden, LaValle, Marcellino and Martins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1701, by Senator Maziarz, Senate Print 7823, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Senator Klein moves to discharge, from the Committee on Rules, Assembly Bill Number 10075 and substitute it for the identical Senate Bill Number 7833, Third Reading Calendar 1702.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1702, by the Assembly Committee on Rules, Assembly Print 10075, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. I rise to vote no.

The memo says that we'll expand

free play, which is free gambling, to increase revenue. Well, actually it will just increase gambling. So apparently people can't get hooked on it easily enough, we need to give them free play so we can addict them more quickly and more effectively.

And thank goodness this bill will also expand facilities to be able to be open, I believe, 20 or 22 hours a day, just in case you couldn't get enough of that gambling in in the current number of hours.

I vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1702, those recorded in the negative are Senators Ball, Kennedy, Krueger and LaValle.

Ayes, 55. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 9619B and substitute it for the identical Senate Bill Number 7851B, Third

Reading Calendar 1703.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1703, by Member of the Assembly Lifton, Assembly Print 9619B, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect after one year.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1703, those recorded in the negative are Senators DeFrancisco --

SENATOR LIBOUS: Mr. President, I can't hear the desk. There seems to be a lot of chatter in the back of the chamber.

ACTING PRESIDENT GRIFFO: We have a number of people in the chamber right now.

I'd ask everybody, if you're going to have conversations, to please take it outside the chamber as we're in here continuing to finalize the business before the desk. If we could have some quiet, I'd appreciate it.

The Secretary will announce the results.

THE SECRETARY: In relation to Calendar 1703, those recorded in the negative are Senators DeFrancisco, Flanagan, Griffo, Libous, Maziarz, Nozzolio, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 49. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1704, by Senator Carlucci, Senate Print 5056, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of July.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Okay, results.

THE SECRETARY: In relation to Calendar 1704, those recorded in the negative are Senators Ball, Farley, Flanagan, LaValle, Little, Marcellino, Martins, Nozzolio, Ranzenhofer, Robach, Seward, Young and Zeldin. Ayes, 46. Nays -- also Senator Hannon.

In relation to Calendar 1704, those recorded in the negative are Senators Ball, Farley, Flanagan, Golden, Hannon, LaValle, Libous, Little, Marcellino, Martins, Montgomery, Nozzolio, Ranzenhofer, Robach, Seward, Young and Zeldin.

Ayes, 42. Nays, 17.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1705, by Senator Avella, Senate Print 6898, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Ayes, 57. Nays, 2. Senators Ball and Robach recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is still passed.

(Laughter.)

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 9583A and substitute it for the identical Senate Bill Number 7295A, Third Reading Calendar 1706.

ACTING PRESIDENT GRIFFO: There is a home-rule message at the desk.

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1706, by Member of the Assembly Fahy, Assembly Print 9583A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 15. This act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1706, those recorded in the negative are Senators Ball, Griffo, Marchione, O'Mara and Zeldin.

Ayes, 54. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Ball moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 8489A and substitute it for the identical Senate Bill Number 7483, Third Reading Calendar 1707.

ACTING PRESIDENT GRIFFO: Can I get some order in the chamber, please.

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

1707, by Member of the Assembly Buchwald, Assembly Print 8489A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number --

SENATOR LIBOUS: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: The bill is laid aside for the day.

The Secretary will continue.

THE SECRETARY: Senator Gipson moves to discharge, from the Committee on Rules, Assembly Bill Number 9847A and substitute it for the identical Senate Bill Number 7259A,

Third Reading Calendar 1709.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1709, by Member of the Assembly Cahill, Assembly Print 9847A, an act creating.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Skelos, that completes the Senate Supplemental Calendar 54B noncontroversial reading.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

Again, may I have some order in the

chamber.

SENATOR LIBOUS: Mr. President, there are three Assembly bills at the desk. I move to reconsider the substitutions and have the Senate bills restored to the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Assembly Bill Number 5625A, Assembly 9576, and Assembly 9720.

ACTING PRESIDENT GRIFFO: The request is so ordered.

SENATOR LIBOUS: Mr. President, I now move to recommit the calendar.

ACTING PRESIDENT GRIFFO: So ordered.

(Pause.)

ACTING PRESIDENT GRIFFO: Thank you very much, everyone, for your silence.

(Laughter.)

ACTING PRESIDENT GRIFFO: I now would like to recognize Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: I was enjoying the silence here for a minute.

I want to thank you, Mr. President.

