

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 20, 2014

11 10:28 a.m.

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13  
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

13 Father Young.

14 REVEREND YOUNG: Thank you,  
15 Senator.

16 Let us pray.

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

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

25 This invocation calls us to be true

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

7 Amen.

8 ACTING PRESIDENT GRIFFO: Thank  
9 you, Father.

10 The reading of the Journal.

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

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

19 Presentation of petitions.

20 Messages from the Assembly.

21 The Secretary will read.

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

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

4 The Secretary will read.

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

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

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

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

25 On page 22, Senator Dilan moves to

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

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

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

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

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

25 On page 30, Senator Maziarz moves

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

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

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

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

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

25 On page 31, Senator Skelos moves to

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

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

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

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

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

25 And on page 33, Senator Savino

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

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

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports of state  
11 officers.

12 Motions and resolutions.

13 SENATOR LIBOUS: Mr. President.

14 ACTING PRESIDENT GRIFFO: Senator  
15 Libous.

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

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

22 THE SECRETARY: Calendar Number  
23 192, substituted earlier by Member of the  
24 Assembly Cook, Assembly Print 7461A, an act to  
25 amend the Estates, Powers and Trusts Law.

1                   ACTING PRESIDENT GRIFFO:   Read the  
2   last section.

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

5                   ACTING PRESIDENT GRIFFO:   Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:   Senator  
9   Hoylman to explain his vote.

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

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

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

1 families as part of this initiative.

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

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

6 Announce the results.

7 THE SECRETARY: Ayes, 55.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

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

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 55.

22 ACTING PRESIDENT GRIFFO: The bill  
23 is passed.

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

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

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

5 The Secretary will read the last  
6 section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 55.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

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

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT GRIFFO:   Announce  
2 the results.

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

6                   ACTING PRESIDENT GRIFFO:   The bill  
7 is passed.

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

11                   ACTING PRESIDENT GRIFFO:   Read the  
12 last section.

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

15                   ACTING PRESIDENT GRIFFO:   Call the  
16 roll.

17                   (The Secretary called the roll.)

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

20                   ACTING PRESIDENT GRIFFO:   The bill  
21 is passed.

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

25                   ACTING PRESIDENT GRIFFO:   Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

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

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

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

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 55.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2   977, by Senator Maziarz, Senate Print 7312B, an  
3   act to amend the Alcoholic Beverage Control Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

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

14                   ACTING PRESIDENT GRIFFO:   The bill  
15   is passed.

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

20                   ACTING PRESIDENT GRIFFO:   Read the  
21   last section.

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

24                   ACTING PRESIDENT GRIFFO:   Call the  
25   roll.

1 (The Secretary called the roll.)

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

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

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

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

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

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

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

11                  I vote no.

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

14                  Announce the results.

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

18                  ACTING PRESIDENT GRIFFO:    The bill  
19    is passed.

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

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

1                   The Secretary will read the last  
2 section.

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

5                   ACTING PRESIDENT GRIFFO:   Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:   Senator  
9 Squadron to explain his vote.

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

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

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

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

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

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

9 (Laughter.)

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

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

19 I'll vote yes, Mr. President.

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

22 Announce the results.

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

1 LaValle, Ranzenhofer and Zeldin.

2 Ayes, 52. Nays, 5.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

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

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

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

18 The Secretary will announce the  
19 results.

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

24 Ayes, 52. Nays, 5.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

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

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

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

15 ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

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

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

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

7 Ayes, 53. Nays, 4.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

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

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

16 The Secretary will read the last  
17 section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

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

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

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

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 57.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

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

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

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

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

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

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

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

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

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

1                   Senator Martins to explain his  
2                   vote.

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

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

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

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

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

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

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

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

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

25           I'll vote yes. Thank you.

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

3                   Announce the results.

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

11                  Ayes, 37.   Nays, 21.

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

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

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

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

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

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

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

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

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

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

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

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

17 Why do you rise, Senator Gianaris?

18 SENATOR GIANARIS: Point of order.

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

25 ACTING PRESIDENT GRIFFO:

1 Senator -- Senator Gianaris. Senator Gianaris.

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

5 Thank you.

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

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

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

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

16 SENATOR BALL: Yes.

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

19 Senator O'Brien to explain your  
20 vote.

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

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

1 Legislature, or should it be local officials?

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

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

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

23 I vote no.

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

1                   Announce the results.

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

4                   ACTING PRESIDENT GRIFFO:   The bill  
5   is passed.

6                   THE SECRETARY:   Calendar Number  
7   1561, by Senator Marchione, Senate Print 6679A,  
8   an act to amend the Executive Law.

9                   ACTING PRESIDENT GRIFFO:   Read the  
10   last section.

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

13                   ACTING PRESIDENT GRIFFO:   Call the  
14   roll.

15                   (The Secretary called the roll.)

16                   THE SECRETARY:   Ayes, 58.

17                   ACTING PRESIDENT GRIFFO:   The bill  
18   is passed.

19                   THE SECRETARY:   Calendar Number  
20   1562, by Senator Marchione, Senate Print 6680A,  
21   an act to amend the Executive Law.

22                   ACTING PRESIDENT GRIFFO:   Read the  
23   last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 58.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6   is passed.

7                   THE SECRETARY:    Calendar Number  
8   1568, by Senator Lanza, Senate Print 7554A, an  
9   act to amend the Public Housing Law.

10                  ACTING PRESIDENT GRIFFO:    Read the  
11   last section.

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

14                  ACTING PRESIDENT GRIFFO:    Call the  
15   roll.

16                  (The Secretary called the roll.)

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

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

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

1 the evictions.

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

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

16 Thank you, Mr. President.

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

19 Announce the results.

20 THE SECRETARY: Ayes, 58.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

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

1 amend Chapter 746 of the Laws of 1988.

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

4 The Secretary will read the last  
5 section.

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

8 ACTING PRESIDENT GRIFFO: Call the  
9 roll.

10 (The Secretary called the roll.)

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

15 Ayes, 53. Nays, 5.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1573, substituted earlier by the Assembly  
20 Committee on Rules, Assembly Print 10128, an act  
21 to amend the Penal Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

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

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

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

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

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

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

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

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

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

12                    Announce the results.

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

18                    Ayes, 47. Nays, 11.

19                    ACTING PRESIDENT GRIFFO: The bill  
20     is passed.

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

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

1 Calendar 1574.

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

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

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

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

18 Senator Bonacic.

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

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

1 Family Court judge outside New York City, 2005.

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

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

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

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

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

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

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

18                  Senator Little to explain her vote.

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

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

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

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

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

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

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

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

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

3 Thank you very much. I vote aye.

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

6 Senator Farley to explain his vote.

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

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

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

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

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Senator

1 Farley to be recorded in the affirmative.

2 Senator Savino to explain her vote.

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

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

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

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

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

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

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

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

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

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

25 Senator Hassell-Thompson to explain

1 her vote.

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

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

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

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

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

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

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

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

10 The Secretary will announce the  
11 results.

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

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

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

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

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

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

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

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

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

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

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

15 SENATOR LIBOUS: Lay it aside  
16 temporarily.

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

19 The Secretary will continue with  
20 Calendar Number 1589.

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

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

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

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 58.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:   Calendar Number  
2   1591, by Senator Young, Senate Print 7898, an  
3   act to amend the Correction Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:   Ayes, 58.

12                   ACTING PRESIDENT GRIFFO:   The bill  
13   is passed.

14                   THE SECRETARY:   Calendar Number  
15   1606, by Senator Addabbo, Senate Print 5944B, an  
16   act to amend the Tax Law.

17                   ACTING PRESIDENT GRIFFO:   Read the  
18   last section.

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

21                   ACTING PRESIDENT GRIFFO:   Call the  
22   roll.

23                   (The Secretary called the roll.)

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

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

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

7                   SENATOR DeFRANCISCO:   Lay the bill  
8   aside.

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

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

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

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

18                   The Secretary will read.

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

23                   ACTING PRESIDENT GRIFFO:   Read the  
24   last section.

25                   THE SECRETARY:    Section 2.   This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

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

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

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

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

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

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

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

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

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

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

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

18                   I vote no, Mr. President.

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

21                   Senator LaValle to explain his  
22 vote.

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

25                   ACTING PRESIDENT GRIFFO: Senator

1     Gianaris to explain his vote.

2                   SENATOR GIANARIS:     No.

3                   ACTING PRESIDENT GRIFFO:     No?

4                   Senator O'Brien to explain his  
5     vote.

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

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

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

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

1                   Mr. President, I vote aye.

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

4                   Senator Kennedy to explain his  
5   vote.

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

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

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

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

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

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

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

15 Senator Latimer to explain his  
16 vote.

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

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

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

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

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

23 Thank you, Mr. President.

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

1                   Senator Grisanti to explain his  
2     vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10            Thank you, Mr. President.

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

13            Senator LaValle to explain his  
14     vote.

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

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

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

1 get a bill that works.

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

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

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

20 I vote aye.

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

23 Senator Marcellino to explain his  
24 vote.

25 SENATOR MARCELLINO: Thank you,

1 Mr. President.

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

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

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

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

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

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

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

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

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

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

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

15 Announce the results.

16 THE SECRETARY: Ayes, 58. Nays.

17 1. Senator Krueger recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

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

23 Could I have some order in the  
24 house.

25 SENATOR LIBOUS: Mr. President,

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

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

5 (Pause.)

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

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

11 The Secretary will read.

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

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

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

21 SENATOR LIBOUS: Move to accept  
22 the message.

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

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

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

7 Senator Savino.

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

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

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

1 manufacturer of medical marijuana.

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

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

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

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

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

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

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

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

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

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

23 ACTING PRESIDENT GRIFFO: Senator  
24 DeFrancisco.

25 SENATOR DeFRANCISCO: Yes. First

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

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

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

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

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

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

19                  Would you yield, Senator Savino?

20                  SENATOR SAVINO:     Certainly,  
21                  Senator DeFrancisco.

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

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

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

9 Are you familiar with that  
10 provision?

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

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

21 (Laughter.)

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

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

8                   SENATOR DeFRANCISCO:    Okay.  
9   And --

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

13                  SENATOR DeFRANCISCO:    Yes, please.

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

16                  SENATOR SAVINO:    Yes,  
17   Mr. President.

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

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

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

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

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

18 SENATOR SAVINO: Yes.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Savino yields.

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

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

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

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

6 SENATOR SAVINO: Yes.

7 ACTING PRESIDENT GRIFFO: Senator  
8 Savino yields.

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

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

1 dosing. It will also be on their packaging.

2 SENATOR DeFRANCISCO: Would you  
3 continue to yield?

4 ACTING PRESIDENT GRIFFO: Senator  
5 Savino yields.

6 SENATOR SAVINO: Yes.

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

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

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

22 SENATOR DeFRANCISCO: Would you  
23 continue to yield?

24 SENATOR SAVINO: Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Savino yields.

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

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

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

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

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

25 However, there is expected to be

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

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

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

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

16 SENATOR SAVINO: Yes.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Savino yields.

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

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

1 license application process.

2 SENATOR DeFRANCISCO: Okay. Thank  
3 you.

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

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

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

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

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

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

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

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

5 SENATOR SAVINO: Yes.

6 ACTING PRESIDENT GRIFFO: Senator  
7 Savino yields.

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

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

17 SENATOR DeFRANCISCO: Will you  
18 continue to yield?

19 SENATOR SAVINO: Yes.

20 ACTING PRESIDENT GRIFFO: Senator  
21 Savino yields.

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

25 SENATOR SAVINO: Through you,

1 Mr. President, no.

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

4 ACTING PRESIDENT GRIFFO: Senator  
5 Savino yields.

6 SENATOR SAVINO: Yes.

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

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

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

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

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

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

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

18                 SENATOR SAVINO:        Yes,  
19                 Mr. President.

20                 ACTING PRESIDENT GRIFFO:   Senator  
21                 Savino yields.

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

25                 SENATOR SAVINO:        No. No insurance

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

3 SENATOR DeFRANCISCO: All right.

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

11 SENATOR SAVINO: Correct.

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

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

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

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

25 SENATOR SAVINO: Yes.

1                   ACTING PRESIDENT GRIFFO:     Senator  
2     Savino yields.

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

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

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

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

25                  ACTING PRESIDENT GRIFFO:     Senator

1 Savino yields.

2 SENATOR SAVINO: Yes.

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

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

11 SENATOR DeFRANCISCO: Okay. All  
12 right.

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

15 (Laughter.)

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

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

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

23 SENATOR SAVINO: Yes.

24 ACTING PRESIDENT GRIFFO: Senator  
25 Savino yields.

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

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

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

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

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

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

12           SENATOR SAVINO:    Yes.

13           ACTING PRESIDENT GRIFFO:    Senator  
14   Savino yields.

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

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

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

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

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

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

7 SENATOR SAVINO: One moment,  
8 please.

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

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

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

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

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

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

1 and then it goes into 5.

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

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

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

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

16 SENATOR DeFRANCISCO: All right.  
17 And --

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

21 SENATOR DeFRANCISCO: Please, yes.

22 ACTING PRESIDENT GRIFFO: Senator  
23 Savino yields.

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

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

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

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

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

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

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

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

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

17           SENATOR SAVINO: Thank you.

18           SENATOR DeFRANCISCO: On the bill.

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

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

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

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

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

25           My concern is the medical evidence

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

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

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

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

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

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

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

25 And this is the wrong message, in

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

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

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

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

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

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

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

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

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

1 the State of New York.

2 Thank you, Mr. President.

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

5 ACTING PRESIDENT GRIFFO: Senator  
6 Hannon.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 "Under this paragraph or its

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

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

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

25 I too was visited by parents with

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

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

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

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

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

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

11 Thank you.

12 ACTING PRESIDENT GRIFFO: Senator  
13 O'Brien.

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

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

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

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

23 SENATOR SAVINO: Yes.

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

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

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

9 ACTING PRESIDENT GRIFFO: Senator  
10 Savino yields.

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

18 SENATOR O'BRIEN: Thank you.

19 SENATOR SAVINO: Thank you.

20 SENATOR O'BRIEN: On the bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator  
13 Larkin.

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

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

18 SENATOR LARKIN: Yes.

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

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

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

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

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

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

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

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

7                   (Laughter.)

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

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

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

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

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

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

13 Thank you.

14 (Extended applause.)

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

18 Senator Libous.

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

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

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

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

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

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

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

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

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

25           I heard the word "cure" used. This

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

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

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

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

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

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

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger.

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

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

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

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

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

1 and behaviors caused by the underlying disease.

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

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

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

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

25 There is research showing that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 ACTING PRESIDENT GRIFFO: Senator  
13 Bonacic.

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

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

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

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

23 SENATOR SAVINO: Yes,  
24 Mr. President.

25 ACTING PRESIDENT GRIFFO: The

1 Senator yields.

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

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

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

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

22 SENATOR SAVINO: Yes.

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

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

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

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

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

1 tax paid.

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

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

11 SENATOR SAVINO: Yes.

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

14 SENATOR SAVINO: Thank you.

15 SENATOR BONACIC: On the bill.

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

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

25 I had -- it's amazing what this

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

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

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

25                    And I want to make another point.

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

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

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

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

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

4 I vote yes.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator  
7 LaValle.

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

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

13 SENATOR LaVALLE: On the bill.

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

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

25 And so part of our mission, and you

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

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

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

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

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

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

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

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

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

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

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

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

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

25                   So in some ways we're giving people

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

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

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

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

25                    ACTING PRESIDENT GRIFFO:    Will the

1 sponsor yield?

2 SENATOR SAVINO: Yes,  
3 Mr. President.

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

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

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

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

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

16 Senator Smith, you may continue.

17 His mike is on now.

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

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

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

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

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

13 ACTING PRESIDENT GRIFFO: The  
14 Senator yields.

15 SENATOR SAVINO: Yes.

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

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

1 would require an act of the Legislature.

2 SENATOR SMITH: Thank you.

3 If the sponsor would continue to  
4 yield.

5 SENATOR SAVINO: Yes.

6 ACTING PRESIDENT GRIFFO: The  
7 sponsor yields.

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

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

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

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

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

8 ACTING PRESIDENT GRIFFO: The  
9 sponsor yields.

10 SENATOR SAVINO: Yes.

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

15 SENATOR SAVINO: Yes.

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

19 ACTING PRESIDENT GRIFFO: The  
20 sponsor yields.

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

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

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

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

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

22 SENATOR SAVINO: Yes.

23 ACTING PRESIDENT GRIFFO: The  
24 sponsor yields.

25 SENATOR SMITH: I appreciate the

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

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

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

22 SENATOR SMITH: Okay.

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

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

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

12 SENATOR SAVINO: Yes.

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

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

25 As you stated, under the proposed

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

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

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

14 SENATOR SAVINO: Yes.

15 ACTING PRESIDENT GRIFFO: The  
16 sponsor yields.

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

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

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

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

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

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

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

23           SENATOR SMITH:    Okay.

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

1 more questions.

2 SENATOR SAVINO: Yes.

3 ACTING PRESIDENT GRIFFO: The  
4 sponsor yields.

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

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

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

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

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

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

17                SENATOR SAVINO:    Yes.

18                ACTING PRESIDENT GRIFFO:    The  
19    sponsor yields.

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

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

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

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

10 Thank you, Senator Savino.

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

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

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

25 And it's very difficult in terms of

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

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

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

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

23 ACTING PRESIDENT GRIFFO: Senator  
24 Tkaczyk.

25 SENATOR TKACZYK: Thank you,

1 Mr. President.

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

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

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

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

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

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

16 Thank you.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Squadron.

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

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

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Squadron on the bill.

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

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

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

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

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

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

25           Depressants -- Valium and Xanax and

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

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

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

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

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

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

1 issues.

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

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

5                   Thank you, Mr. President.

6                   ACTING PRESIDENT GRIFFO:    Senator  
7 Boyle.

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

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

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

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

1 piece of legislation, the Compassionate Care  
2 Act.

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

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

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

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

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

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

21 ACTING PRESIDENT GRIFFO: Senator  
22 Martins.

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Martins on the bill?

2 SENATOR MARTINS: On the bill.

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

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

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

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

1 thoughtful.

