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ALBANY, NEW YORK

May 3, 1993

3:11 p.m.

REGULAR SESSION

SENATOR HUGH T. FARLEY, Acting President

STEPHEN F. SLOAN, Secretary

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P R O C E E D I N G S

ACTING PRESIDENT FARLEY: The Senate will come to order, Senators will please find their seats.

If you will please rise with me for the Pledge of Allegiance to the Flag.

(The assemblage repeated the Pledge of Allegiance to the Flag.)

Today we're pleased to have with us Father Michael Martin of the St. Francis High School of Hamburg, New York, to give us the opening prayer.

Father Martin.

FATHER MICHAEL MARTIN: Let us pray.

God have mercy and God have justice, we ask your blessing upon the leadership of our world, upon the leadership of our country and upon the leadership of this, our fine state of New York. In these times of great challenge, so much is needed, so much leadership, so much understanding, so much patience. Bless the members of this body that

1 they might work today together so that all of
2 your people might share in the benefits of your
3 earth. We ask this prayer in your name. Amen.

4 ACTING PRESIDENT FARLEY: The
5 Secretary will begin by reading the Journal.

6 THE SECRETARY: In Senate,
7 Friday, April 30th. The Senate met pursuant to
8 adjournment, Senator Bruno in the Chair upon
9 designation of the Temporary President. The
10 Journal of Thursday, April 29th, was read and
11 approved. On motion, Senate adjourned.

12 ACTING PRESIDENT FARLEY: Hearing
13 no objection, the Journal will stand approved as
14 read.

15 The order of business:

16 Presentation of petitions.

17 Messages from the Assembly.

18 Messages from the Governor.

19 Reports of standing committees.

20 Reports of select committees.

21 Communications and reports from
22 state officers.

23 Motions and resolutions. We have

1 some substitutions. Secretary will read a
2 substitution, and we'll go.

3 THE SECRETARY: On page 4 of
4 today's calendar, Senator Nozzolio moves to
5 discharge the Committee on Elections from
6 Assembly Bill Number 5401 and substitute it for
7 the identical Calendar Number 583.

8 Also on page 4, Senator Nozzolio
9 moves to discharge the Committee on Elections
10 from Assembly Bill Number 5631 and substitute it
11 for the identical Calendar Number 586.

12 On page 7, Senator Mega moves to
13 discharge the Committee on Judiciary from
14 Assembly Bill Number 1696 and substitute it for
15 the identical Calendar Number 504.

16 ACTING PRESIDENT FARLEY:
17 Substitutions are ordered.

18 Senator Hannon.

19 SENATOR HANNON: Return to
20 motions, Mr. President. On page number 25, I
21 offer the following amendments to Calendar 465,
22 Print Number 643, and ask that the said bill
23 retain its place on the calendar.

1 ACTING PRESIDENT FARLEY:
2 Amendments are received. Bill will retain its
3 place.

4 Senator Kuhl.

5 SENATOR KUHL: Yes, Mr.
6 President. I move that the following bill be
7 discharged from its respective committee and be
8 recommitted with instructions to strike the
9 enacting clause: Senate Print Number 4605.

10 ACTING PRESIDENT FARLEY: Without
11 objection.

12 SENATOR KUHL: Thank you.

13 ACTING PRESIDENT FARLEY: Senator
14 Mega.

15 SENATOR MEGA: Mr. President, on
16 page 16, Bill Number 1198, Calendar Number 128,
17 would you please place a sponsor's star on that
18 bill.

19 ACTING PRESIDENT FARLEY: The
20 bill is starred at the request of the sponsor.

21 SENATOR MEGA: On behalf of
22 Senator Marchi, on page 16, I offer the
23 following amendments to Calendar Number 56,

1 Senate Print Number 1272, and ask that said bill
2 retain its place on Third Reading Calendar.

3 ACTING PRESIDENT FARLEY:
4 Amendments are received. The bill will retain
5 its place.

6 Senator Present.

7 SENATOR PRESENT: Mr. President,
8 on behalf of Senator Marino, I offer up the
9 following letters, ask that they be read and
10 when read, filed in the executive Journal.

11 ACTING PRESIDENT FARLEY: The
12 Secretary will read those letters.

13 THE SECRETARY: State of New
14 York, Department of State, Honorable Ralph J.
15 Marino, Temporary President and Majority Leader,
16 New York State Senate, Albany, New York, 12247.