And I know the hour is late, so I won't spend a lot of time. But I do want to thank Senator Skelos during this session, and Senator Klein as well. And of course I want to thank Governor Cuomo for his vision and leadership in helping to move our state forward.

And I want to thank our partners in the other legislative house, especially Speaker Silver, who's been a true friend and a real progressive leader here.

I also want to thank the staff on both sides of the aisle, because you work so very hard. And you'll hear this over and over again: You make us all look good. And the work that you've put in over the past two years has really been invaluable. I really, really thank you. I thanked all of the staff before so that I wouldn't name names and get in trouble. But I really appreciate, we all do, what you've done.

As we wrap up the two-year term, I think of what we've experienced. I think about how this began for me -- historic -- when my great colleagues entrusted me with the leadership of the Democratic Conference. And not only did you do that, but in so doing we

made history when I became the first female legislative leader in this state. And I want to thank you for that.

There was another piece of history that happened that day as well, and that history for us was kind of unfortunate. It was the first time in this chamber that two groups came together to disenfranchise the majority of elected Democrats, to seize our power and to thwart the will of the electorate.

While we were not given our rightful place in the majority, we understood that what we came here to do was to serve the people and provide leadership. And although what happened was extremely disappointing, we rolled up our sleeves, we held our heads high, and we got to work. And we used the power of our votes and the power of our voices to help pass some wonderful pieces of legislation.

Right out of the gate, we stood with our Governor to enact the SAFE Act. We provided a crucial number of votes for this important legislation. We passed our third and fourth consecutive on-time budgets. We passed legislation that grew our economy, created jobs.

We passed legislation that increased funding to our schools, funding statewide universal pre-K. We created tools to combat the heroin scourge facing our state.

We provided some tax relief -- although I'm sure we would all agree it's not enough -- to thousands of New Yorkers. We revised our Common Core. We revised teacher evaluations. And we helped change the conversation away from a certain veto of medical marijuana legislation to a compromise, allowing us to provide much-needed pain relief to those who are most in need.

These some of the bipartisan victories that all of us accomplished together and we can all celebrate today. But we have to talk about the failures that were a result of the unfortunate agreement I mentioned earlier.

We failed to help over a million hardworking New Yorkers rise out of bone-crushing poverty by not raising the minimum wage enough and not giving our local governments the option to raise it on their own. We failed to stand up for women's health and equality by not passing the entire Women's Equality Act. We

filed to provide some real mandate relief to our local governments. We failed to provide even stronger ethics and strong campaign finance, including public campaign financing. And we failed to provide equal access to educational opportunities to all children by not passing the DREAM Act.

And while of course these failures are disappointing, it doesn't mean we stopped fighting. Because sometimes we learn our greatest lessons when we fail. So you can be assured that we will keep fighting.

But tonight, as we wish each other a fun, happy summer and rest of the year and we go into the political season, I really want to thank you for all that we've been able to accomplish here. I want to wish everyone on both sides of the aisle good luck, Godspeed.

And even though sometimes we disagree on the issues or their outcome, I am assured and I know that we all agree that our most important job is respecting the people of New York. And I think that's, when we're at our best, what we do best.

So thank you very much, and enjoy

the summer.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

First, I want to thank my fellow leaders, Senator Skelos, Senator Cousins, for their spirit of cooperation, and of course Governor Cuomo, as we worked together over the past six months to deliver for working families across the State of New York.

It was two years ago that myself and Senator Skelos, in a bipartisan fashion, formed the first-ever coalition government in the more-than-125-year history of the State Senate. We left partisan bickering aside. We chose to govern, when the dust settled on that election, and I think we were validated to see that we were able to come together and, for the first time in a long time in the New York State Senate, finally get things done.

I think we can only look and see what's not going on in Washington, where they can't seem to figure out -- to understand, that

is, when the election is over, our constituents expect us to govern.

I'm very proud that the Independent Democratic Conference earlier this year unveiled a plan called Affordable New York. It was a common-sense approach based on a simple premise, that New York is becoming unaffordable for most. We rolled up our sleeves, we got the majority of our agenda passed, and I think in the process we did make New York more affordable.

We kept our promise to 4-year-olds around the State of New York by finally fully funding the first ever universal pre-K plan in the State of New York's history.

For the first time we recognized the burden on working families and restored child care subsidies so working families can now go out and work and also be able to afford affordable child care.

We recognized that our senior citizens are being priced out of this state each and every day, and enhanced the EPIC program so senior citizens can save on prescription destruction.