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

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

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

1 those who should not have it.

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

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

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

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

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

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

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

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

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

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator  
7 Grisanti.

8 SENATOR GRISANTI: On the bill.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Grisanti.

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

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

15 SENATOR GRISANTI: On the bill.

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

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

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

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

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

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

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

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

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

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

25 That's what's important to remember

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

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

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

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

23 ACTING PRESIDENT GRIFFO: Senator  
24 Ranzenhofer.

25 SENATOR RANZENHOFER: Thank you,

1 Mr. President.

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

4 SENATOR RANZENHOFER: Yes, on the  
5 bill.

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

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

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

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

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

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

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

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

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

1 about the list of illnesses that are in there.

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

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

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

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

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

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

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

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

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

19                   Thank you, Mr. President.

20                   ACTING PRESIDENT GRIFFO:    Senator  
21   Stewart-Cousins.

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

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

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

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

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

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

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

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

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

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

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

14 (Laughter.)

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

25 And what we're talking being are

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

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

12                Thank you.

13                (Applause from gallery.)

14                ACTING PRESIDENT GRIFFO:     Senator  
15    Skelos.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14                    ACTING PRESIDENT GRIFFO:    Senator  
15    Klein.

16                    (Applause from the gallery.)

17                    ACTING PRESIDENT GRIFFO:    Senator  
18    Klein.

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

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

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

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

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

25           And then she went to work to

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

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

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

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

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

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

19                   (Applause from the gallery.)

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

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

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

1 begin individually on thanking some people, I  
2 want to name someone who's not here in the  
3 chamber with us. He used to sit right here,  
4 right over there (indicating). Former Senator  
5 Tom Duane, who carried this bill for six years.

6           And when he left the Senate, he  
7 asked me if I would pick it up, because he knew  
8 I had an interest in it. Because when I first  
9 got here and he was carrying the bill, I agreed  
10 to cosponsor it. And we had a discussion at the  
11 time about why I thought medical marijuana was  
12 the right thing for New York State.

13           And I shared the experience I'd had  
14 with both of my parents, who unfortunately died  
15 very young from lung cancer. And I watched them  
16 suffer, just like so many people have watched  
17 members of their families suffer. And during  
18 that period of time I realized that for my  
19 mother, for my father, for my grandfather as  
20 well, they had one of two choices. They could  
21 suffer, or they could continue to be prescribed  
22 seriously addictive narcotics. Which at that  
23 point in their life, it really didn't matter;  
24 they just needed relief. But it didn't really  
25 provide relief. For most of them, particularly

1 my grandfather, all it did was rob him of  
2 whatever time he had left because he was in a  
3 sedative state for the remaining months of his  
4 life. He didn't want to live like that, but he  
5 had no choice.

6 That's what happens to so many  
7 people right now. Because in our state, if you  
8 are suffering from any of the conditions that  
9 could be covered by this bill, you have a  
10 choice. You can suffer or you can become  
11 dependent upon highly addictive, dangerous drugs  
12 that oftentimes don't work, they don't really  
13 provide the relief. But yet we don't have any  
14 choice.

15 I've listened a lot today to this  
16 debate, and I just want to make a few points  
17 about some of the concerns that some of you  
18 still have. And I share them as well.

19 If the FDA, Senator Hannon, would  
20 finally act, we wouldn't be doing this here in  
21 New York State or in state houses across the  
22 country. The FDA would reschedule marijuana,  
23 and it would go through U.S. studies, and we  
24 would be able to have a comprehensive program  
25 across the country. But they've refused to do

1     that.

2                   But you know, we're an amazing  
3     nation, where we have one of the best healthcare  
4     systems in the world. But we are not the only  
5     country in the world. And we are not the only  
6     place where they have amazing healthcare  
7     delivery systems. This product, medical  
8     marijuana, has been studied extensively all over  
9     the world. We can look to our northern  
10    neighbor, Canada. They have research studies.  
11    They understand the value of medical marijuana  
12    and how it can be prescribed and how it provides  
13    relief. Go to Ireland; they've done it there.  
14    Israel. The United Kingdom.

15                  We have a body of medical evidence  
16    to support this. Which is why there are so many  
17    physicians' organizations that support this.  
18    Whether they be the Epilepsy Foundation or  
19    oncologists, there are doctors who rely on that  
20    medical training and research that's been done  
21    in other places.

22                  But if you want to look locally, we  
23    have 22 -- we will be the 23rd state. There are  
24    22 other states that have been utilizing medical  
25    marijuana, some of them as far back as 1996.

1 Alaska adopted a medical marijuana statute in  
2 1998; we could look to Alaska. We could look to  
3 Colorado, we could look to Connecticut, we could  
4 look to New Mexico. We could look to any of  
5 them where they have developed protocols and  
6 physicians have been prescribing marijuana for  
7 medicinal purposes. So we can take comfort from  
8 that.

9 But yes, it would be better if the  
10 FDA would finally act. By the way, the same FDA  
11 that has rubber-stamped some of the most  
12 dangerous drugs that we have ever dealt with in  
13 our history. So the FDA doesn't always provide  
14 us the comfort that we need.

15 Again, I wish we could do this  
16 sooner -- for Oliver, for Mabel, for everyone.  
17 But it does take a time to get a system like  
18 this up and running. And hopefully within that  
19 18-month period of time we will all be able to  
20 have some input on it. And we can bring Mabel  
21 back home, and we can provide relief for Oliver.

22 We will not be able to provide a  
23 cure for people with these conditions. I'm very  
24 aware of that. What we can provide, though, is  
25 treatment options and relief for patients. And

1 the ability of patients and their doctors to  
2 make those decisions for themselves. That's  
3 what today is about.

4 I want to thank a few people,  
5 though, before I sit. I know we have been at  
6 this a long time, and I really want to thank  
7 each and every one of you. I know that I can be  
8 somewhat persuasive, I think Senator Klein  
9 pointed out.

10 (Laughter.)

11 SENATOR SAVINO: I've seen some of  
12 you run away from me. But when I caught you,  
13 you still were respectful and you listened.

14 More importantly, I listened. When  
15 I picked up this bill from Senator Tom Duane, it  
16 was a very, very different piece of legislation.  
17 And it's been a very different piece of  
18 legislation since I reintroduced it at the  
19 beginning of this year. And a lot of those  
20 changes came about because I had the opportunity  
21 to talk to each and every one of you, even those  
22 of you who are still voting no on the bill. I  
23 sought your input, I listened to your concerns,  
24 and I tried to find a way to address them in the  
25 legislation. I believe that is what we are

1 supposed to do with huge pieces of public policy  
2 like this.

3           So even if you don't vote for it  
4 today, you still had input on this bill. You  
5 can still proudly say that you helped this bill  
6 become the strongest, most regulated medical  
7 marijuana statute in the country, and you can  
8 partially take credit for the relief that's  
9 going to be extended to patients even if you  
10 vote no. Because I listened to you.

11           And I was able to work with  
12 Assemblyman Gottfried, who, by the way, is an  
13 amazing individual. I had the pleasure of  
14 working on this bill with Dick Gottfried, who's  
15 been carrying it for 18 years. We would never  
16 have gotten where we were if not for his  
17 diligence.

18           I would not be where we are tonight  
19 or this afternoon if someone else in this  
20 chamber didn't have the guts to be the deciding  
21 vote to move the bill out of the Health  
22 Committee, and that is Senator Bill Larkin.

23           (Sustained applause.)

24           SENATOR SAVINO: Senator Klein,  
25 I'm sure everyone here can imagine how grateful

1 I am to you for your leadership. In more ways  
2 than one.

3 Senator Skelos, thank you for  
4 putting up with our demand that this come to the  
5 floor. And I'm so happy that you're voting for  
6 it now, because I know I was a pest.

7 Senator Stewart-Cousins, for  
8 showing leadership in your conference. We would  
9 not be passing this bill if they hadn't already  
10 been signed onto the bill from the very  
11 beginning.

12 There are a few other people I just  
13 have to mention that have been involved in this  
14 process, starting first and foremost with my  
15 staff. Barbara O'Neill is behind me. But Bryan  
16 Clenahan, my counsel, has really done the most  
17 amazing job on this bill.

18 (Applause.)

19 SENATOR SAVINO: All of our  
20 staff -- John Emrick, the chief of staff to the  
21 IDC, had to put up with me every day, and I  
22 think he's probably going to qualify under the  
23 posttraumatic stress portion of the bill at some  
24 point in the future.

25 (Laughter.)

1                   SENATOR SAVINO:    Lisa Reid and Pat  
2    McCarthy, Vince Marrone, Jess Schafroth, Artie  
3    Malkin, Gabriel Sayegh, Julie Netherland, Liz  
4    Hamlen --

5                   (Applause.)

6                   SENATOR SAVINO:    -- they helped us  
7    every day work this bill through both houses.  
8    And as a result of their tireless efforts, we  
9    are here at this moment where we are finally  
10   going to make New York State the next state to  
11   have medical marijuana available to the  
12   patients.

13                  And finally, to the patients, to  
14   the families, to the mothers, to everyone, thank  
15   you. We would not be here if not for you and  
16   your willingness to travel -- and this was not  
17   easy for you to be here on a weekly basis to  
18   meet with members, to just continue to press the  
19   case for your family members. You are the  
20   reason we're here today. You are what this bill  
21   is all about. Thank you.

22                  (Extended applause.)

23                  ACTING PRESIDENT GRIFFO:   The  
24   debate is closed.

25                  The Secretary will ring the bell.

1 I would ask members to please take  
2 their seats. On their explanation of votes  
3 today, we will comply with the rules. We've had  
4 an extensive discussion of the issue.

5 The Secretary will read the last  
6 section.

7 THE SECRETARY: Section 2. This  
8 act shall take effect immediately.

9 ACTING PRESIDENT GRIFFO: The  
10 Secretary will call the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Senator  
13 Sanders to explain his vote.

14 SENATOR SANDERS: Thank you,  
15 Mr. President.

16 We call it compassionate care, but  
17 we have left a legion of folk out from the  
18 compassion. As a veteran, I cannot stand idle  
19 and allow vets not to be mentioned here. We  
20 also have PSTD -- PTD -- I'm so mad that I can't  
21 even get it right.

22 However, we're not mentioned in  
23 here. We have been left out of this. There are  
24 so many ways that this can be undone. It can be  
25 undone by the Police Department, the Health

1 Department. It starts in 2015.

2           However, a lot of good people  
3 fought hard and long on this issue. Senator  
4 Savino, of course, quickly comes up, along with  
5 all of these other people that have been  
6 mentioned.

7           This is a very timid beginning, but  
8 perhaps it is a beginning. And in order to stop  
9 the pain that's going on out here, I vote yes on  
10 this issue.

11           ACTING PRESIDENT GRIFFO: Senator  
12 Sanders to be recorded in the affirmative.

13           Senator Gallivan to explain his  
14 vote.

15           SENATOR GALLIVAN: Thank you,  
16 Mr. President.

17           This debate not just today but over  
18 the last six months has been very extensive and,  
19 as we heard from many people, often very  
20 emotional. Which sometimes makes a reasoned  
21 decision even more difficult.

22           But after hearing from constituents  
23 time and time again, extensive discussion with  
24 medical experts, and not just my own but my  
25 staff's extensive review of available research,

1 I now believe that limited use of marijuana for  
2 seriously ill patients under a doctor's care is  
3 justified and warranted.

4 As a former state trooper and  
5 sheriff of Erie County, I have concerns and have  
6 had concerns about the production and  
7 distribution of the product and the potential  
8 for abuse. I believe, though, the proposed  
9 legislation provides adequate safeguards and  
10 feel the potential benefits outweigh the  
11 negatives.

12 I am further comforted in knowing  
13 that the program can be suspended in the event  
14 it does not perform as intended, and that the  
15 Legislature will have the opportunity to revisit  
16 this as appropriate.

17 Throughout this process, I felt it  
18 important that my ultimate vote be based on the  
19 latest medical and scientific research and that  
20 any approved program be strictly regulated and  
21 administered. While some disagree, I believe  
22 we've reached this threshold and achieved the  
23 proper balance.

24 I've always felt that those in  
25 public service are there to help others,

1 especially those seriously in need. Today we  
2 get that opportunity.

3 I vote aye.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Gallivan to be recorded in the affirmative.

6 Senator Kennedy to explain his  
7 vote.

8 SENATOR KENNEDY: Thank you,  
9 Mr. President.

10 I rise today to support this  
11 legislation that has been decades in the making.

12 I want to thank the bill's  
13 sponsor for her leadership, my colleagues on  
14 both sides of the aisle in making today a  
15 reality, and especially those folks that have  
16 joined us, the advocates -- the mothers, the  
17 fathers, the friends, the relatives, the  
18 neighbors, the community activists that have  
19 banded together and have spread the word on why  
20 it makes sense for New York State to join the  
21 ranks of over 20 states in the nation in giving  
22 further medical options to those individuals  
23 that need it the most.

24 You know, I look up and I see these  
25 beautiful young children that are going to

1 benefit and, you know, their families, and I see  
2 the tears. And I'm so proud that those tears,  
3 that I'm sure over the years have been tears of  
4 agony, are now tears of joy as New York State  
5 takes a positive step forward in the right  
6 direction in helping your families, your  
7 children, maybe yourselves.

8 I know that we pass hundreds of  
9 pieces of legislation throughout the year every  
10 single year, and rarely, if ever, does a bill  
11 that we pass have the impact on someone's health  
12 that this will have on so many thousands of  
13 individuals that are suffering from debilitating  
14 diseases. So I'm proud to join in support of  
15 this legislation, and thank you for making today  
16 a reality.

17 Thank you, Mr. President. I vote  
18 aye.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Kennedy to be recorded in the affirmative.

21 Announce the results.

22 THE SECRETARY: In relation to  
23 Calendar Number --

24 ACTING PRESIDENT GRIFFO: Senator  
25 Marchione to explain her vote.

1                   SENATOR MARCHIONE:    Thank you.  I  
2   actually waited to be last to explain my vote,  
3   because I wanted to listen to everyone in this  
4   conference.

5                   I usually walk in into a room and  
6   I've done my homework, I've combed the bills,  
7   and my colleagues realize that.  Thank you so  
8   much, Dean, for allowing today to happen today,  
9   because I wanted to do that.  I did that.  It  
10  was very, very late when I got home.

11                  I combed your bill, Senator Savino,  
12  the first time, your Compassionate Care Bill,  
13  and I found lots of things in it that I felt  
14  weren't right.  And I had such concern.  I have  
15  to tell you, like many of my colleagues here  
16  today, I have such concerns that we cannot end  
17  up like a California.

18                  You know, I heard mentioned today  
19  that someone got relief in California, and  
20  that's wonderful.  I also have a picture on my  
21  cellphone that my niece sent me two weeks ago  
22  when she was in California with a person in a  
23  wheelchair with a sign that said "Money for  
24  weed."

25                  We can't become California.  We

1 must protect our young people from having this  
2 become another epidemic like heroin is. We  
3 worked on that yesterday. We passed 11 bills  
4 because it is such a concern.

5           This bill itself I have concerns  
6 about. So many of the concerns were listed  
7 today. I have a concern that the Department of  
8 Health Commissioner has a right to add different  
9 debilitating diseases or diseases that are not  
10 debilitating, just serious, to this list without  
11 us having oversight over that. I have concern  
12 about that.

13           I have a concern that it's cash and  
14 not health insurance so that everyone who is in  
15 need who may not have the funds could partake in  
16 it.

17           I have many concerns. And I know,  
18 Diane, you probably thought as you walked around  
19 and you talked to people, why bother. I'm the  
20 conservative Senator who is just going to  
21 absolutely vote no on this legislation.

22           ACTING PRESIDENT GRIFFO: Senator  
23 Marchione, could you wrap --

24           SENATOR MARCHIONE: I will wrap  
25 up, thank you.

1                   But I'm not. I'm going to vote  
2                   yes. And I have agonized over this as I sat  
3                   here. I have a yes speech, and I have a no  
4                   speech.

5                   (Laughter.)

6                   SENATOR MARCHIONE: And this has  
7                   been one of the most difficult votes for me in  
8                   my pragmatic way, because it's not pragmatic.  
9                   It's about caring for people as well.

10                  So I'm going to leave my pragmatic  
11                  way and I'm going to trust that this legislation  
12                  is going to be legislation that is going to  
13                  protect people, going to help people, and not  
14                  let us become a California.

15                  Thank you for the extra time.

16                  (Applause from the gallery.)

17                  ACTING PRESIDENT GRIFFO: Senator  
18                  Marchione to be recorded in the affirmative.

19                  Senator Latimer to explain his  
20                  vote.

21                  SENATOR LATIMER: Mr. President,  
22                  we're all casting today a vote of hope.

23                  There is a story in the Scriptures  
24                  that many of us believe to be the words of  
25                  Jesus Christ, when he said: "When I was hungry,

1     you gave me food. When I was in need of  
2     clothing, you clothed me, unto the kingdom of  
3     heaven."

4                     And the individual said, "Lord,  
5     when did I see you hungry? When did I see you  
6     naked? When did I see you in prison?"

7                     He said, "When you did this for the  
8     least of my brothers, you did it unto me."

9                     Our vote today is a vote of hope  
10    because whatever we feel, we see people in need.  
11    We see people hungry for something that might  
12    make their life better. And that vote of hope  
13    is something that as conservative or as liberal  
14    or as moderate as we may be, we share in that  
15    hope. And we hope that the story to be told  
16    about what we've done today will allow us,  
17    10 years, 20 years from now, to say that we  
18    collectively did do the right thing.

19                    Senator Marchione, we did the right  
20    thing today.

21                    Thank you, Mr. President.

22                    ACTING PRESIDENT GRIFFO: Senator  
23    Latimer to be recorded in the affirmative.

24                    Announce the results.

25                    THE SECRETARY: In relation to

1 Calendar 1659, those recorded in the negative  
2 are Senators Ball, DeFrancisco, Griffo, Hannon,  
3 LaValle, Libous, Nozzolio, Ritchie, Seward and  
4 Zeldin.