17 Dear Senator Marino:

18 I have received today and filed
19 the resignation of Edward V. Regan for the
20 office of Comptroller of the state of New York.
21 With this letter, I communicate the fact of such
22 resignation to the Legislature as required by
23 the provisions of the Public Officers Law.

1 Sincerely, Gail S. Shaffer,
2 Secretary of State.

3 Also to the Legislature of the
4 state of New York, The Capitol, Albany, New
5 York.

6 Dear Honorable Legislators:

7 I hereby submit my resignation as
8 Comptroller of the state of New York in accord
9 ance with Section 31 of the Public Officers
10 Law. This resignation is effective as of mid
11 night today. In accordance with the Public
12 Officers Law, section 9, I previously designated
13 Donald G. Dunn, First Deputy Comptroller, to
14 perform all the duties of the Comptroller. This
15 designation will be effective until such time as
16 the vacancy in the office of Comptroller is
17 filled in accordance with the law.

18 Sincerely, Edward V. Regan,
19 Comptroller.

20 ACTING PRESIDENT FARLEY: The
21 letters will be appropriately filed.

22 Senator Present.

23 SENATOR PRESENT: Would you

1 recognize Senator Goodman, please.

2 ACTING PRESIDENT FARLEY: Senator
3 Goodman.

4 SENATOR GOODMAN: Mr. President,
5 I was out of the chamber on April 27, 1993 on
6 Senate business. Had I been here, I would have
7 voted in the negative on Calendar 460, Senate
8 Print 3639.

9 ACTING PRESIDENT FARLEY: The
10 record will so state.

11 SENATOR GOODMAN: Thank you,
12 sir.

13 ACTING PRESIDENT FARLEY: Senator
14 Present.

15 SENATOR PRESENT: Mr. President,
16 on behalf of Senator Marino, I offer the
17 following announcement, ask that it be read and
18 filed in the Journal.

19 ACTING PRESIDENT FARLEY: The
20 Secretary will read the announcement from
21 Senator Marino.

22 THE SECRETARY: May 3rd, 1993.
23 By Senator Marino: Please take notice that, in

1 accordance with the New York State Legislative
2 Session Calendar, and pursuant to Rule VII,
3 Section 5, all bills reported by Senate standing
4 committees on and after Thursday, May 13, 1993
5 shall be reported to the Committee on Rules.
6 All bills introduced on and after May 13, 1993
7 shall be referred to the Committee on Rules
8 except those referred to the Committee on
9 Finance pursuant to Section 23 of the
10 Legislative Law. All bills received from the
11 Assembly on and after May 13, 1993 shall be
12 referred to the Committee on Rules except those
13 referred to the Committee on Finance pursuant to
14 Section 23 of the Legislative Law, and all bills
15 in all Senate standing committees shall be
16 considered eligible for discharge to and report
17 by the Committee on Rules.

18 Please take further notice, that
19 in accordance with the New York State
20 Legislative Session Calendar, and pursuant to
21 Rule VI, Section 5, the last day for unlimited
22 introduction of bills in the Senate shall be
23 Wednesday, May 5th, 1993. Thereafter, each

1 member may introduce no more than ten bills.

2 ACTING PRESIDENT FARLEY: There
3 will be copies at the desk for any member that
4 wishes to have the particulars of that letter,
5 and the letter will be filed in the Journal.

6 Senator Present.

7 SENATOR PRESENT: Mr. President,
8 would you recognize Senator Spano, please.

9 ACTING PRESIDENT FARLEY: Senator
10 Spano.

11 SENATOR SPANO: Mr. President, I
12 have a resolution at the desk, ask that the
13 title be read.

14 ACTING PRESIDENT FARLEY:
15 Secretary will read the title of Senator Spano's
16 resolution.

17 THE SECRETARY: Legislative
18 Resolution, by Senator Spano, memorializing
19 Governor Mario M. Cuomo to proclaim May as
20 Mental Health Month in New York State.