We also recognized that senior

citizens, especially in the City of New York, are suffering from spiraling rents, and we increased the SCRIE program to make sure more and more senior citizens can afford the rent they pay each and every day.

We recognized a simple truth, that the American dream of homeownership has to be kept alive not only for this generation, but future generations, and again helped homeowners who are facing foreclosure stay in their homes.

For the first time we recognized that we had to do something about the problem and the tragedies that occur each and every day on the streets of the City of New York and do something about reducing traffic fatalities. First we authorized 140 more speed cameras around schools in the City of New York. We allowed the City of New York to lower the speed limit to 25 miles an hour, thus saving lives in the future on the streets of New York City.

One of the things that I do want to say a very special thank you to are the many people who help us each and every day in the Independent Democratic Conference. But most of all, I want too thank my colleagues. I'm very

lucky that the Independent Democratic Conference is made up of hardworking members who recognize they're sent here to our State Capitol to espouse the hopes and aspirations not only of the residents of the State of New York, but of their districts.

Senator Savino, who led the fight for medical marijuana in the State of New York. Senator Carlucci, who each and every day fights for the disabled and led a major role in stopping heroin abuse and addiction. Senator Valesky, who each and every day wakes up with a very simple truth, how can we make sure that senior citizens in our state can live out their golden years in comfort and dignity. And of course Senator Avella, who's a hardworking community activist, even though he's a great State Senator, who each and every day figures out a way how he can make the quality of life of the people he represents better.

I also want to say a very thank you to the staff, both sides of the aisle: Beth Garvey, Robert Mujica, who do such a great job and are great public servants, but of course the members of the IDC team.

First and foremost, our chief of staff, John Emrick, who works his heart out each and every day to make sure not only the members of the IDC are well taken care of, but really our entire legislative body here in the State Senate. Our policy director, Dana Carotenuto. Francesc Marti, our budget director. Shelley Andrews, our counsel. And our press team, led by Candice Giove. I want to thank them, and I think they deserve a tremendous hand, everybody.

(Applause.)

SENATOR KLEIN: I'm very pleased to be able to say that for the past four years the Independent Democratic Conference has been a strong, stabilizing, sensible force for governing in this state, and we will continue our laser-beam focus on getting things done for the people of the great State of New York.

I want to really thank each and every one here. I think we had a very successful two years. But I think everyone knows we need to do more. So I think the work goes on for solid schools, safer neighborhoods, stronger communities, and a sustainable and growing path to prosperity for our working

families. I think we cannot only ensure a strong economy for tomorrow, we can also strengthen New Yorkers today.

Thank you all, and I wish everyone a happy and healthy and of course a great summer.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator Skelos.

SENATOR SKELOS: Thank you, Mr. President.

Before I make my comments, two members on our side of the aisle will not be with us next year.

Congressman-soon-to-be Lee Zeldin, we thank you for your contributions to this chamber, and we wish you the best of luck.

(Applause.)

SENATOR SKELOS: Greg Ball.

(Laughter.)

SENATOR SKELOS: You certainly have made things interesting in this chamber.

But your dedication and your focus on helping the veterans and fighting for them every day and achieving legislation that has not

been accomplished for years, we thank you for that. And we wish you the best of luck in your future. Thank you, Greg.

(Applause.)

SENATOR SKELOS: We've reached the conclusion of another legislative session, and the 2014 session builds on our accomplishment of the last four years. We're very proud of what we've achieved on behalf of hardworking taxpayers and their families. I appreciate the input of each and every member of the Senate in helping us get there.

I want to especially thank our governing partner Senator Jeff Klein and members of the Independent Democrat Conference. Working together, we've shown that bipartisanship can work. You can show that the public is disenfranchised when government doesn't work and when there's gridlock and chaos. And working together, we've managed to stop that in this chamber. So we thank you for that.

(Applause.)

SENATOR SKELOS: I want to thank Senators Gianaris, Valesky, and certainly my buddy here, Tom Libous, for making the floor

operate so efficiently and in a very respectful way. We thank all of you.

And in particular, I want to thank you, Tom, for the great job that you have done despite the many personal challenges that you have had. We thank you.

(Standing ovation.)

SENATOR SKELOS: As I said, I still believe that government works best when Democrats and Republicans work together. It's what the people of this state want, and we'll continue to work towards that goal every chance we get.