5 Ayes, 49. Nays, 10.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 (Cheers, sustained applause.)

9 ACTING PRESIDENT GRIFFO: Senator  
10 Libous, that completes the controversial reading  
11 of the calendar.

12 Senator Gianaris, why do you stand?

13 SENATOR GIANARIS: Mr. President,  
14 can you please call on Senator Serrano for an  
15 announcement.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Serrano.

18 SENATOR SERRANO: Thank you,  
19 Mr. President.

20 There will be an immediate meeting  
21 of the Senate Democratic Conference in Room 315.

22 ACTING PRESIDENT GRIFFO: There  
23 will be an immediate meeting of the Democratic  
24 Conference in Room 315, immediate meeting of the  
25 Democratic Conference.

1 Senator Libous.

2 SENATOR LIBOUS: There will be a  
3 Rules Committee meeting at 2:45 in Room 332.

4 ACTING PRESIDENT GRIFFO: There  
5 will be a Rules Committee meeting in Room 332 at  
6 2:45.

7 The Senate will stand temporarily  
8 at ease.

9 (Whereupon, the Senate stood at  
10 ease at 2:22 p.m.)

11 (Whereupon, the Senate reconvened  
12 at 3:25 p.m.)

13 ACTING PRESIDENT GRIFFO: The  
14 Senate will come to order.

15 Senator Libous.

16 SENATOR LIBOUS: Mr. President, I  
17 believe there's a report of the Rules Committee  
18 at the desk. Could we have it read at this  
19 time.

20 ACTING PRESIDENT GRIFFO: There is  
21 a report of the Rules Committee at the desk.

22 The Secretary will read.

23 THE SECRETARY: Senator Skelos,  
24 from the Committee on Rules, reports the  
25 following bills:

1 Senate Print 592, by Senator  
2 Gianaris, an act to amend the Real Property Tax  
3 Law;

4 Senate 4926C, by Senator Hannon, an  
5 act to amend Section 38 of Part A of the  
6 Chapter 60 of the Laws of 2014;

7 Senate 5227B, by Senator Robach, an  
8 act in relation to the transportation;

9 Senate 5705B, by Senator Lanza, an  
10 act to amend the Racing, Pari-Mutuel Wagering  
11 and Breeding Law;

12 Senate 5942A, by Senator Kennedy,  
13 an act to amend the Social Services Law;

14 Senate 6389A, by Senator  
15 Stewart-Cousins, an act to amend the Vehicle and  
16 Traffic Law;

17 Senate 6553A, by Senator Kennedy,  
18 an act to amend the Social Services Law;

19 Senate 6804, by Senator Lanza, an  
20 act to amend the Criminal Procedure Law;

21 Senate 6890, by Senator  
22 Ranzenhofer, an act to amend the Public  
23 Authorities Law;

24 Senate 6892, by Senator  
25 Ranzenhofer, an act to amend the Public

1 Authorities Law;

2 Senate 7185, by Senator Golden, an  
3 act to amend the Local Finance Law;

4 Senate 7236A, by Senator  
5 Hassell-Thompson, an act to amend the Vehicle  
6 and Traffic Law;

7 Senate 7387A, by Senator Golden, an  
8 act to amend the Public Health Law;

9 Senate 7431A, by Senator Grisanti,  
10 an act to amend the Mental Hygiene Law;

11 Senate 7640, by Senator Savino, an  
12 act to amend the Real Property Tax Law;

13 Senate 7702, by the Committee on  
14 Rules, an act to amend Chapter 20 of the Laws of  
15 2009;

16 Senate 7704, by the Committee on  
17 Rules, an act to amend Chapter 22 of the Laws of  
18 2009;

19 Senate 7732, by Senator Felder, an  
20 act to amend the Public Authorities Law;

21 Senate 7746, by Senator Little, an  
22 act to amend the Tax Law;

23 Senate 7800, by the Committee on  
24 Rules, an act to amend the Public Health Law;

25 Senate 7810, by Senator Golden, an

1 act to amend the Civil Service Law;

2 Senate 7815, by Senator Flanagan,  
3 an act to amend Chapter 675 of the Laws of 1984;

4 Senate 7832, by Senator Hannon, an  
5 act in relation to directing;

6 Senate 7853, by the Committee on  
7 Rules, an act to amend the Nassau County  
8 Administrative Code;

9 Senate 7880, by the Committee on  
10 Rules, an act to amend a chapter of the Laws of  
11 2014;

12 And Senate 7916, by Senator Lanza,  
13 an act to amend the Environmental Conservation  
14 Law.

15 All bills reported direct to third  
16 reading.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Libous.

19 SENATOR LIBOUS: Thank you,  
20 Mr. President.

21 I move to accept the report of the  
22 Rules Committee.

23 ACTING PRESIDENT GRIFFO: All in  
24 favor of accepting the Rules Committee report  
25 signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The  
5 Committee on Rules report is accepted and before  
6 the house.

7 SENATOR LIBOUS: Mr. President,  
8 could we go to motions, please.

9 ACTING PRESIDENT GRIFFO: We will  
10 return to motions and resolutions.

11 SENATOR LIBOUS: I'd like to adopt  
12 today's Resolution Calendar, with the exception  
13 of Resolutions 6123 and 6072.

14 ACTING PRESIDENT GRIFFO: All in  
15 favor of adopting the Resolution Calendar, with  
16 the exceptions that have been indicated, signify  
17 by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: The  
22 Resolution Calendar is adopted.

23 Senator Libous.

24 SENATOR LIBOUS: Mr. President, at  
25 this time Senator Hannon has a resolution at the

1 desk. It's Number 6123. I believe he would  
2 like the title read, and then if you could call  
3 on Senator Hannon. And I think several other of  
4 my colleagues may also want to speak on this.

5 ACTING PRESIDENT GRIFFO: The  
6 Secretary will read.

7 THE SECRETARY: Legislative  
8 Resolution Number 6123, by Senator Hannon,  
9 calling on the federal government to reevaluate  
10 guidelines and allocate additional funding  
11 related to Lyme and tick-borne diseases.

12 ACTING PRESIDENT GRIFFO: Senator  
13 Hannon.

14 SENATOR HANNON: Thank you very  
15 much, Mr. President.

16 Earlier this week the Task Force on  
17 Lyme Disease and Tick-Borne Diseases made its  
18 report and recommendations. Yesterday we passed  
19 a statute in regard to part of the state's  
20 enforcement mechanism on physicians. And today  
21 what we'd like to do is call on the federal  
22 government to deal with this disease in a far  
23 more comprehensive and in-depth way than they've  
24 done before.

25 The resolution talks about it's

1     only recently that Lyme became a reportable  
2     disease, in '86. More recently -- namely, last  
3     year -- the CDC said there's about 300,000  
4     Americans diagnosed with Lyme each year, most of  
5     which are in the Northeast. And we recognize  
6     this as an epidemic.

7                     And so we call upon the federal  
8     government -- the CDC, National Institute of  
9     Health, anyone else doing research, such as the  
10    Department of Defense -- to focus on this  
11    disease, expand its research, and look at the  
12    treatment guidelines from the CDC, which have  
13    caused a great amount of concern.

14                    So for that reason, there are some  
15    other extraordinarily well-versed members of the  
16    task force, I'd ask that you call upon them to  
17    comment on this resolution.

18                    ACTING PRESIDENT GRIFFO:    Senator  
19    LaValle.

20                    SENATOR LaVALLE:    Thank you,  
21    Mr. President.

22                    I just want to thank again  
23    Senator Hannon for his leadership on this task  
24    force.

25                    And the members that were on that

1 task force worked very, very hard. We really  
2 worked very well together. And we've provided  
3 for people of this state a blueprint in moving  
4 forward for an action plan, an action plan both  
5 at a state level and a federal level. This  
6 resolution outlines the federal plan and what  
7 we're asking the feds to do.

8                   And I believe it's probably one of  
9 the most effective task forces that I have  
10 served on while being in the Legislature. We've  
11 provided legislation to deal with the problem  
12 which we discussed the other day, financial  
13 support and public relations support to make the  
14 case that Lyme disease and tick-borne  
15 diseases are very serious, people have died from  
16 these ailments, gone untreated.

17                   And I vote aye.

18                   ACTING PRESIDENT GRIFFO:    Senator  
19 Little.

20                   SENATOR LITTLE:    Thank you,  
21 Mr. President.

22                   I too would like to speak on this  
23 resolution, having been part of the task force,  
24 and again thank Senator Hannon for his  
25 leadership on this.

1           Lyme disease was first discovered  
2   or named in 1986, and I think Connecticut became  
3   a place where it was pretty rampant. But it  
4   quickly crossed the borders and has entered  
5   New York State and is moving north, coming north  
6   into the Adirondacks.

7           The treatment protocols for Lyme  
8   disease vary, as they would vary, from doctor to  
9   doctor. And one of the things that came to our  
10   attention is that many people using-- the  
11   doctors that use the guidelines from the CDC  
12   were finding that many people needed to have  
13   more treatment than those guidelines allowed.

14          Therefore, what we are asking is  
15   for the CDC to look at the treatment protocols  
16   that they have been putting out as guidelines  
17   and to look at the best practices that have been  
18   instituted by doctors in New York State and  
19   throughout the country to see if we can come up  
20   with a better way of dealing with people who  
21   have Lyme disease.

22          I'm very fortunate in my district  
23   to have the Trudeau Institute, which has been  
24   world-renowned for studying vaccines, beginning  
25   certainly with TB, is how it began, and going on

1 to other diseases that they have developed  
2 vaccines for.

3 Dr. Tim Sellati, who is at the  
4 Trudeau Institute, spoke at a meeting we had in  
5 Glens Falls and also came down and spoke to our  
6 task force and really gave an interesting take  
7 on it. As they deal -- and they deal with mice.  
8 As they treat mice and try to figure out how  
9 each reacts, is that these mice, as people will  
10 do, react differently to the tick and the  
11 tick-borne disease. And there are other parts  
12 of -- you know, some get it mildly, some get it  
13 really difficult, and some really end up with  
14 what we call chronic Lyme disease.

15 So what we need is more money for  
16 research, more money to help us develop ways of  
17 preventing people from getting Lyme disease,  
18 more money so that we can treat the mice and the  
19 deer and the ticks that are around so that they  
20 are not poisoning people and causing this  
21 disease.

22 So we're asking the CDC and the NIH  
23 to help us in this effort and giving them the  
24 results of our task force and the things that we  
25 have come up with, and certainly hoping that

1 they will pay more attention to Lyme disease and  
2 to address the issue of how it is best treated  
3 in this country.

4                   So I look forward to seeing a  
5 result, but I really appreciate the opportunity  
6 to serve on this task force and to be able to  
7 move it to the federal level so that we can help  
8 people who -- many of them who suffer from Lyme  
9 disease for a long period of time, and it takes  
10 lot of effort and time to be diagnosed.

11                   So thank you very much. Thank you,  
12 Senator Hannon. Thank you to all my colleagues  
13 for joining us. Thank you.

14                   ACTING PRESIDENT GRIFFO: Senator  
15 Marchione.

16                   SENATOR MARCHIONE: Thank you,  
17 Mr. President.

18                   I also served as a member of the  
19 task force and would like to thank  
20 Senator Hannon for his leadership and all of his  
21 effort and work, and for everyone who served on  
22 the committee and for those who came and  
23 testified before us. I learned more about  
24 tick-borne diseases that I thought I would ever  
25 learn in my life, and I know I have much, much

1 more to learn.

2 But I do believe that this body  
3 moved forward, we listened, we understood, and  
4 we took action. And I certainly am thankful to  
5 be part of a task force that actually followed  
6 through and really made some good strides  
7 forward to help the people in New York State.

8 I represent Rensselaer, Saratoga  
9 and two other counties. But those two counties  
10 are some of the most hard-hit in tick-borne  
11 diseases in all of New York State. I hear  
12 horror stories all the time from people in my  
13 district about the financial and the  
14 psychological and the physical concerns and  
15 problems that they have just to go about their  
16 daily activities.

17 So I just want to again thank  
18 Senator Hannon, call on the federal government  
19 to join us, and hope that they can move forward  
20 and have as much action as we have had in the  
21 Senate.

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: The  
24 question is on the resolution. All in favor  
25 signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The  
5 resolution is adopted.

6 Senator Libous.

7 SENATOR LIBOUS: Mr. President,  
8 Resolution Number 6072, by Senator Smith, is at  
9 the desk. Could you have the title read, and I  
10 believe Senator Smith would like to make some  
11 comments.

12 ACTING PRESIDENT GRIFFO: The  
13 Secretary will read.

14 THE SECRETARY: Legislative  
15 Resolution Number 6072, by Senator Smith,  
16 commending Meredith L. Henderson upon the  
17 occasion of her designation for special  
18 recognition by the Alpha Kappa Alpha Sorority,  
19 Inc.

20 ACTING PRESIDENT GRIFFO: Senator  
21 Smith.

22 SENATOR SMITH: Thank you very  
23 much, Mr. President.

24 Colleagues, I rise this afternoon  
25 to pay tribute to a young lady who has spent

1 most of her life working on behalf of improving  
2 people's lives as well as working on behalf of  
3 the State of New York.

4           Meredith L. Henderson, who I have  
5 good fortune of her being my chief of staff, has  
6 achieved the distinction, much to the excitement  
7 of many people around the city and around the  
8 state. She is a young lady who, as many of you  
9 know, has always spent a lot of time helping  
10 people. She's held a number of positions in the  
11 Senate. She was in the budget office, she was  
12 director of the Black and Puerto Rican and  
13 Hispanic Legislative caucus. She served as the  
14 first African-American female deputy secretary  
15 to the Majority Leader, and she's now serving as  
16 chief of staff in my office in the Senate.

17           She's a graduate of Union College  
18 and Binghamton University as well.

19           She has recently been recognized  
20 and elected by her peers in the Alpha Kappa  
21 Alpha Sorority, one of the oldest -- or the  
22 oldest African-American female sorority in this  
23 country, started in 1908. It is now 106 years  
24 old. She has served there as part of the  
25 international nominating committee, she's been a

1     parliamentarian, she served as the scholarship  
2     chairman and most notably as a graduate advisor.

3             But what she has achieved, which  
4     many people are unfamiliar with but will now  
5     know as we pause for deliberation to acknowledge  
6     her accomplishments, in recent she has been  
7     elected as the North Atlantic regional director  
8     for the Alpha Kappa Alpha Sorority.

9             Now, some will say, Malcolm, what  
10    does that mean? Well, let me give you the  
11    significance of being elected to that position  
12    and what it means. She is now the North  
13    Atlantic regional director. That puts her, as a  
14    supervisory individual, over approximately nine  
15    states, from Maine to Maryland. She reigns over  
16    11 regions in the Northeast corridor. She is  
17    also over 138 chapters, which has over 10,000  
18    members. I actually believe that I now work for  
19    Meredith L. Henderson, as opposed to her working  
20    with me.

21            But this is a great day that we  
22    stand on this floor of the Senate to acknowledge  
23    her accomplishments, a young lady who is very  
24    soft-spoken but carries a very large  
25    intellectual stick. And I am proud to stand on

1 this floor and congratulate her, and I ask my  
2 colleagues to join me in congratulating her as  
3 well.

4 Mr. President, I would like to open  
5 this resolution for the entire Senate to  
6 cosponsor.

7 ACTING PRESIDENT GRIFFO: Senator  
8 Libous, the sponsor has requested that the  
9 resolution be opened for cosponsorship.

10 Before then, I'm going to recognize  
11 Senator Montgomery.

12 Senator Montgomery.

13 SENATOR MONTGOMERY: Thank you,  
14 Mr. President.

15 I rise to join my colleague and  
16 thank Senator Smith. It's very appropriate,  
17 obviously, that the Senator sponsor this  
18 resolution. But I must say this is my own soro.  
19 So he's jumped ahead of me, but that's quite all  
20 right. And I'm happy to join him, and  
21 definitely I want to be part of that resolution.

22 It is not very often that we have  
23 an opportunity to rise in this situation and be  
24 able to honor someone who represents the best of  
25 what I believe women represent, and especially

1 African-American women in this country. And  
2 that's what Meredith represents in and of  
3 herself, but also as a member of this sorority.

4 And I must say that while we are  
5 Alpha Kappa Alpha women, there are some Delta  
6 women and Omega women, and those are also part  
7 of this large community of sorority sisters who  
8 reflect what we believe are the best of our  
9 tradition and our communities and our people and  
10 women.

11 So thank you, Senator Smith. And I  
12 certainly join you in honoring this great  
13 accomplishment of Meredith today.

14 ACTING PRESIDENT GRIFFO: Senator  
15 Parker.

16 SENATOR PARKER: Thank you,  
17 Mr. President. On the resolution.

18 I want to add my voice to both  
19 Senator Smith and Senator Montgomery in honoring  
20 Meredith Henderson, who is not only a friend and  
21 a great professional who has worked very hard  
22 for this body, but someone who has gone above  
23 and beyond the work that she does in her job in  
24 terms of community service but also providing  
25 service to the community.

1                   She's been involved in a lot of the  
2     life here in Albany, you know, from charter  
3     schools to working with young women to just  
4     making a better way of life for the people in  
5     the community which she lives in. And that has  
6     really been a reflection not just of her own  
7     values, but the work that she has done with her  
8     sorority.

9                   Alpha Kappa Alpha, the first black  
10    female sorority in the nation, boasts some great  
11    members in it, including the late Dr. Maya  
12    Angelou, Toni Morrison, Gladys Knight, Coretta  
13    Scott King, Ella Fitzgerald, Jada Pinkett Smith,  
14    and Marion Anderson, the great singer, were all  
15    members of this sorority. And of course our own  
16    Senator Velmanette Montgomery.

17                  And so in honoring Meredith  
18    Henderson, we really honor this long legacy of  
19    women, of this tradition of giving back to the  
20    community and putting service first. And so  
21    we'd like to thank her and all the women of  
22    Alpha Kappa Alpha for their contributions to the  
23    people of State of New York.

24                  ACTING PRESIDENT GRIFFO:    Thank  
25    you, Senator Parker.

1                   Senator Stavisky.

2                   SENATOR STAVISKY:    Yes, thank you,  
3   Mr. President.

4                   I too want to honor Meredith  
5   Henderson.  In college I did belong to a  
6   sorority, but not that one.

7                   (Laughter.)

8                   SENATOR STAVISKY:    But that  
9   doesn't stop me from talking about the good work  
10   that Meredith Henderson has done.  I've known  
11   her for quite a few years.  And I commend her on  
12   her distinction with Alpha Kappa Alpha.

13                  Thank you.

14                  ACTING PRESIDENT GRIFFO:   The  
15   question is on the resolution.  All in favor  
16   signify by saying aye.

17                  (Response of "Aye.")

18                  ACTING PRESIDENT GRIFFO:    Opposed?

19                  (No response.)

20                  ACTING PRESIDENT GRIFFO:    The  
21   resolution is adopted.

22                  We want to extend our  
23   congratulations to Meredith and thank her for  
24   the outstanding work she does.

25                  And, Senator Libous, the sponsor

1 has asked for the resolution to be opened for  
2 cosponsorship.

3 SENATOR LIBOUS: Both the  
4 resolutions that were on the floor we'd like to  
5 open up for cosponsorship. And if for some  
6 reason somebody doesn't want to go on them, to  
7 let the desk know.

8 ACTING PRESIDENT GRIFFO: The  
9 resolutions are open for cosponsorship. Should  
10 you choose not to be a sponsor, please so notify  
11 the desk.

12 Thank you, Senator Libous.

13 SENATOR LIBOUS: Mr. President, if  
14 it's okay with you and the rest of my  
15 colleagues, I'd like to take up Supplemental  
16 Calendar 54A, the noncontroversial reading.

17 ACTING PRESIDENT GRIFFO: By all  
18 means.

19 The Secretary shall read.

20 THE SECRETARY: Senator Gianaris  
21 moves to discharge, from the Committee on  
22 Veterans, Homeland Security and Military  
23 Affairs, Assembly Bill Number 2124 and  
24 substitute it for the identical Senate Bill  
25 Number 592, Third Reading Calendar 1663.

1                   ACTING PRESIDENT GRIFFO:    The  
2   substitution is so ordered.

3                   The Secretary will read.

4                   THE SECRETARY:    Calendar Number  
5   1663, by Member of the Assembly Simotas,  
6   Assembly Print 2124, an act to amend the  
7   Real Property Tax Law.

8                   ACTING PRESIDENT GRIFFO:    Read the  
9   last section.

10                  THE SECRETARY:    Section 2.  This  
11   act shall take effect on the first of July.

12                  ACTING PRESIDENT GRIFFO:    Call the  
13   roll.

14                  (The Secretary called the roll.)

15                  THE SECRETARY:    Ayes, 59.

16                  ACTING PRESIDENT GRIFFO:    The bill  
17   is passed.

18                  THE SECRETARY:    Senator Hannon  
19   moves to discharge, from the Committee on Rules,  
20   Assembly Bill Number 5476D and substitute it for  
21   the identical Senate Bill Number 4926C, Third  
22   Reading Calendar 1664.

23                  ACTING PRESIDENT GRIFFO:    The  
24   substitution is so ordered.

25                  The Secretary will read.

1                   THE SECRETARY:    Calendar Number  
2    1664, by Member of the Assembly Cymbrowitz,  
3    Assembly Print 5476D, an act to amend Section 38  
4    of Part A of the Chapter 60 of the Laws of 2014.

5                   ACTING PRESIDENT GRIFFO:   Read the  
6    last section.

7                   THE SECRETARY:    Section 2.   This  
8    act shall take effect immediately.

9                   ACTING PRESIDENT GRIFFO:   Call the  
10   roll.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:    Ayes, 59.

13                   ACTING PRESIDENT GRIFFO:   The bill  
14   is passed.

15                   THE SECRETARY:    Calendar Number  
16    1665, by Senator Robach, Senate Print 5227B, an  
17    act in relation to the transportation of  
18    students.

19                   ACTING PRESIDENT GRIFFO:   Read the  
20   last section.

21                   THE SECRETARY:    Section 2.   This  
22   act shall take effect immediately.

23                   ACTING PRESIDENT GRIFFO:   Call the  
24   roll.

25                   (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 1666, by Senator Lanza, Senate Print 5705B, an  
6 act to amend the Racing, Pari-Mutuel Wagering  
7 and Breeding Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 6. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Senator  
16 Bonacic to explain his vote.

17 SENATOR BONACIC: Yes. This bill  
18 was exactly the same two years ago when the  
19 Governor vetoed it. There's not one change  
20 here.

21 They're trying to revive, in  
22 New York City, OTB. And in my judgment it's  
23 been a failed system, the OTBs in the State of  
24 New York, for the most part. The City of  
25 New York is against this. Yonkers Racetrack is

1     against this.

2                   And what this legislation is trying  
3     to do is take Catskill Regional OTB that's  
4     sitting on about \$15 million that should have  
5     been reinvested in the 10 counties in Catskill  
6     OTB, and they want to jump and make a merger  
7     with New York City to revive a system that  
8     failed in New York City.

9                   So let me just sum it up briefly.  
10    When New York City OTB closed in 2010, they owed  
11    Yonkers more than \$21 million, which has never  
12    been paid. And also, when I talked about the  
13    failed system, Nassau OTB has an outstanding  
14    debt to Yonkers Raceway.

15                  Again, I just don't think OTB --  
16    it's outdated, they have not kept up with  
17    technology -- should be consolidated. This is a  
18    failed system, and I don't know why the Governor  
19    wouldn't veto it again, because nothing has  
20    changed.

21                  I vote no. Thank you,  
22    Mr. President.

23                  ACTING PRESIDENT GRIFFO:    Senator  
24    Bonacic to be recorded in the negative.

25                  Announce the results.

1                   THE SECRETARY:   In relation to  
2   Calendar 1666, those recorded in the negative  
3   are Senators Ball, Bonacic, DeFrancisco,  
4   Gianaris, Griffio, Hoylman, Krueger, Little,  
5   Marchione, Seward and Squadron.  Also Senator  
6   Gipson.  Also Senator Ranzenhofer.

7                   SENATOR LIBOUS:   Mr. President.

8                   ACTING PRESIDENT GRIFFIO:   Senator  
9   Libous.

10                  SENATOR LIBOUS:   Before we go to  
11   final roll, could you give us a second here?

12                  ACTING PRESIDENT GRIFFIO:   Sure.

13                  (Pause.)

14                  ACTING PRESIDENT GRIFFIO:   The  
15   Secretary will continue the roll.

16                  THE SECRETARY:   In relation to  
17   Calendar 1666, those recorded in the negative  
18   are Senators Ball, Bonacic, DeFrancisco,  
19   Gianaris, Gipson, Griffio, Hoylman, Krueger,  
20   Libous, Little, Marchione, Ranzenhofer --

21                  (Pause.)

22                  ACTING PRESIDENT GRIFFIO:   We're  
23   going to announce the results again, so pay  
24   attention.

25                  (Laughter.)

1                   ACTING PRESIDENT GRIFFO:    The  
2   Secretary will read.

3                   THE SECRETARY:    In relation to  
4   Calendar 1666, those recorded in the negative  
5   are Senators Ball, Bonacic, DeFrancisco,  
6   Gianaris, Gipson, Griffio, Hoylman, Krueger,  
7   Little, Marchione, Ranzenhofer, Seward, Squadron  
8   and Tkaczyk.   Also Senator Nozzolio.

9                   Ayes, 44.   Nays, 15.

10                  ACTING PRESIDENT GRIFFO:   The bill  
11   is passed.

12                  On Calendar Number 1667, the Senate  
13   version is high.   The Assembly version is aged,  
14   and the Secretary will read.

15                  THE SECRETARY:    Senator Kennedy  
16   moves to discharge, from the Committee on Rules,  
17   Assembly Bill Number 1987A and substitute it for  
18   the identical Senate Bill Number 5942A, Third  
19   Reading Calendar 1667.

20                  ACTING PRESIDENT GRIFFO:   The  
21   substitution is so ordered.

22                  THE SECRETARY:    Calendar Number  
23   1667, by Member of the Assembly Titus, Assembly  
24   Print 1987A, an act to amend the Social Services  
25   Law.

1                   ACTING PRESIDENT GRIFFO:   Read the  
2   last section.

3                   THE SECRETARY:   Section 2.  This  
4   act shall take effect immediately.

5                   ACTING PRESIDENT GRIFFO:   Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:   Senator  
9   Kennedy to explain his vote.

10                  SENATOR KENNEDY:   Thank you very  
11   much, Mr. President.

12                  This piece of legislation is very  
13   serious in nature.  It further helps us as we  
14   put forward the comprehensive legislation to  
15   transform our Child Protective Services system  
16   throughout New York State.

17                  Across our country, as we've talked  
18   about so many times in this chamber, about  
19   700,000 children have suffered from abuse and  
20   neglect.  In New York State that number is  
21   at about 80,000 children.

22                  When the hotline is called here in  
23   New York State, in the past there has been these  
24   reports taken individually and reported out to  
25   the various municipalities.  This legislation

1 will take into account previous investigations  
2 and reports of abuse and neglect.

3 In Erie County we've seen some very  
4 high-profile deaths of children over the course  
5 of the last few years -- the deaths of Abdi  
6 Mohamud, Eain Brooks, Mayouna Smith, Gage  
7 Seneca, Jacob Noe. And young children across  
8 the state have died because of these unthinkable  
9 and horrific abuses.

10 And one of the most alarming  
11 findings in OCFS's recent review of Erie  
12 County's CPS department was that approximately  
13 72 percent of the reports involve families with  
14 histories of previous Child Protective Service  
15 investigations within the past four years.  
16 Twenty-four percent had five or more previous  
17 reports.

18 So it's fitting that when the  
19 hotline is called, that the reports take into  
20 consideration those previous investigations and  
21 that is referred out to the municipalities.

22 I appreciate the leadership  
23 bringing this to the floor for a vote. With  
24 that, Mr. President, I vote aye.

25 ACTING PRESIDENT GRIFFO: Senator

1 Kennedy to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Senator  
7 Stewart-Cousins moves to discharge, from the  
8 Committee on Rules, Assembly Bill Number 8250A  
9 and substitute it for the identical Senate Bill  
10 Number 6389A, Third Reading Calendar 1668.

11 ACTING PRESIDENT GRIFFO: The  
12 substitution is so ordered.

13 There is a home-rule message at the  
14 desk.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number  
17 1668, by Member of the Assembly Paulin, Assembly  
18 Print 8250A, an act to amend the Vehicle and  
19 Traffic Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 15. This  
23 act shall take effect on the 30th day.

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to  
3 Calendar 1668, those recorded in the negative  
4 are Senators Ball, DeFrancisco, Griffio,  
5 Ranzenhofer and Zeldin. Also Senator Larkin.

6 Ayes, 53. Nays, 6.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 The Secretary will continue on  
10 Calendar Number 1669.

11 THE SECRETARY: Senator Kennedy  
12 moves to discharge, from the Committee on  
13 Children and Families, Assembly Bill Number  
14 8418A and substitute it for the identical Senate  
15 Bill Number 6553A, Third Reading Calendar 1669.

16 ACTING PRESIDENT GRIFFO: The  
17 substitutions are so ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number  
20 1669, by Member of the Assembly Mayer, Assembly  
21 Print 8418A, an act to amend the Social Services  
22 Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Senator Lanza  
9 moves to discharge, from the Committee on Codes,  
10 Assembly Bill Number 8749A and substitute it for  
11 the identical Senate Bill Number 6804,  
12 Third Reading Calendar 1670.

13 ACTING PRESIDENT GRIFFO: The  
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number  
17 1670, by Member of the Assembly Paulin,  
18 Assembly Print 8749A, an act to amend the  
19 Criminal Procedure Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 2. This  
23 act shall take effect immediately.

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1671, by Senator Ranzenhofer, Senate Print 6890,  
7 an act to amend the Public Authorities Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 3. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 57. Nays,  
16 2. Senators Ball and DeFrancisco recorded in  
17 the negative.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 1672, by Senator Ranzenhofer, Senate Print 6892,  
22 an act to amend the Public Authorities Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57. Nays,  
6 2. Senators Ball and DeFrancisco recorded in  
7 the negative.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Senator Golden  
11 moves to discharge, from the Committee on Local  
12 Government, Assembly Bill Number 9463 and  
13 substitute it for the identical Senate Bill  
14 Number 7185, Third Reading Calendar 1673.

15 ACTING PRESIDENT GRIFFO: The  
16 substitution is so ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number  
19 1673, by Member of the Assembly Farrell,  
20 Assembly Print 9463, an act to amend the Local  
21 Finance Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

24 THE SECRETARY: Section 2. This  
25 act shall take effect immediately.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 58.  Nays,  
5   1.  Senator Ball recorded in the negative.

6                   ACTING PRESIDENT GRIFFO:    The bill  
7   is passed.

8                   THE SECRETARY:    Senator  
9   Hassell-Thompson moves to discharge, from the  
10   Committee on Rules, Assembly Bill Number 8368B  
11   and substitute it for the identical Senate Bill  
12   Number 7236A, Third Reading Calendar 1674.

13                  ACTING PRESIDENT GRIFFO:    There is  
14   a home-rule message at the desk.

15                  The substitution is so ordered.

16                  The Secretary will read.

17                  THE SECRETARY:    Calendar Number  
18   1674, by Member of the Assembly Pretlow,  
19   Assembly Print 8368B, an act to amend the  
20   Vehicle and Traffic Law.

21                  ACTING PRESIDENT GRIFFO:    Read the  
22   last section.

23                  THE SECRETARY:    Section 15.  This  
24   act shall take effect on the 30th day.

25                  ACTING PRESIDENT GRIFFO:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: In relation to  
4 Calendar Number 1674, those recorded in the  
5 negative are Senators Ball, DeFrancisco, Griffo  
6 and Zeldin. Also Senator Larkin. Also  
7 Senator Ranzenhofer.

8 Ayes, 53. Nays, 6.

9 ACTING PRESIDENT GRIFFO: The bill  
10 is passed.

11 THE SECRETARY: Senator Golden  
12 moves to discharge, from the Committee on Rules,  
13 Assembly Bill Number 9021D and substitute it for  
14 the identical Senate Bill Number 7387A, Third  
15 Reading Calendar 1675.

16 ACTING PRESIDENT GRIFFO: The  
17 substitution is so ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number  
20 1675, by Member of the Assembly Davila,  
21 Assembly Print 9021D, an act to amend the  
22 Public Health Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1676, by Senator Grisanti, Senate Print 7431A,  
10 an act to amend the Mental Hygiene Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect immediately.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Senator  
19 Grisanti to explain his vote.

20 SENATOR GRIFFO: Yes, thank you,  
21 Mr. President. Believe it or not, I will be  
22 brief.

23 This legislation, this legislation  
24 establishes a plan to increase housing  
25 opportunities for people with developmental

1 disabilities. We know, we know that there's a  
2 severe housing shortage. You have individuals  
3 in their eighties that are taking care of  
4 children that are in their fifties with  
5 disabilities that they have no idea what's going  
6 to happen to them when they pass.

7           This is a start. The Assembly  
8 never picked it up. We're going to have to come  
9 back to it next year. But this is something  
10 that we've got to keep on the radar screen and  
11 get this accomplished once and for all. We have  
12 too many people that do not have housing in  
13 New York State. In my area, it's up to about  
14 2100. Check it out in your district and let's  
15 get together and do something next year on it.

16           Thank you very much. I vote aye.

17           ACTING PRESIDENT GRIFFO: How do  
18 you vote, Senator Grisanti?

19           SENATOR GRISANTI: Aye.

20           ACTING PRESIDENT GRIFFO: Senator  
21 Grisanti to be recorded in the affirmative.

22           It was so brief that I wanted to  
23 make sure I heard it.

24           (Laughter.)

25           ACTING PRESIDENT GRIFFO: The

1 Secretary will announce the results.

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Senator Savino  
6 moves to discharge, from the Committee on Rules,  
7 Assembly Bill Number 9744 and substitute it for  
8 the identical Senate Bill Number 7640, Third  
9 Reading Calendar 1677.

10 ACTING PRESIDENT GRIFFO: The  
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number  
14 1677, by Member of the Assembly Kavanagh,  
15 Assembly Print 9744, an act to amend the  
16 Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

19 THE SECRETARY: Section 4. This  
20 act shall take effect July 1, 2014.

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Senator Skelos  
3 moves to discharge, from the Committee on Rules,  
4 Assembly Bill Number 9739 and substitute it for  
5 the identical Senate Bill Number 7702, Third  
6 Reading Calendar 1678.

7 ACTING PRESIDENT GRIFFO: There is  
8 a home-rule message at the desk.

9 The substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number  
12 1678, by Member of the Assembly Mayer, Assembly  
13 Print 9739, an act to amend Chapter 20 of the  
14 Laws of 2009.

15 ACTING PRESIDENT GRIFFO: Read the  
16 last section.

17 THE SECRETARY: Section 2. This  
18 act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Announce  
23 the results.

24 THE SECRETARY: In relation to  
25 Calendar 1678, those recorded in the negative

1 are Senators Ball, DeFrancisco, Larkin, O'Mara  
2 and Zeldin.

3 Ayes, 54. Nays, 5.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Senator Skelos  
7 moves to discharge, from the Committee on Rules,  
8 Assembly Bill Number 9498 and substitute it for  
9 the identical Senate Bill Number 7704, Third  
10 Reading Calendar 1679.

11 ACTING PRESIDENT GRIFFO: There is  
12 a home-rule message at the desk.

13 The substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number  
16 1679, by Member of the Assembly Gantt, Assembly  
17 Print 9498, an act to amend Chapter 22 of the  
18 Laws of 2009.

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

21 THE SECRETARY: Section 2. This  
22 act shall take effect immediately.

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   THE SECRETARY:   In relation to  
2   Calendar 1679, those recorded in the negative  
3   are Senators Ball, DeFrancisco, Larkin, O'Mara  
4   and Zeldin.