Over the last four years, we've cut taxes 49 times, saving hardworking taxpayers more than $5.5 billion. We've capped spending, eliminated a $10 billion deficit, and New York now has its highest bond rating in 50 years. Thanks to our leadership, thousands of businesses and schools no longer pay the job-killing MTA payroll tax that was passed when Republicans were in the minority. We're also starting to eliminate the Gap Elimination Adjustment which was imposed upon our school districts when, again, we were in the minority

and you were in the majority.

We've passed the toughest property tax cap in the nation and extended real relief to the middle class. We have restored balance and fairness to the school aid formula. And we've passed four consecutive on-time budgets and made government function once again.

Bipartisan accomplishments have included establishing a universal pre-K program in the state without raising taxes, and raising the minimum wage while helping businesses create new jobs. And this house came together, led by Senator Boyle and members of the Joint Task Force on Heroin and Opiate Addiction, to take swift action to address the growing heroin epidemic.

As we move forward, let's keep reducing taxes, regulations, and lay out the welcome mat for new and expanding businesses. Let's help students afford college and be able to stay in New York State, with our seniors, by making it more affordable. Let's provide bright new opportunities for individuals looking for a job and those inspired to find a better one.

We're fighting to make sure our

children have a future in New York, and it's a fight we must wage every single day.

Someone want us to return to the way things were before, when they won and New Yorkers lost. We're not going to go back to the days of chaos and dysfunction. There's simply too much at stake.

A couple of issues that Senator Stewart-Cousins touched on, and I'd like to just mention one, the women's equality bill. For two years our Women's Equality Agenda has been held hostage because of your insistence on a provision that would allow non-doctors to perform an abortion right up until the moment of a baby's birth. This extreme measure would put the health and safety of women in jeopardy, and that's not something that members on both sides of the aisle are willing to do.

We've acted in this house to approve a comprehensive women's agenda. It would ensure equal pay for equal work, help the victims of domestic violence, and stamp out human trafficking to protect innocent women, along with other equally important measures.

Why didn't the members of the

Senate Democrat Conference stand up like Assemblywoman Paulin and call upon the Assembly to take up these bills separately? It's very easy to vote on the bills as they were presented individually in this chamber and claim credit, but what would have been more productive is if you stood with Assemblywoman Paulin and others, insisting that the Speaker pass these bills individually, rather than looking for a political opportunity. The women of this state waited long enough for these important bills to become law, and the Senate Democrats haven't lifted a finger to make it happen.

So as we move through the summer and we enact the Compassionate Campaign Act -- because I know we will all be very kind to each other --

(Laughter.)

SENATOR SKELOS: -- there will be many issues that will be discussed. And certainly I hope that we enjoy the beginning of summer and that we have the opportunity to discuss all of these issues with our constituents.

To all of our members, I say thank

you. To the staff on both sides of the aisle, I say thank you. You all are the best.

To Kelly Cummings, my communications director, wherever you are, thank you for making me look good. Thanks, Kelly.

To Beth, your first full year as counsel. You've done an outstanding job, and certainly --

(Applause.)

SENATOR SKELOS: -- and treated each member and each staff person with the respect they deserve.

I know our Bill Drafting Commission -- I don't know if there are any here; they're probably still preparing bills. But they work throughout the night. We thank them very much.

And to Robert Mujica, I would be lost as co-leader in the Senate. Every single one of us, whether Republican, Democrat, independent Democrat conference members, would be -- the Governor would also be lost without Robert Mujica, because so many times Robert has to show him the way.

And Governor, if you're listening,

don't take it personally.

(Laughter.)

SENATOR SKELOS: But Robert is just a great person. And Robert, we thank you for all that you have done. Thank you, Robert.

(Applause.)

SENATOR SKELOS: So let's all enjoy the summer. Let's take a few days rest and then go out and chat with our constituents as we are supposed to do every two years.

Thank you for allowing me to lead you with Jeff. This has been a wonderful, wonderful experience for me, I believe for all of us. And the New York State Senate has made history in this state by showing -- in this nation by showing that Republicans and Democrats can work together to get positive results.

Thank you, and God bless.

(Extended applause.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is

no further business before the desk.

SENATOR LIBOUS: Mr. President and my colleagues, there being no further business, I move that the Senate adjourn to the call of the Temporary Presidents, intervening days being legislative days.

ACTING PRESIDENT GRIFFO: On motion, the Senate stands adjourned sine die, at the call of the Temporary Presidents, intervening days being legislative days.

The Senate is adjourned.

(Whereupon, at 9:38 p.m., the Senate adjourned.)