5                   Ayes, 54.   Nays, 5.

6                   ACTING PRESIDENT GRIFFO:   The bill  
7   is passed.

8                   THE SECRETARY:   Senator Felder  
9   moves to discharge, from the Committee on Rules,  
10   Assembly Bill Number 9718 and substitute it for  
11   the identical Senate Bill Number 7732,  
12   Third Reading Calendar 1680.

13                  ACTING PRESIDENT GRIFFO:   The  
14   substitution is so ordered.

15                  The Secretary will read.

16                  THE SECRETARY:   Calendar Number  
17   1680, by Member of the Assembly Nolan,  
18   Assembly Print 9718, an act to amend the  
19   Public Authorities Law.

20                  ACTING PRESIDENT GRIFFO:   Read the  
21   last section.

22                  THE SECRETARY:   Section 2.   This  
23   act shall take effect immediately.

24                  ACTING PRESIDENT GRIFFO:   Call the  
25   roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58. Nays,

3 1. Senator Martins recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Senator Little  
7 moves to discharge, from the Committee on Rules,  
8 Assembly Bill Number 10049 and substitute it for  
9 the identical Senate Bill Number 7746, Third  
10 Reading Calendar 1681.

11 ACTING PRESIDENT GRIFFO: The  
12 substitution is so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number  
15 1681, by the Assembly Committee on Rules,  
16 Assembly Print 10049, an act to amend the  
17 Tax Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

20 THE SECRETARY: Section 2. This  
21 act shall take effect immediately.

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 57. Nays,

1     2. Senators Ball and DeFrancisco recorded in  
2     the negative.

3             ACTING PRESIDENT GRIFFO:     The bill  
4     is passed.

5             THE SECRETARY:     Senator Skelos  
6     moves to discharge, from the Committee on Rules,  
7     Assembly Bill Number 9421A and substitute it for  
8     the identical Senate Bill Number 7800, Third  
9     Reading Calendar 1682.

10            ACTING PRESIDENT GRIFFO:     The  
11     substitution is so ordered.

12            The Secretary will read.

13            THE SECRETARY:     Calendar Number  
14     1682, by Member of the Assembly Morelle,  
15     Assembly Print 9421A, an act to amend the  
16     Public Health Law.

17            ACTING PRESIDENT GRIFFO:     Read the  
18     last section.

19            THE SECRETARY:     Section 3. This  
20     act shall take effect January 1, 2015.

21            ACTING PRESIDENT GRIFFO:     Call the  
22     roll.

23            (The Secretary called the roll.)

24            THE SECRETARY:     Ayes, 58. Nays,  
25     1. Senator Ball recorded in the negative.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Senator Golden  
4   moves to discharge, from the Committee on Rules,  
5   Assembly Bill Number 9970 and substitute it for  
6   the identical Senate Bill Number 7810,  
7   Third Reading Calendar 1683.

8                   ACTING PRESIDENT GRIFFO:    The  
9   substitution is so ordered.

10                  The Secretary will read.

11                  THE SECRETARY:    Calendar Number  
12   1683, by the Assembly Committee on Rules,  
13   Assembly Print 9970, an act to amend the  
14   Civil Service Law.

15                  ACTING PRESIDENT GRIFFO:    Read the  
16   last section.

17                  THE SECRETARY:    Section 2.  This  
18   act shall take effect immediately.

19                  ACTING PRESIDENT GRIFFO:    Call the  
20   roll.

21                  (The Secretary called the roll.)

22                  THE SECRETARY:    Ayes, 59.

23                  ACTING PRESIDENT GRIFFO:    The bill  
24   is passed.

25                  THE SECRETARY:    Senator Flanagan

1 moves to discharge, from the Committee on Rules,  
2 Assembly Bill Number 10019 and substitute it for  
3 the identical Senate Bill Number 7815, Third  
4 Reading Calendar 1684.

5 ACTING PRESIDENT GRIFFO: The  
6 substitution is so ordered.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number  
9 1684, by the Assembly Committee on Rules,  
10 Assembly Print 10019, an act to amend  
11 Chapter 675 of the Laws of 1984.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

14 THE SECRETARY: Section 2. This  
15 act shall take effect immediately.

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Senator Hannon  
23 moves to discharge, from the Committee on Rules,  
24 Assembly Bill Number 9492 and substitute it for  
25 the identical Senate Bill Number 7832,

1 Third Reading Calendar 1685.

2 ACTING PRESIDENT GRIFFO: The  
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 1685, by Member of the Assembly Saladino,  
7 Assembly Print 9492, an act in relation to  
8 directing.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

11 THE SECRETARY: Section 2. This  
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Senator  
17 Martins to explain his vote.

18 SENATOR MARTINS: Thank you,  
19 Mr. President.

20 My colleagues, the County of Nassau  
21 spends about \$80 million to \$100 million a year  
22 in commercial tax certiorari repayments each and  
23 every year. This bill will provide relief not  
24 only this year, but next year and each year  
25 thereafter, to the tune of \$80 to \$100 million.

1           It's been requested by the county  
2 executive. It was approved unanimously by the  
3 Nassau County Legislature. It provides savings  
4 going forward for every Nassau County property  
5 taxpayer, residential taxpayer. It provides  
6 relief for our school districts. It will not  
7 impact them and, if anything, will provide them  
8 with additional funding each and every year.  
9 And it does not impact in any way the county's  
10 continued obligations with regard to the county  
11 guarantee with regard to tax certioraris for  
12 schools in Nassau County.

13           It's something the county executive  
14 wants. It's something each and every one of the  
15 county legislators has asked us to do. And I  
16 thank you for your support today.

17           Mr. President, I vote aye.

18           ACTING PRESIDENT GRIFFO: Senator  
19 Martins to be recorded in the affirmative.

20           Announce the results.

21           THE SECRETARY: Ayes, 58. Nays,  
22 1. Senator Boyle recorded in the negative.

23           ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25           THE SECRETARY: Senator Skelos

1 moves to discharge, from the Committee on Rules,  
2 Assembly Bill Number 10097 and substitute it for  
3 the identical Senate Bill Number 7853,  
4 Third Reading Calendar 1686.

5 ACTING PRESIDENT GRIFFO: The  
6 substitution is so ordered.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number  
9 1686, by the Assembly Committee on Rules,  
10 Assembly Print 10097, an act to amend the  
11 Nassau County Administrative Code.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

14 THE SECRETARY: Section 2. This  
15 act shall take effect immediately.

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55. Nays,  
20 4. Senators Ball, Boyle, Gipson and Lanza  
21 recorded in the negative.

22 ACTING PRESIDENT GRIFFO: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 1687, by the Senate Committee on Rules,

1 Senate Print 7880, an act to amend a chapter of  
2 the Laws of 2014.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

5 THE SECRETARY: Section 2. This  
6 act shall take effect immediately.

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 58. Nays,  
11 1. Senator Ball recorded in the negative.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 THE SECRETARY: Senator Lanza  
15 moves to discharge, from the Committee on Rules,  
16 Assembly Bill Number 10153 and substitute it for  
17 the identical Senate Bill Number 7916, Third  
18 Reading Calendar 1688.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Libous, the bill is high.

21 SENATOR LIBOUS: Mr. President, is  
22 there a message at the desk?

23 ACTING PRESIDENT GRIFFO: There is  
24 a message, but we'd like to substitute first,  
25 Senator Libous.

1                   SENATOR LIBOUS:    I'm always ahead  
2 of myself, Mr. President.

3                   ACTING PRESIDENT GRIFFO:    The  
4 substitution is so ordered.

5                   Senator Libous.

6                   SENATOR LIBOUS:    Is there a  
7 message of necessity at the desk?

8                   ACTING PRESIDENT GRIFFO:    The  
9 message of necessity is at the desk.

10                  SENATOR LIBOUS:    I move that we  
11 accept the message of necessity.

12                  ACTING PRESIDENT GRIFFO:    All in  
13 favor of accepting the message of necessity  
14 signify by saying aye.

15                                   (Response of "Aye.")

16                  ACTING PRESIDENT GRIFFO:    Opposed?

17                                   (No response.)

18                  ACTING PRESIDENT GRIFFO:    The  
19 message of necessity from the Governor is  
20 accepted.

21                                   The Secretary will read.

22                  THE SECRETARY:    Calendar Number  
23 1688, by the Assembly Committee on Rules,  
24 Assembly Print 10153, an act to amend the  
25 Environmental Conservation Law.

1                   ACTING PRESIDENT GRIFFO:   Read the  
2   last section.

3                   THE SECRETARY:   Section 2.  This  
4   act shall take effect on the same date and in  
5   the same manner as a chapter of the Laws of  
6   2014.

7                   ACTING PRESIDENT GRIFFO:   Call the  
8   roll.

9                   (The Secretary called the roll.)

10                  ACTING PRESIDENT GRIFFO:   Announce  
11   the results.

12                  THE SECRETARY:   In relation to  
13   Calendar 1688, those recorded in the negative  
14   are Senators Ball, Griffo, Marchione, Perkins,  
15   Ranzenhofer, Seward and Zeldin.  Also Senator  
16   Libous.

17                  Ayes, 51.  Nays, 8.

18                  ACTING PRESIDENT GRIFFO:   The bill  
19   is passed.

20                  Senator Libous, that completes  
21   the --

22                  THE SECRETARY:   Also Senator  
23   Farley.

24                  ACTING PRESIDENT GRIFFO:   We're  
25   going to reannounce the results on Calendar

1 Number 1688.

2 THE SECRETARY: In relation to  
3 Calendar 1688, those recorded in the negative  
4 are Senators Ball, Farley, Griffo, Libous,  
5 Marchione, Maziarz, Perkins, Ranzenhofer, Seward  
6 and Zeldin.

7 (Pause.)

8 ACTING PRESIDENT GRIFFO: Announce  
9 the results.

10 THE SECRETARY: In relation to  
11 Calendar 1688, those recorded in the negative  
12 are Senators Ball, Farley, Gallivan, Griffo,  
13 Larkin, Libous, Marchione, Maziarz, Nozzolio,  
14 Ranzenhofer, Seward and Zeldin.

15 Ayes, 47. Nays, 12.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 Senator Libous, that now concludes  
19 the noncontroversial reading of Senate  
20 Supplemental Calendar 54A.

21 SENATOR LIBOUS: Mr. President,  
22 how long can you hold your breath for?

23 ACTING PRESIDENT GRIFFO: How long  
24 would you like me to?

25 (Laughter.)

1                   SENATOR LIBOUS:    If you could hold  
2     your breath for a minute, we'll be with you  
3     shortly and we'll make a couple of  
4     announcements.

5                   (Pause.)

6                   SENATOR LIBOUS:    Mr. President.

7                   ACTING PRESIDENT GRIFFO:    If  
8     you'll allow me to exhale.

9                   SENATOR LIBOUS:    Please exhale,  
10    Mr. President.

11                   ACTING PRESIDENT GRIFFO:    Senator  
12    Libous, you may continue.

13                   SENATOR LIBOUS:    Thank you for  
14    holding your breath.

15                   There will be a Finance Committee  
16    meeting at 4:30 in Room 332. That would be the  
17    Finance Committee. At the conclusion of the  
18    Finance Committee, we will then come back here  
19    to the floor and take up nominations that will  
20    be discussed in the Finance Committee.

21                   And then in the meantime, we will  
22    be working on another Rules report and an active  
23    list. And the goal would be to move things  
24    right along as quickly as possible so that we  
25    could all adjourn and be on our way to our homes

1 and our districts and those people who hopefully  
2 still love us.

3 ACTING PRESIDENT GRIFFO: There  
4 will be a meeting of the Finance Committee at  
5 4:30 in Room 332. That will be followed by  
6 activity to be determined and so designated.

7 (Laughter.)

8 ACTING PRESIDENT GRIFFO: Until  
9 such time, the Senate will stand at ease.

10 SENATOR LIBOUS: Mr. President,  
11 I'm supposed to get the laughs, not you.

12 (Whereupon, the Senate stood at  
13 ease at 4:16 p.m.)

14 (Whereupon, the Senate reconvened  
15 at 6:10 p.m.)

16 ACTING PRESIDENT GRIFFO: The  
17 Senate will come to order.

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President,  
20 there will be an immediate meeting of the  
21 Finance Committee in 332.

22 ACTING PRESIDENT GRIFFO: There is  
23 an immediate meeting of the Senate Finance  
24 Committee in Room 332.

25 The Senate will stand at ease.

1                   (Whereupon, the Senate stood at  
2 ease at 6:10 p.m.)

3                   (Whereupon, the Senate reconvened  
4 at 6:59 p.m.)

5                   SENATOR LIBOUS:    Mr. President, I  
6 believe there's some resolutions at the desk, if  
7 we could take them up in order.

8                   ACTING PRESIDENT GRIFFO:    The  
9 Senate will come to order.

10                  The Secretary will read.

11                  THE SECRETARY:    Senate Resolution  
12 by Senators Skelos and Klein, establishing a  
13 plan setting forth an itemized list of grantees  
14 for certain appropriations in the 2014-2015  
15 state fiscal year.

16                  ACTING PRESIDENT GRIFFO:    Call the  
17 roll on the resolution.

18                  (The Secretary called the roll.)

19                  THE SECRETARY:    Ayes, 59.

20                  ACTING PRESIDENT GRIFFO:    The  
21 resolution is adopted.

22                  THE SECRETARY:    Senate Resolution  
23 by Senators Skelos and Klein, establishing a  
24 plan setting forth an itemized list of grantees  
25 for certain appropriations in the 2014-2015

1 state fiscal year.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll on the resolution.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The  
7 resolution is adopted.

8 THE SECRETARY: Senate Resolution  
9 by Senators Skelos and Klein, establishing a  
10 plan setting forth an itemized list of grantees  
11 for certain appropriations for the 2014-2015  
12 state fiscal year for grants in aid for drug,  
13 violence and crime control and prevention  
14 programs; for grants that prevent domestic  
15 violence or aid victims of domestic violence;  
16 grants for civil or criminal domestic violence  
17 legal services; grants for law enforcement,  
18 anti-drug, anti-violence, crime control and  
19 prevention programs, as required by a plan  
20 setting forth an itemized list of grantees with  
21 the amount to be received by each, or the  
22 methodology for allocating such appropriation.  
23 Such plan shall be subject to the approval of  
24 the Temporary President of the Senate and the  
25 Director of the Budget and thereafter shall be

1 included in a resolution calling for the  
2 expenditure of such monies, which resolution  
3 must be approved by a majority vote of all  
4 members elected to the Senate upon a roll call  
5 vote.

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll on the resolution.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: The  
11 resolution is adopted.

12 THE SECRETARY: Senate Resolution,  
13 by Senators Skelos and Klein, amending Senate  
14 Resolution R2682 of 2013 establishing a plan  
15 setting forth an itemized list of grantees for  
16 the New York State Economic Development  
17 Assistance Program established pursuant to an  
18 appropriation in the 2008-2009 state fiscal year  
19 and in Part QQ of Chapter 57 of the Laws of 2008  
20 relating to such itemized list of grantees.

21 ACTING PRESIDENT GRIFFO: Call  
22 the roll on the resolution.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT GRIFFO: The

1 resolution is adopted.

2 (Pause.)

3 SENATOR LIBOUS: Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Libous.

6 SENATOR LIBOUS: I think there's a  
7 report of the Finance Committee at the desk.  
8 Could we have it read at this time. Maybe two  
9 reports, actually.

10 ACTING PRESIDENT GRIFFO: We will  
11 return to reports of standing committees.

12 And there are two reports of the  
13 Finance Committee at the desk. The Secretary  
14 will read.

15 THE SECRETARY: Senator  
16 DeFrancisco, from the Committee on Finance,  
17 offers the following nomination.

18 As chief enforcement counsel of the  
19 State Board of Elections: Risa S. Sugarman, of  
20 Pine Bush.

21 ACTING PRESIDENT GRIFFO: Senator  
22 DeFrancisco.

23 SENATOR DeFRANCISCO: Yes, I'm  
24 happy to move this nomination. And due to the  
25 lateness of the hour and how long the nominee

1 has been sitting there waiting for this historic  
2 moment where we have an enforcement officer, the  
3 first one in the history of the State of  
4 New York, being added to the Board of Elections.

5 She was approved unanimously in the  
6 Finance Committee. She has an incredible,  
7 incredible record not only prosecuting homicide  
8 cases in the Bronx, but also supervising  
9 individuals who are prosecuting homicides, and  
10 many, many other government jobs where she had  
11 supervisory responsibility.

12 She was very clear, during my  
13 private discussion with her and during the  
14 hearing that -- and to many other Senators, that  
15 she doesn't view this job as a gotcha job where  
16 she's going to be looking for technical  
17 violations. Basically, the board is going to be  
18 looking to help people conform to the technical  
19 requirements of the law and obviously  
20 investigate serious allegations.

21 So that's exactly what we're  
22 looking for, a person who's going to act in a  
23 bipartisan way and go after serious violations,  
24 not technical ones.

25 So with that said, I move the

1 nomination.

2 ACTING PRESIDENT GRIFFO: The  
3 question on the nomination of Risa S. Sugarman,  
4 of Pine Bush, as chief enforcement counsel of  
5 the State Board of Elections. All in favor  
6 signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (No response.)

10 ACTING PRESIDENT GRIFFO: Risa S.  
11 Sugarman is hereby confirmed as chief  
12 enforcement counsel of the New York State Board  
13 of Elections.

14 Congratulations, Risa.

15 (Applause.)

16 ACTING PRESIDENT GRIFFO: The  
17 Secretary will continue.

18 THE SECRETARY: As trustees of the  
19 State University of New York Board of Trustees:  
20 Lawrence W. Waldman, of Roslyn Heights, and  
21 Eric Corngold, of Brooklyn.

22 SENATOR DeFRANCISCO: Move the  
23 nominations.

24 ACTING PRESIDENT GRIFFO: The  
25 question is on the nominations of Lawrence J.

1 Waldman --

2 Senator LaValle.

3 SENATOR LaVALLE: Yes, I'd like to  
4 speak on Larry Waldman as a member of the SUNY  
5 Board of Trustees.

6 Mr. Waldman is an accountant, is on  
7 numerous boards within the Long Island region,  
8 on the Long Island Association, and is an  
9 adjunct professor at Hofstra and on the Dean's  
10 Council at Hofstra. He's involved with the  
11 State University at Stony Brook and has a  
12 wonderful demeanor and can work -- has been on  
13 corporate boards, so that he knows how to play  
14 in the sandbox and be a good member of a board.

15 I support the nomination and move  
16 the nomination, Mr. President.

17 ACTING PRESIDENT GRIFFO: Thank  
18 you, Senator LaValle.

19 The question is on the nominations  
20 of Lawrence J. Waldman, of Roslyn Heights, and  
21 Eric Corngold, of Brooklyn, as trustees of the  
22 State University of New York Board of Trustees.  
23 All in favor indicate by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT GRIFFO: Opposed?

1 (No response.)

2 ACTING PRESIDENT GRIFFO: Lawrence  
3 J. Waldman and Eric Corngold have been confirmed  
4 as trustees of the State University of New York  
5 Board of Trustees.

6 Congratulations.

7 The Secretary will continue.

8 THE SECRETARY: As member of the  
9 Metropolitan Transportation Authority: Iris  
10 Weinshall, of Brooklyn.

11 SENATOR DeFRANCISCO: Move the  
12 nomination.

13 ACTING PRESIDENT GRIFFO: The  
14 question is on the nomination of Iris Weinshall,  
15 of Brooklyn, as a member of the Metropolitan  
16 Transportation Authority. All in favor signify  
17 by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: Iris  
22 Weinshall has been confirmed as member of the  
23 Metropolitan Transportation Authority.

24 The Secretary will continue.

25 THE SECRETARY: As member of the

1 State Fire Prevention and Building Code Council:  
2 Shawn Hamlin, of Albany.

3 SENATOR DeFRANCISCO: Move the  
4 nomination.

5 ACTING PRESIDENT GRIFFO: The  
6 question is on the nomination of Shawn Hamlin as  
7 a member of the State Fire Prevention and  
8 Building Code Council. All in favor signify by  
9 saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO: Opposed?

12 (No response.)

13 ACTING PRESIDENT GRIFFO: Shawn  
14 Hamlin has been confirmed as a member of the  
15 State Fire Prevention and Building Code Council.

16 Senator Libous, we have completed  
17 the nominations.

18 SENATOR LIBOUS: Mr. President.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Libous.

21 SENATOR LIBOUS: There will be a  
22 Rules Committee meeting at 8 o'clock. In the  
23 meantime, we'll stand at ease.

24 ACTING PRESIDENT GRIFFO: There  
25 will be a Rules Committee meeting in Room 332 at

1 8 p.m. Until such time, the Senate shall stand  
2 at ease.

3 SENATOR LIBOUS: Mr. President,  
4 would you call on Senator Gianaris.

5 ACTING PRESIDENT GRIFFO: Senator  
6 Gianaris.

7 SENATOR GIANARIS: Mr. President,  
8 there will be a conference for the Democratic  
9 Conference at 7:45.

10 ACTING PRESIDENT GRIFFO: There  
11 will be a Democratic Conference at 7:45 in  
12 Room 315. Is that correct?

13 SENATOR PARKER: Yes.

14 ACTING PRESIDENT GRIFFO:  
15 7:45 p.m., Democratic conference, Room 315.

16 The Senate stands at ease.

17 (Whereupon, the Senate stood at  
18 ease at 7:11 p.m.)

19 (Whereupon, the Senate reconvened  
20 at 8:40 p.m.)

21 ACTING PRESIDENT GRIFFO: The  
22 Senate will come to order.

23 SENATOR LIBOUS: Mr. President.

24 ACTING PRESIDENT GRIFFO: Senator  
25 Libous.

1           SENATOR LIBOUS:    Could we have the  
2 noncontroversial reading of the supplemental  
3 active list dated Friday, June 20th.

4           ACTING PRESIDENT GRIFFO:    The  
5 Secretary will read the noncontroversial  
6 supplemental active list.

7           THE SECRETARY:    Calendar Number  
8 204, by Senator Grisanti, Senate Print 3947A, an  
9 act to amend the Public Health Law.

10          ACTING PRESIDENT GRIFFO:    Read the  
11 last section.

12          THE SECRETARY:    Section 2.  This  
13 act shall take effect on the 180th day.

14          ACTING PRESIDENT GRIFFO:    Call the  
15 roll.

16                 (The Secretary called the roll.)

17          THE SECRETARY:    In relation to  
18 Calendar 204, those recorded in the negative are  
19 Senators Avella, Gipson, Hoylman, Krueger,  
20 Serrano and Squadron.

21                 Ayes, 53.  Nays, 6.

22          ACTING PRESIDENT GRIFFO:    The bill  
23 is passed.

24          THE SECRETARY:    Calendar Number  
25 498, by Senator DeFrancisco, Senate Print 5959,

1 an act to amend the Election Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

4 THE SECRETARY: Section 3. This  
5 act shall take effect immediately.

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator  
10 Krueger to explain her vote.

11 SENATOR KRUEGER: Thank you,  
12 Mr. President.

13 I would like to thank Senator  
14 DeFrancisco for sponsoring this bill.

15 Now, this would require, of course,  
16 a full process of multiple votes and taking it  
17 to the people. But -- it's a quarter to nine; I  
18 don't know how many people are listening. But  
19 the most recent example was there was a casino  
20 amendment to the constitution that the way it  
21 was written when it was brought to the voters  
22 didn't really look anything like what it was  
23 when we voted for it here.

24 I personally believe if the exact  
25 language of what we had passed here had been on

1 the ballot, we would have seen a different  
2 result on the casino vote. I think it's  
3 critical to have not only truth in advertising  
4 but factual statements to the public when we're  
5 asking them their position on a referendum or at  
6 the ballot box.

7 I very much hope this becomes law.  
8 I vote yes.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Krueger to be recorded in the affirmative.

11 Senator DeFrancisco to explain his  
12 vote.

13 SENATOR DeFRANCISCO: Senator  
14 Krueger should know I was listening, anyway, and  
15 I agree with her a hundred percent.

16 (Laughter.)

17 ACTING PRESIDENT GRIFFO: Senator  
18 DeFrancisco to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

23 THE SECRETARY: On page 14,  
24 Senator Savino moves to discharge, from the  
25 Committee on Rules, Assembly Bill Number 8251B

1 and substitute it for the identical Senate Bill  
2 Number 6964C, Third Reading Calendar 547.

3 ACTING PRESIDENT GRIFFO: The  
4 substitution is so ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number  
7 547, by Member of the Assembly Cymbrowitz,  
8 Assembly Print 8251B, an act to authorize.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

11 THE SECRETARY: Section 2. This  
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 57. Nays,  
17 2. Senators Bonacic and Krueger recorded in the  
18 negative.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: On page 15,  
22 Senator Hannon moves to discharge, from the  
23 Committee on Rules, Assembly Bill Number 9299D  
24 and substitute it for the identical Senate Bill  
25 Number 7027C, Third Reading Calendar 565.

1                   ACTING PRESIDENT GRIFFO:    The  
2   substitution is so ordered.

3                   The Secretary will read.

4                   THE SECRETARY:    Calendar Number  
5   565, by Member of the Assembly Rosenthal,  
6   Assembly Print 9299D, an act to amend the Public  
7   Health Law.

8                   ACTING PRESIDENT GRIFFO:    Read the  
9   last section.

10                  THE SECRETARY:    Section 2.  This  
11   act shall take effect immediately.

12                  ACTING PRESIDENT GRIFFO:    Call the  
13   roll.

14                  (The Secretary called the roll.)

15                  THE SECRETARY:    Ayes, 59.

16                  ACTING PRESIDENT GRIFFO:    The bill  
17   is passed.

18                  THE SECRETARY:    Calendar Number  
19   665, by Senator DeFrancisco, Senate Print 3852B,  
20   an act to amend the Civil Practice Law and  
21   Rules.

22                  ACTING PRESIDENT GRIFFO:    Read the  
23   last section.

24                  THE SECRETARY:    Section 2.  This  
25   act shall take effect on the 30th day.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT GRIFFO:    Senator  
5   Krueger to explain her vote.

6                   SENATOR KRUEGER:    Thank you,  
7   Mr. President.

8                   Well, sometimes a sponsor is right  
9   and sometimes they're wrong.  This is one of the  
10  cases where he's wrong.

11                  And in fact, if this were to become  
12  law, it could translate into tobacco companies  
13  getting away with not meeting their legal  
14  obligations when they lose court cases, because  
15  they've been killing people for decades and  
16  lying about it.  I don't want to reward them in  
17  any way, shape or form.  I'm voting no and  
18  hoping this does not become law.

19                  Thank you, Mr. President.

20                  ACTING PRESIDENT GRIFFO:    Senator  
21  Krueger to be recorded in the negative.

22                  Senator DeFrancisco to explain his  
23  vote.

24                  SENATOR DeFRANCISCO:    Yes, I was  
25  listening to that too.  And I just want to

1 respond.

2           This isn't for the protection of  
3 the companies who sell cigarettes, it's for the  
4 protection of people who have gotten judgments  
5 against companies, including some of our  
6 counties in the state who have actually got  
7 settlements that have to be paid.

8           If the bond is too high and they  
9 can't pay the bond, the company goes under and  
10 those settlements aren't satisfied. So -- but  
11 had she known that, I'm sure she would have  
12 changed her vote.

13           ACTING PRESIDENT GRIFFO:    Senator  
14 DeFrancisco to be recorded in the affirmative.

15           Announce the results.

16           THE SECRETARY:   In relation to  
17 Calendar 665, those recorded in the negative are  
18 Senators Avella, Gianaris, Hassell-Thompson,  
19 Hoylman, Kennedy, Krueger, O'Brien, Rivera,  
20 Squadron and Stavisky. Also Senator Serrano.

21           Ayes, 48. Nays, 11.

22           ACTING PRESIDENT GRIFFO:    The bill  
23 is passed.

24           THE SECRETARY:    On page 26,  
25 Senator Seward moves to discharge, from the

1 Committee on Insurance, Assembly Bill Number  
2 9154A and substitute it for the identical Senate  
3 Bill Number 6507A, Third Reading Calendar 1102.

4 ACTING PRESIDENT GRIFFO: The  
5 substitution is so ordered.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number  
8 1102, by Member of the Assembly Cymbrowitz,  
9 Assembly Print 9154A, an act to amend the  
10 Insurance Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect immediately.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 1172, by Senator Hannon, Senate Print 7521, an  
22 act to amend the Real Property Tax Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1459, by Senator LaValle, Senate Print 7850A, an  
10 act to amend the Real Property Tax Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect January 1, 2015.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 58. Nays,  
19 1. Senator Bonacic recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 1565, by Member of the Assembly Silver, Assembly  
24 Print 9462, an act to amend the Tax Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 2. This  
3 act shall take effect immediately.

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: In relation to  
8 Calendar 1565, those recorded in the negative  
9 are Senators Ball, Golden and Lanza.

10 Ayes, 56. Nays, 3.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 1580, by Senator Flanagan, Senate Print 7866, an  
15 act to amend the Education Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

18 THE SECRETARY: Section 2. This  
19 act shall take effect immediately.

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:   Calendar Number  
2   1583, by Senator Flanagan, Senate Print 7871, an  
3   act relating to regional tuition.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

6                   THE SECRETARY:   Section 2.  This  
7   act shall take effect immediately.

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:   Ayes, 59.

12                   ACTING PRESIDENT GRIFFO:   The bill  
13   is passed.

14                   Senator Libous, that completes the  
15   supplemental active list reading,  
16   noncontroversial.

17                   SENATOR LIBOUS:   Thank you,  
18   Mr. President.

19                   I have a Supplemental Active List  
20   Number 2 dated Friday, June 20th.  Could we do  
21   the noncontroversial reading.

22                   ACTING PRESIDENT GRIFFO:   We will  
23   have the second supplemental active list to be  
24   read by the Secretary.

25                   The Secretary will read.

1                   THE SECRETARY:    Senator  
2   Stewart-Cousins moves to discharge, from the  
3   Committee on Rules, Assembly Bill Number 9028C  
4   and substitute it for the identical Senate Bill  
5   Number 6738B, Third Reading Calendar 698.

6                   ACTING PRESIDENT GRIFFO:    The  
7   substitution is so ordered.

8                   The Secretary will read.

9                   THE SECRETARY:    Calendar Number  
10   698, by Member of the Assembly Abinanti,  
11   Assembly Print 9028C, an act to amend  
12   Chapter 566 of the Laws of 1967.

13                  ACTING PRESIDENT GRIFFO:    Read the  
14   last section.

15                  THE SECRETARY:    Section 2.   This  
16   act shall take effect immediately.

17                  ACTING PRESIDENT GRIFFO:    Call the  
18   roll.

19                  (The Secretary called the roll.)

20                  THE SECRETARY:    Ayes, 59.

21                  ACTING PRESIDENT GRIFFO:    The bill  
22   is passed.

23                  THE SECRETARY:    Calendar Number  
24   1160, by Senator Avella, Senate Print 726A, an  
25   act to amend the Real Property Tax Law.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2   last section.

3                   THE SECRETARY:    Section 23.  This  
4   act shall take effect on the first of January.

5                   ACTING PRESIDENT GRIFFO:    Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:    Senator  
9   Krueger to explain her vote.

10                  SENATOR KRUEGER:    Thank you,  
11   Mr. President.

12                  Well, I agree with many of my  
13   colleagues that the City of New York desperately  
14   needs to modernize and make more equitable its  
15   property tax system.  In fact, we have  
16   innumerable times in this house urged them to  
17   complete their studies and submit to us a  
18   proposal on how to improve their own property  
19   tax system so that it's both fairer to all and  
20   also ensures enough revenue for the City of  
21   New York.  And so I appreciate the sponsor's  
22   desire to do part of the job, perhaps out of  
23   frustration.

24                  And so this bill would, if held  
25   up -- and it's not clear it could meet

1 constitutional muster. But this bill would  
2 reduce some people's property taxes, co-op and  
3 condo owners. It would actually probably reduce  
4 my taxes; I'm a co-op owner. Nonetheless, the  
5 way it's set up, somebody else would just be  
6 taking those taxes for us co-op and condo  
7 owners, and I find that very unfair to the  
8 people of New York who rent their apartments or  
9 who live in other kinds of housing.

10 So I will be voting no with respect  
11 for the fact that I will continue to call on the  
12 City of New York to develop a package to change  
13 their property tax structure to ensure that it  
14 is fair and equitable for all.

15 I vote no, Mr. President. Thank  
16 you.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Krueger to be recorded in the negative.

19 Announce the results.

20 THE SECRETARY: In relation to  
21 Calendar 1160, those recorded in the negative  
22 are Senators Ball, Hassell-Thompson, Hoylman,  
23 Kennedy, Krueger, Little, Maziarz, Nozzolio,  
24 Rivera, Serrano, Squadron and Young.

25 Ayes, 47. Nays, 12.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Senator  
4   Stewart-Cousins moves to discharge, from the  
5   Committee on Rules, Assembly Bill Number 10078A  
6   and substitute it for the identical Senate Bill  
7   Number 7842, Third Reading Calendar 1627.

8                   ACTING PRESIDENT GRIFFO:    There is  
9   a home-rule message at the desk.

10                   The substitution is so ordered.

11                   The Secretary will read.

12                   THE SECRETARY:    Calendar Number  
13   1627, by the Assembly Committee on Rules,  
14   Assembly Print 10078A, an act in relation.

15                   ACTING PRESIDENT GRIFFO:    Read the  
16   last section.

17                   THE SECRETARY:    Section 2.   This  
18   act shall take effect immediately.

19                   ACTING PRESIDENT GRIFFO:    Call the  
20   roll.

21                   (The Secretary called the roll.)

22                   THE SECRETARY:    Ayes, 58.   Nays,  
23   1.   Senator Ball recorded in the negative.

24                   ACTING PRESIDENT GRIFFO:    The bill  
25   is passed.

1           Senator Libous, that completes the  
2 noncontroversial reading of Supplemental Active  
3 List 2.

4           SENATOR LIBOUS:    Thank you,  
5 Mr. President.

6           I believe there's a report of the  
7 Rules Committee at the desk.  Could we have it  
8 read at this time.

9           ACTING PRESIDENT GRIFFO:  There is  
10 a report of the Rules Committee at the desk.

11          The Secretary will read.

12          ACTING PRESIDENT GRIFFO:  Senator  
13 Skelos, from the Committee on Rules, reports the  
14 following bills:

15                 Senate Print 338, by Senator  
16 DeFrancisco, an act to amend the Insurance Law;

17                 Senate 2136, by Senator Lanza, an  
18 act to amend the Vehicle and Traffic Law;

19                 Senate 4142, by Senator Lanza, an  
20 act to amend the Public Officers Law;

21                 Senate 5048, by Senator Serrano, an  
22 act to amend Chapter 115 of the Laws of 1894;

23                 Senate 5809, by Senator Nozzolio,  
24 an act to amend the County Law;

25                 Senate 5990A, by Senator Seward, an

1 act to amend the County Law;

2 Senate 6675C, by Senator Martins,  
3 an act to amend the Executive Law;

4 Senate 6683, by Senator Breslin, an  
5 act to amend Chapter 454 of the Laws of 2010;

6 Senate 7400B, by Senator Carlucci,  
7 an act to amend the Public Health Law;

8 Senate 7634B, by Senator Martins,  
9 an act to amend the Workers' Compensation Law;

10 Senate 7698, by Senator Montgomery,  
11 an act authorizing;

12 Senate 7747B, by Senator Little, an  
13 act to amend the Public Health Law;

14 Senate 7823, by Senator Maziarz, an  
15 act to amend the Workers' Compensation Law;

16 Senate 7833, by Senator Klein, an  
17 act to amend the Tax Law;

18 Senate 7851B, by Senator O'Mara, an  
19 act to amend the Environmental Conservation Law;

20 Senate 5056, by Senator Carlucci,  
21 an act to amend the Education Law;

22 Senate 6898, by Senator Avella, an  
23 act to amend the Alcoholic Beverage Control Law;

24 Senate 7295A, by Senator Breslin,  
25 an act to amend the Vehicle and Traffic Law;

1                   Senate 7483, by Senator Ball, an  
2 act to amend the Executive Law;

3                   Senate 7500A, by Senator Hannon, an  
4 act to amend the Public Health Law;

5                   And Senate 7259A, by Senator  
6 Gipson, an act creating.

7                   All bills reported direct to third  
8 reading.

9                   ACTING PRESIDENT GRIFFO:    Senator  
10 Libous, I'll entertain a motion.

11                  SENATOR LIBOUS:    I move to accept  
12 the report of the Rules Committee.

13                  ACTING PRESIDENT GRIFFO:    All in  
14 favor of accepting the Committee on Rules report  
15 signify by saying aye.

16                  (Response of "Aye.")

17                  ACTING PRESIDENT GRIFFO:    Opposed?

18                  (No response.)

19                  ACTING PRESIDENT GRIFFO:    The  
20 Committee on Rules report is accepted and before  
21 the house.

22                  Senator Libous.

23                  SENATOR LIBOUS:    We now have  
24 Supplemental Calendar 54B.  Could we have the  
25 noncontroversial reading.

1           ACTING PRESIDENT GRIFFO:    The  
2   Secretary will read Senate Supplemental Calendar  
3   54B, noncontroversial.

4           THE SECRETARY:   Calendar Number  
5   1689, by Senator DeFrancisco, Senate Print 338,  
6   an act to amend the Insurance Law.

7           ACTING PRESIDENT GRIFFO:   Read the  
8   last section.

9           THE SECRETARY:   Section 2.  This  
10  act shall take effect on the first of January.

11          ACTING PRESIDENT GRIFFO:   Call the  
12  roll.

13          (The Secretary called the roll.)

14          THE SECRETARY:   Ayes, 57.  Nays,  
15  2.  Senators Breslin and Seward recorded in the  
16  negative.  Also Senator Hannon.

17          Ayes, 56.  Nays, 3.

18          ACTING PRESIDENT GRIFFO:   The bill  
19  is passed.

20          THE SECRETARY:   Calendar Number  
21  1690, by Senator Lanza, Senate Print 2136, an  
22  act to amend the Vehicle and Traffic Law.

23          ACTING PRESIDENT GRIFFO:   Read the  
24  last section.

25          THE SECRETARY:   Section 2.  This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Senator Lanza  
9 moves to discharge, from the Committee on Rules,  
10 Assembly Bill Number 2448 and substitute it for  
11 the identical Senate Bill Number 4142, Third  
12 Reading Calendar 1691.

13 ACTING PRESIDENT GRIFFO: The  
14 substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number  
17 1691, by Member of the Assembly Rozic, Assembly  
18 Print 2448, an act to amend the Public Officers  
19 Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 2. This  
23 act shall take effect immediately.

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 57. Nays,  
3 2. Senators Ball and Zeldin recorded in the  
4 negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Senator Serrano  
8 moves to discharge, from the Committee on Rules,  
9 Assembly Bill Number 2046 and substitute it for  
10 the identical Senate Bill Number 5048, Third  
11 Reading Calendar 1692.

12 ACTING PRESIDENT GRIFFO: There is  
13 a home-rule message at the desk.

14 The substitution is so ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number  
17 1692, by Member of the Assembly Kavanagh,  
18 Assembly Print 2046, an act to amend Chapter 115  
19 of the Laws of 1894.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 7. This  
23 act shall take effect on the 60th day.

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator  
3 Serrano to explain his vote.

4 SENATOR SERRANO: Thank you very  
5 much, Mr. President.

6 Very quickly, I just want to thank  
7 all of my colleagues for supporting this  
8 legislation. For all of us who care about  
9 animals in the City of New York, this is a major  
10 victory. It will modernize the dog licensing  
11 process and it will allow the city to generate  
12 more revenue, if needed, to help care for  
13 animals.

14 I want to thank my colleague in the  
15 Assembly, Assemblymember Brian Kavanagh, for his  
16 leadership on this issue.

17 Thank you.

18 ACTING PRESIDENT GRIFFO: Senator  
19 Serrano to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 57. Nays,  
22 2. Senators Ball and Zeldin recorded in the  
23 negative.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:    Senator Nozzolio  
2   moves to discharge, from the Committee on Rules,  
3   Assembly Bill Number 8035 and substitute it for  
4   the identical Senate Bill Number 5809, Third  
5   Reading Calendar 1693.

6                   ACTING PRESIDENT GRIFFO:    The  
7   substitution is so ordered.

8                   The Secretary will read.

9                   THE SECRETARY:    Calendar Number  
10   1693, by Member of the Assembly Morelle,  
11   Assembly Print 8035, an act to amend the  
12   County Law.

13                  ACTING PRESIDENT GRIFFO:    Read the  
14   last section.

15                  THE SECRETARY:    Section 2.   This  
16   act shall take effect immediately.

17                  ACTING PRESIDENT GRIFFO:    Call the  
18   roll.

19                  (The Secretary called the roll.)

20                  ACTING PRESIDENT GRIFFO:    Announce  
21   the results.

22                  THE SECRETARY:    In relation to  
23   Calendar 1693, those recorded in the negative  
24   are Senators Ball, Carlucci, Gipson, Golden,  
25   Griffo, Kennedy, LaValle, Marchione, O'Brien,

1 O'Mara, Tkaczyk and Zeldin.

2 Ayes, 47. Nays, 12.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Senator Seward  
6 moves to discharge, from the Committee on Rules,  
7 Assembly Bill Number 8303A and substitute it for  
8 the identical Senate Bill Number 5990A, Third  
9 Reading Calendar 1694.

10 ACTING PRESIDENT GRIFFO: The  
11 substitution is ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number  
14 1694, by Member of the Assembly Crouch, Assembly  
15 Print 8303A, an act to amend the County Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

18 THE SECRETARY: Section 2. This  
19 act shall take effect immediately.

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Can I  
24 ask for a little order in the house, please.

25 Announce the results.

1           THE SECRETARY:   In relation to  
2   Calendar 1694, those recorded in the negative  
3   are Senators Ball, Carlucci, Gipson, Golden,  
4   Griffo, Kennedy, O'Brien, O'Mara, Tkaczyk and  
5   Zeldin.   Also Senator Marchione.

6           Ayes, 48.   Nays, 11.

7           ACTING PRESIDENT GRIFFO:   The bill  
8   is passed.

9           THE SECRETARY:   Senator Martins  
10   moves to discharge, from the Committee on Rules,  
11   Assembly Bill Number 1869D and substitute it for  
12   the identical Senate Bill Number 6675C, Third  
13   Reading Calendar 1695.

14          ACTING PRESIDENT GRIFFO:   The  
15   substitution is so ordered.

16          The Secretary will read.

17          THE SECRETARY:   Calendar Number  
18   1695, by Member of the Assembly Schimel,  
19   Assembly Print Number 1869D, an act to amend the  
20   Executive Law.

21          ACTING PRESIDENT GRIFFO:   Read the  
22   last section.

23          THE SECRETARY:   Section 3.   This  
24   act shall take effect on the first of January.

25          ACTING PRESIDENT GRIFFO:   Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 55. Nays,  
4 4. Senators Ball, Krueger, Little and Marchione  
5 recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Senator Breslin  
9 moves to discharge, from the Committee on  
10 Transportation, Assembly Bill Number 8877 and  
11 substitute it for the identical Senate Bill  
12 Number 6683, Third Reading Calendar 1696.

13 ACTING PRESIDENT GRIFFO: There is  
14 a home-rule message at the desk.

15 The substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number  
18 1696, by Member of the Assembly Fahy, Assembly  
19 Print 8877, an act to amend Chapter 454 of the  
20 Laws of 2010.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

23 THE SECRETARY: Section 2. This  
24 act shall take effect immediately.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays,

4 1. Senator Ball recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Senator Carlucci  
8 moves to discharge, from the Committee on Rules,  
9 Assembly Bill Number 9766A and substitute it for  
10 the identical Senate Bill Number 7400B, Third  
11 Reading Calendar 1697.

12 ACTING PRESIDENT GRIFFO: The  
13 substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number  
16 1697, by Member of the Assembly Gunther,  
17 Assembly Print 9766A, an act to amend the  
18 Public Health Law.

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

21 THE SECRETARY: Section 2. This  
22 act shall take effect immediately.

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Senator Martins  
5 moves to discharge, from the Committee on Rules,  
6 Assembly Bill Number 9721B and substitute it for  
7 the identical Senate Bill Number 7634B, Third  
8 Reading Calendar 1698.

9 ACTING PRESIDENT GRIFFO: The  
10 substitution is so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number  
13 1698, by Member of the Assembly Bronson,  
14 Assembly Print 9721B, an act to amend the  
15 Workers' Compensation Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

18 THE SECRETARY: Section 4. This  
19 act shall take effect on the 180th day.

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:   Senator Montgomery  
2 moves to discharge, from the Committee on Rules,  
3 Assembly Bill Number 9874 and substitute it for  
4 the identical Senate Bill Number 7698,  
5 Third Reading Calendar 1699.

6                   ACTING PRESIDENT GRIFFO:   The  
7 substitution is so ordered.

8                   The Secretary will read.

9                   THE SECRETARY:   Calendar Number  
10 1699, by Member of the Assembly Mosley,  
11 Assembly Print 9874, an act authorizing.

12                  ACTING PRESIDENT GRIFFO:   Read the  
13 last section.

14                  THE SECRETARY:   Section 2. This  
15 act shall take effect immediately.

16                  ACTING PRESIDENT GRIFFO:   Call the  
17 roll.

18                  (The Secretary called the roll.)

19                  THE SECRETARY:   Ayes, 58. Nays,  
20 1. Senator Ball recorded in the negative.

21                  ACTING PRESIDENT GRIFFO:   The bill  
22 is passed.

23                  THE SECRETARY:   Calendar Number  
24 1700, by Senator Little, Senate Print 7747B, an  
25 act to amend the Public Health Law.

1           ACTING PRESIDENT GRIFFO:   Read the  
2   last section.

3           THE SECRETARY:   Section 2.  This  
4   act shall take effect 180 days after it shall  
5   become a law.

6           ACTING PRESIDENT GRIFFO:   Call the  
7   roll.

8           (The Secretary called the roll.)

9           THE SECRETARY:   Ayes, 55.  Nays,  
10   4.  Senators Golden, LaValle, Marcellino and  
11   Martins recorded in the negative.

12          ACTING PRESIDENT GRIFFO:   The bill  
13   is passed.

14          THE SECRETARY:   Calendar Number  
15   1701, by Senator Maziarz, Senate Print 7823, an  
16   act to amend the Workers' Compensation Law.

17          ACTING PRESIDENT GRIFFO:   Read the  
18   last section.

19          THE SECRETARY:   Section 2.  This  
20   act shall take effect immediately.

21          ACTING PRESIDENT GRIFFO:   Call the  
22   roll.

23          (The Secretary called the roll.)

24          THE SECRETARY:   Ayes, 59.

25          ACTING PRESIDENT GRIFFO:   The bill

1 is passed.

2 THE SECRETARY: Senator Klein  
3 moves to discharge, from the Committee on Rules,  
4 Assembly Bill Number 10075 and substitute it for  
5 the identical Senate Bill Number 7833, Third  
6 Reading Calendar 1702.

7 ACTING PRESIDENT GRIFFO: The  
8 substitution is so ordered.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number  
11 1702, by the Assembly Committee on Rules,  
12 Assembly Print 10075, an act to amend the  
13 Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

16 THE SECRETARY: Section 2. This  
17 act shall take effect immediately.

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Senator  
22 Krueger to explain her vote.

23 SENATOR KRUEGER: Thank you,  
24 Mr. President. I rise to vote no.

25 The memo says that we'll expand

1 free play, which is free gambling, to increase  
2 revenue. Well, actually it will just increase  
3 gambling. So apparently people can't get hooked  
4 on it easily enough, we need to give them free  
5 play so we can addict them more quickly and more  
6 effectively.

7 And thank goodness this bill will  
8 also expand facilities to be able to be open, I  
9 believe, 20 or 22 hours a day, just in case you  
10 couldn't get enough of that gambling in in the  
11 current number of hours.

12 I vote no, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator  
14 Krueger to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to  
17 Calendar 1702, those recorded in the negative  
18 are Senators Ball, Kennedy, Krueger and LaValle.

19 Ayes, 55. Nays, 4.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Senator O'Mara  
23 moves to discharge, from the Committee on Rules,  
24 Assembly Bill Number 9619B and substitute it for  
25 the identical Senate Bill Number 7851B, Third

1 Reading Calendar 1703.

2 ACTING PRESIDENT GRIFFO: The  
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 1703, by Member of the Assembly Lifton,  
7 Assembly Print 9619B, an act to amend the  
8 Environmental Conservation Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

11 THE SECRETARY: Section 4. This  
12 act shall take effect after one year.

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Announce  
17 the results.

18 THE SECRETARY: In relation to  
19 Calendar 1703, those recorded in the negative  
20 are Senators DeFrancisco --

21 SENATOR LIBOUS: Mr. President, I  
22 can't hear the desk. There seems to be a lot of  
23 chatter in the back of the chamber.

24 ACTING PRESIDENT GRIFFO: We have  
25 a number of people in the chamber right now.

1 I'd ask everybody, if you're going to have  
2 conversations, to please take it outside the  
3 chamber as we're in here continuing to finalize  
4 the business before the desk. If we could have  
5 some quiet, I'd appreciate it.

6 The Secretary will announce the  
7 results.

8 THE SECRETARY: In relation to  
9 Calendar 1703, those recorded in the negative  
10 are Senators DeFrancisco, Flanagan, Griffio,  
11 Libous, Maziarz, Nozzolio, Ranzenhofer, Ritchie,  
12 Robach and Seward.

13 Ayes, 49. Nays, 10.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 1704, by Senator Carlucci, Senate Print 5056, an  
18 act to amend the Education Law.

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

21 THE SECRETARY: Section 2. This  
22 act shall take effect on the first of July.

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT GRIFFO:    Okay,  
2    results.

3                   THE SECRETARY:    In relation to  
4    Calendar 1704, those recorded in the negative  
5    are Senators Ball, Farley, Flanagan, LaValle,  
6    Little, Marcellino, Martins, Nozzolio,  
7    Ranzenhofer, Robach, Seward, Young and Zeldin.  
8    Ayes, 46.   Nays -- also Senator Hannon.

9                   In relation to Calendar 1704, those  
10   recorded in the negative are Senators Ball,  
11   Farley, Flanagan, Golden, Hannon, LaValle,  
12   Libous, Little, Marcellino, Martins, Montgomery,  
13   Nozzolio, Ranzenhofer, Robach, Seward, Young and  
14   Zeldin.

15                   Ayes, 42.   Nays, 17.

16                   ACTING PRESIDENT GRIFFO:    The bill  
17   is passed.

18                   THE SECRETARY:    Calendar Number  
19   1705, by Senator Avella, Senate Print 6898, an  
20   act to amend the Alcoholic Beverage Control Law.

21                   ACTING PRESIDENT GRIFFO:    Read the  
22   last section.

23                   THE SECRETARY:    Section 2.   This  
24   act shall take effect immediately.

25                   ACTING PRESIDENT GRIFFO:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays,

4 1. Senator Ball recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Ayes, 57. Nays,

8 2. Senators Ball and Robach recorded in the  
9 negative.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is still passed.

12 (Laughter.)

13 THE SECRETARY: Senator Breslin  
14 moves to discharge, from the Committee on Rules,  
15 Assembly Bill Number 9583A and substitute it for  
16 the identical Senate Bill Number 7295A, Third  
17 Reading Calendar 1706.

18 ACTING PRESIDENT GRIFFO: There is  
19 a home-rule message at the desk.

20 The substitution is so ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number  
23 1706, by Member of the Assembly Fahy,  
24 Assembly Print 9583A, an act to amend the  
25 Vehicle and Traffic Law.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2   last section.

3                   THE SECRETARY:    Section 15.  This  
4   act shall take effect on the 30th day.

5                   ACTING PRESIDENT GRIFFO:    Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    In relation to  
9   Calendar 1706, those recorded in the negative  
10   are Senators Ball, Griffo, Marchione, O'Mara and  
11   Zeldin.

12                   Ayes, 54.  Nays, 5.

13                   ACTING PRESIDENT GRIFFO:    The bill  
14   is passed.

15                   THE SECRETARY:    Senator Ball moves  
16   to discharge, from the Committee on Veterans,  
17   Homeland Security and Military Affairs,  
18   Assembly Bill Number 8489A and substitute it for  
19   the identical Senate Bill Number 7483,  
20   Third Reading Calendar 1707.

21                   ACTING PRESIDENT GRIFFO:    Can I  
22   get some order in the chamber, please.

23                   The substitution is so ordered.

24                   The Secretary will read.

25                   THE SECRETARY:    Calendar Number

1 1707, by Member of the Assembly Buchwald,  
2 Assembly Print 8489A, an act to amend the  
3 Executive Law.

4 ACTING PRESIDENT GRIFFO: Read the  
5 last section.

6 THE SECRETARY: Section 2. This  
7 act shall take effect immediately.

8 ACTING PRESIDENT GRIFFO: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 THE SECRETARY: Senator Hannon  
15 moves to discharge, from the Committee on Rules,  
16 Assembly Bill Number --

17 SENATOR LIBOUS: Lay it aside for  
18 the day.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is laid aside for the day.

21 The Secretary will continue.

22 THE SECRETARY: Senator Gipson  
23 moves to discharge, from the Committee on Rules,  
24 Assembly Bill Number 9847A and substitute it for  
25 the identical Senate Bill Number 7259A,

1 Third Reading Calendar 1709.

2 ACTING PRESIDENT GRIFFO: The  
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 1709, by Member of the Assembly Cahill, Assembly  
7 Print 9847A, an act creating.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 2. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58. Nays,  
16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 Senator Skelos, that completes the  
20 Senate Supplemental Calendar 54B  
21 noncontroversial reading.

22 SENATOR LIBOUS: Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator  
24 Libous.

25 Again, may I have some order in the

1 chamber.

2 SENATOR LIBOUS: Mr. President,  
3 there are three Assembly bills at the desk. I  
4 move to reconsider the substitutions and have  
5 the Senate bills restored to the Third Reading  
6 Calendar.

7 ACTING PRESIDENT GRIFFO: The  
8 Secretary will read.

9 THE SECRETARY: Assembly Bill  
10 Number 5625A, Assembly 9576, and Assembly 9720.

11 ACTING PRESIDENT GRIFFO: The  
12 request is so ordered.

13 SENATOR LIBOUS: Mr. President, I  
14 now move to recommit the calendar.

15 ACTING PRESIDENT GRIFFO: So  
16 ordered.

17 (Pause.)

18 ACTING PRESIDENT GRIFFO: Thank  
19 you very much, everyone, for your silence.

20 (Laughter.)

21 ACTING PRESIDENT GRIFFO: I now  
22 would like to recognize Senator Stewart-Cousins.

23 SENATOR STEWART-COUSINS: I was  
24 enjoying the silence here for a minute.

25 I want to thank you, Mr. President.

1 And I know the hour is late, so I won't spend a  
2 lot of time. But I do want to thank  
3 Senator Skelos during this session, and  
4 Senator Klein as well. And of course I want to  
5 thank Governor Cuomo for his vision and  
6 leadership in helping to move our state forward.

7 And I want to thank our partners in  
8 the other legislative house, especially  
9 Speaker Silver, who's been a true friend and a  
10 real progressive leader here.

11 I also want to thank the staff on  
12 both sides of the aisle, because you work so  
13 very hard. And you'll hear this over and over  
14 again: You make us all look good. And the work  
15 that you've put in over the past two years has  
16 really been invaluable. I really, really thank  
17 you. I thanked all of the staff before so that  
18 I wouldn't name names and get in trouble. But I  
19 really appreciate, we all do, what you've done.

20 As we wrap up the two-year term, I  
21 think of what we've experienced. I think about  
22 how this began for me -- historic -- when my  
23 great colleagues entrusted me with the  
24 leadership of the Democratic Conference. And  
25 not only did you do that, but in so doing we

1 made history when I became the first female  
2 legislative leader in this state. And I want to  
3 thank you for that.

4           There was another piece of history  
5 that happened that day as well, and that history  
6 for us was kind of unfortunate. It was the  
7 first time in this chamber that two groups came  
8 together to disenfranchise the majority of  
9 elected Democrats, to seize our power and to  
10 thwart the will of the electorate.

11           While we were not given our  
12 rightful place in the majority, we understood  
13 that what we came here to do was to serve the  
14 people and provide leadership. And although  
15 what happened was extremely disappointing, we  
16 rolled up our sleeves, we held our heads high,  
17 and we got to work. And we used the power of  
18 our votes and the power of our voices to help  
19 pass some wonderful pieces of legislation.

20           Right out of the gate, we stood  
21 with our Governor to enact the SAFE Act. We  
22 provided a crucial number of votes for this  
23 important legislation. We passed our third and  
24 fourth consecutive on-time budgets. We passed  
25 legislation that grew our economy, created jobs.

1 We passed legislation that increased funding to  
2 our schools, funding statewide universal pre-K.  
3 We created tools to combat the heroin scourge  
4 facing our state.

5 We provided some tax relief --  
6 although I'm sure we would all agree it's not  
7 enough -- to thousands of New Yorkers. We  
8 revised our Common Core. We revised teacher  
9 evaluations. And we helped change the  
10 conversation away from a certain veto of medical  
11 marijuana legislation to a compromise, allowing  
12 us to provide much-needed pain relief to those  
13 who are most in need.

14 These some of the bipartisan  
15 victories that all of us accomplished together  
16 and we can all celebrate today. But we have to  
17 talk about the failures that were a result of  
18 the unfortunate agreement I mentioned earlier.

19 We failed to help over a million  
20 hardworking New Yorkers rise out of  
21 bone-crushing poverty by not raising the minimum  
22 wage enough and not giving our local governments  
23 the option to raise it on their own. We failed  
24 to stand up for women's health and equality by  
25 not passing the entire Women's Equality Act. We

1 filed to provide some real mandate relief to our  
2 local governments. We failed to provide even  
3 stronger ethics and strong campaign finance,  
4 including public campaign financing. And we  
5 failed to provide equal access to educational  
6 opportunities to all children by not passing the  
7 DREAM Act.

8           And while of course these failures  
9 are disappointing, it doesn't mean we stopped  
10 fighting. Because sometimes we learn our  
11 greatest lessons when we fail. So you can be  
12 assured that we will keep fighting.

13           But tonight, as we wish each other  
14 a fun, happy summer and rest of the year and we  
15 go into the political season, I really want to  
16 thank you for all that we've been able to  
17 accomplish here. I want to wish everyone on  
18 both sides of the aisle good luck, Godspeed.

19           And even though sometimes we  
20 disagree on the issues or their outcome, I am  
21 assured and I know that we all agree that our  
22 most important job is respecting the people of  
23 New York. And I think that's, when we're at our  
24 best, what we do best.

25           So thank you very much, and enjoy

1 the summer.

2 (Applause.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Klein.

5 SENATOR KLEIN: Thank you,  
6 Mr. President.

7 First, I want to thank my fellow  
8 leaders, Senator Skelos, Senator Cousins, for  
9 their spirit of cooperation, and of course  
10 Governor Cuomo, as we worked together over the  
11 past six months to deliver for working families  
12 across the State of New York.

13 It was two years ago that myself  
14 and Senator Skelos, in a bipartisan fashion,  
15 formed the first-ever coalition government in  
16 the more-than-125-year history of the State  
17 Senate. We left partisan bickering aside. We  
18 chose to govern, when the dust settled on that  
19 election, and I think we were validated to see  
20 that we were able to come together and, for the  
21 first time in a long time in the New York State  
22 Senate, finally get things done.

23 I think we can only look and see  
24 what's not going on in Washington, where they  
25 can't seem to figure out -- to understand, that

1 is, when the election is over, our constituents  
2 expect us to govern.

3 I'm very proud that the Independent  
4 Democratic Conference earlier this year unveiled  
5 a plan called Affordable New York. It was a  
6 common-sense approach based on a simple premise,  
7 that New York is becoming unaffordable for most.  
8 We rolled up our sleeves, we got the majority of  
9 our agenda passed, and I think in the process we  
10 did make New York more affordable.

11 We kept our promise to 4-year-olds  
12 around the State of New York by finally fully  
13 funding the first ever universal pre-K plan in  
14 the State of New York's history.

15 For the first time we recognized  
16 the burden on working families and restored  
17 child care subsidies so working families can now  
18 go out and work and also be able to afford  
19 affordable child care.

20 We recognized that our senior  
21 citizens are being priced out of this state each  
22 and every day, and enhanced the EPIC program so  
23 senior citizens can save on prescription  
24 destruction.

25 We also recognized that senior

1 citizens, especially in the City of New York,  
2 are suffering from spiraling rents, and we  
3 increased the SCRIE program to make sure more  
4 and more senior citizens can afford the rent  
5 they pay each and every day.

6 We recognized a simple truth, that  
7 the American dream of homeownership has to be  
8 kept alive not only for this generation, but  
9 future generations, and again helped homeowners  
10 who are facing foreclosure stay in their homes.

11 For the first time we recognized  
12 that we had to do something about the problem  
13 and the tragedies that occur each and every day  
14 on the streets of the City of New York and do  
15 something about reducing traffic fatalities.  
16 First we authorized 140 more speed cameras  
17 around schools in the City of New York. We  
18 allowed the City of New York to lower the speed  
19 limit to 25 miles an hour, thus saving lives in  
20 the future on the streets of New York City.

21 One of the things that I do want to  
22 say a very special thank you to are the many  
23 people who help us each and every day in the  
24 Independent Democratic Conference. But most of  
25 all, I want too thank my colleagues. I'm very

1 lucky that the Independent Democratic Conference  
2 is made up of hardworking members who recognize  
3 they're sent here to our State Capitol to  
4 espouse the hopes and aspirations not only of  
5 the residents of the State of New York, but of  
6 their districts.

7               Senator Savino, who led the fight  
8 for medical marijuana in the State of New York.  
9 Senator Carlucci, who each and every day fights  
10 for the disabled and led a major role in  
11 stopping heroin abuse and addiction. Senator  
12 Valesky, who each and every day wakes up with a  
13 very simple truth, how can we make sure that  
14 senior citizens in our state can live out their  
15 golden years in comfort and dignity. And of  
16 course Senator Avella, who's a hardworking  
17 community activist, even though he's a great  
18 State Senator, who each and every day figures  
19 out a way how he can make the quality of life of  
20 the people he represents better.

21               I also want to say a very thank you  
22 to the staff, both sides of the aisle: Beth  
23 Garvey, Robert Mujica, who do such a great job  
24 and are great public servants, but of course the  
25 members of the IDC team.

1                   First and foremost, our chief of  
2                   staff, John Emrick, who works his heart out each  
3                   and every day to make sure not only the members  
4                   of the IDC are well taken care of, but really  
5                   our entire legislative body here in the State  
6                   Senate. Our policy director, Dana Carotenuto.  
7                   Francesc Marti, our budget director. Shelley  
8                   Andrews, our counsel. And our press team, led  
9                   by Candice Giove. I want to thank them, and I  
10                  think they deserve a tremendous hand, everybody.

11                  (Applause.)

12                  SENATOR KLEIN: I'm very pleased  
13                  to be able to say that for the past four years  
14                  the Independent Democratic Conference has been a  
15                  strong, stabilizing, sensible force for  
16                  governing in this state, and we will continue  
17                  our laser-beam focus on getting things done for  
18                  the people of the great State of New York.

19                  I want to really thank each and  
20                  every one here. I think we had a very  
21                  successful two years. But I think everyone  
22                  knows we need to do more. So I think the work  
23                  goes on for solid schools, safer neighborhoods,  
24                  stronger communities, and a sustainable and  
25                  growing path to prosperity for our working

1 families. I think we cannot only ensure a  
2 strong economy for tomorrow, we can also  
3 strengthen New Yorkers today.

4 Thank you all, and I wish everyone  
5 a happy and healthy and of course a great  
6 summer.

7 (Applause.)

8 ACTING PRESIDENT GRIFFO: Senator  
9 Skelos.

10 SENATOR SKELOS: Thank you,  
11 Mr. President.

12 Before I make my comments, two  
13 members on our side of the aisle will not be  
14 with us next year.

15 Congressman-soon-to-be Lee Zeldin,  
16 we thank you for your contributions to this  
17 chamber, and we wish you the best of luck.

18 (Applause.)

19 SENATOR SKELOS: Greg Ball.

20 (Laughter.)

21 SENATOR SKELOS: You certainly  
22 have made things interesting in this chamber.

23 But your dedication and your focus  
24 on helping the veterans and fighting for them  
25 every day and achieving legislation that has not

1     been accomplished for years, we thank you for  
2     that. And we wish you the best of luck in your  
3     future. Thank you, Greg.

4                     (Applause.)

5             SENATOR SKELOS: We've reached the  
6     conclusion of another legislative session, and  
7     the 2014 session builds on our accomplishment of  
8     the last four years. We're very proud of what  
9     we've achieved on behalf of hardworking  
10    taxpayers and their families. I appreciate the  
11    input of each and every member of the Senate in  
12    helping us get there.

13            I want to especially thank our  
14    governing partner Senator Jeff Klein and members  
15    of the Independent Democrat Conference. Working  
16    together, we've shown that bipartisanship can  
17    work. You can show that the public is  
18    disenfranchised when government doesn't work and  
19    when there's gridlock and chaos. And working  
20    together, we've managed to stop that in this  
21    chamber. So we thank you for that.

22                     (Applause.)

23            SENATOR SKELOS: I want to thank  
24    Senators Gianaris, Valesky, and certainly my  
25    buddy here, Tom Libous, for making the floor

1 operate so efficiently and in a very respectful  
2 way. We thank all of you.

3 And in particular, I want to thank  
4 you, Tom, for the great job that you have done  
5 despite the many personal challenges that you  
6 have had. We thank you.

7 (Standing ovation.)

8 SENATOR SKELOS: As I said, I  
9 still believe that government works best when  
10 Democrats and Republicans work together. It's  
11 what the people of this state want, and we'll  
12 continue to work towards that goal every chance  
13 we get.

14 Over the last four years, we've cut  
15 taxes 49 times, saving hardworking taxpayers  
16 more than \$5.5 billion. We've capped spending,  
17 eliminated a \$10 billion deficit, and New York  
18 now has its highest bond rating in 50 years.  
19 Thanks to our leadership, thousands of  
20 businesses and schools no longer pay the  
21 job-killing MTA payroll tax that was passed when  
22 Republicans were in the minority. We're also  
23 starting to eliminate the Gap Elimination  
24 Adjustment which was imposed upon our school  
25 districts when, again, we were in the minority

1 and you were in the majority.

2 We've passed the toughest property  
3 tax cap in the nation and extended real relief  
4 to the middle class. We have restored balance  
5 and fairness to the school aid formula. And  
6 we've passed four consecutive on-time budgets  
7 and made government function once again.

8 Bipartisan accomplishments have  
9 included establishing a universal pre-K program  
10 in the state without raising taxes, and raising  
11 the minimum wage while helping businesses create  
12 new jobs. And this house came together, led by  
13 Senator Boyle and members of the Joint Task  
14 Force on Heroin and Opiate Addiction, to take  
15 swift action to address the growing heroin  
16 epidemic.

17 As we move forward, let's keep  
18 reducing taxes, regulations, and lay out the  
19 welcome mat for new and expanding businesses.  
20 Let's help students afford college and be able  
21 to stay in New York State, with our seniors, by  
22 making it more affordable. Let's provide bright  
23 new opportunities for individuals looking for a  
24 job and those inspired to find a better one.

25 We're fighting to make sure our

1 children have a future in New York, and it's a  
2 fight we must wage every single day.

3           Someone want us to return to the  
4 way things were before, when they won and  
5 New Yorkers lost. We're not going to go back to  
6 the days of chaos and dysfunction. There's  
7 simply too much at stake.

8           A couple of issues that Senator  
9 Stewart-Cousins touched on, and I'd like to just  
10 mention one, the women's equality bill. For two  
11 years our Women's Equality Agenda has been held  
12 hostage because of your insistence on a  
13 provision that would allow non-doctors to  
14 perform an abortion right up until the moment of  
15 a baby's birth. This extreme measure would put  
16 the health and safety of women in jeopardy, and  
17 that's not something that members on both sides  
18 of the aisle are willing to do.

19           We've acted in this house to  
20 approve a comprehensive women's agenda. It  
21 would ensure equal pay for equal work, help the  
22 victims of domestic violence, and stamp out  
23 human trafficking to protect innocent women,  
24 along with other equally important measures.

25           Why didn't the members of the

1 Senate Democrat Conference stand up like  
2 Assemblywoman Paulin and call upon the Assembly  
3 to take up these bills separately? It's very  
4 easy to vote on the bills as they were presented  
5 individually in this chamber and claim credit,  
6 but what would have been more productive is if  
7 you stood with Assemblywoman Paulin and others,  
8 insisting that the Speaker pass these bills  
9 individually, rather than looking for a  
10 political opportunity. The women of this state  
11 waited long enough for these important bills to  
12 become law, and the Senate Democrats haven't  
13 lifted a finger to make it happen.

14 So as we move through the summer  
15 and we enact the Compassionate Campaign Act --  
16 because I know we will all be very kind to each  
17 other --

18 (Laughter.)

19 SENATOR SKELOS: -- there will be  
20 many issues that will be discussed. And  
21 certainly I hope that we enjoy the beginning of  
22 summer and that we have the opportunity to  
23 discuss all of these issues with our  
24 constituents.

25 To all of our members, I say thank

1     you. To the staff on both sides of the aisle, I  
2     say thank you. You all are the best.

3                 To Kelly Cummings, my  
4     communications director, wherever you are, thank  
5     you for making me look good. Thanks, Kelly.

6                 To Beth, your first full year as  
7     counsel. You've done an outstanding job, and  
8     certainly --

9                 (Applause.)

10                SENATOR SKELOS: -- and treated  
11    each member and each staff person with the  
12    respect they deserve.

13                I know our Bill Drafting  
14    Commission -- I don't know if there are any  
15    here; they're probably still preparing bills.  
16    But they work throughout the night. We thank  
17    them very much.

18                And to Robert Mujica, I would be  
19    lost as co-leader in the Senate. Every single  
20    one of us, whether Republican, Democrat,  
21    independent Democrat conference members, would  
22    be -- the Governor would also be lost without  
23    Robert Mujica, because so many times Robert has  
24    to show him the way.

25                And Governor, if you're listening,

1 don't take it personally.

2 (Laughter.)

3 SENATOR SKELOS: But Robert is  
4 just a great person. And Robert, we thank you  
5 for all that you have done. Thank you, Robert.

6 (Applause.)

7 SENATOR SKELOS: So let's all  
8 enjoy the summer. Let's take a few days rest  
9 and then go out and chat with our constituents  
10 as we are supposed to do every two years.

11 Thank you for allowing me to lead  
12 you with Jeff. This has been a wonderful,  
13 wonderful experience for me, I believe for all  
14 of us. And the New York State Senate has made  
15 history in this state by showing -- in this  
16 nation by showing that Republicans and Democrats  
17 can work together to get positive results.

18 Thank you, and God bless.

19 (Extended applause.)

20 SENATOR LIBOUS: Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator  
22 Libous.

23 SENATOR LIBOUS: Is there any  
24 further business at the desk?

25 ACTING PRESIDENT GRIFFO: There is

1 no further business before the desk.

2 SENATOR LIBOUS: Mr. President and  
3 my colleagues, there being no further business,  
4 I move that the Senate adjourn to the call of  
5 the Temporary Presidents, intervening days being  
6 legislative days.

7 ACTING PRESIDENT GRIFFO: On  
8 motion, the Senate stands adjourned sine die, at  
9 the call of the Temporary Presidents,  
10 intervening days being legislative days.

11 The Senate is adjourned.

12 (Whereupon, at 9:38 p.m., the  
13 Senate adjourned.)

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