21 ACTING PRESIDENT FARLEY: Senator
22 Spano on the resolution.

23 SENATOR SPANO: Mr. President, my

1 colleagues, the month of May has continued to be
2 Mental Health Month across our nation and, in
3 keeping with the mental health awareness and in
4 conjunction with the state Mental Health
5 Association as well as the myriad of mental
6 health providers that we have across this state,
7 I'm glad that we have this resolution before us
8 and would ask that every member of this house
9 who would like to join me in becoming a sponsor
10 of this, please do so.

11 We in the state of New York are
12 blessed with a great number of voluntary
13 providers. We have many families, advocates,
14 consumer groups and a whole network of state and
15 community organizations that provide mental
16 health services all across our communities, and
17 the reason that we have such good strong vital
18 programs in the community is because of the
19 network that exists there, the linkages that
20 exist between that strong network and our state
21 system, and resolutions like this go a long way
22 towards overcoming the stigma that has been
23 attached to the consumers of mental health

1 services in this state, where we have had family
2 members and providers of services and recipients
3 of services who, for too long, were not willing
4 to stand up to be counted, to speak out, and we
5 have seen the change over the last number of
6 years in that advocacy.

7 First and foremost in the
8 advocacy has been the Mental Health Association
9 in the state, and I appreciate the help that I
10 have received from them, groups like AMI, the
11 Alliance for the Mentally Ill, and so many
12 others, and they're here joining us in the
13 gallery today.

14 Mr. President, I'd ask that we
15 please pass this resolution and ask, hopefully,
16 all the members of the house will become
17 co-sponsors as well.

18 Thank you.

19 ACTING PRESIDENT FARLEY: Anybody
20 who wishes to be a sponsor of Senator Spano's
21 resolution, please notify the desk. We'll just
22 take a couple minutes here while the desk gets
23 your hands.

1 On the resolution, all in favor
2 say aye.

3 (Response of "Aye.")

4 Those opposed nay.

5 (There was no response.)

6 The resolution is unanimously
7 adopted. That resolution will be open for
8 anybody that wishes to be put on it.

9 Senator Present.

10 SENATOR PRESENT: Mr. President,
11 will you recognize Senator Larkin, please.

12 SENATOR LARKIN: Mr. President,
13 there will be an immediate meeting of the Local
14 Governments Committee in Room 332, Majority
15 Leader's Conference Room, for one bill.

16 ACTING PRESIDENT FARLEY: There
17 will be an immediate meeting of the Local
18 Governments Committee in 332, for one bill.

19 Senator Present.

20 SENATOR PRESENT: Mr. President,
21 shall we take up the non-controversial calendar,
22 please.

23 ACTING PRESIDENT FARLEY:

1 Non-controversial, Secretary will read it.

2 THE SECRETARY: On page 22,
3 Calendar Number 338, by Senator Sears, Senate
4 Bill Number 3316-A, an act to amend the General
5 Business Law, in relation to protecting the
6 privacy of consumers renting or purchasing video
7 tapes.

8 ACTING PRESIDENT FARLEY: Read
9 the last section.

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

12 ACTING PRESIDENT FARLEY: Call
13 the roll.

14 (The Secretary called the roll.)

15 SENATOR GOLD: Mr. President.

16 ACTING PRESIDENT FARLEY: Senator
17 Gold.

18 SENATOR GOLD: Yeah, slow down.
19 What's the number of the bill?

20 ACTING PRESIDENT FARLEY: We're
21 on 338.

22 SENATOR GOLD: Thank you, Mr.
23 President. May I ask -- I don't have a problem

1 with it, but may I ask what happened to 128
2 which is listed? I have a listing here as -

3 ACTING PRESIDENT FARLEY: It was
4 starred earlier today.

5 SENATOR GOLD: Thank you, thank
6 you.

7 ACTING PRESIDENT FARLEY: You can
8 read the last section of 338.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the 1st day of
11 January.

12 ACTING PRESIDENT FARLEY: Call
13 the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes 47.

16 ACTING PRESIDENT FARLEY: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 447, by Senator Trunzo, Senate Bill Number 1992,
20 an act to amend the Criminal Procedure Law, in
21 relation to designating certain security
22 personnel at the Long Island MacArthur Airport.

23 ACTING PRESIDENT FARLEY: Read

1 the last section.

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

4 ACTING PRESIDENT FARLEY: Call
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes 47, nays
8 one, Senator Leichter recorded in the negative.

9 ACTING PRESIDENT FARLEY: That
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 473, by Senator Marino, Senate Bill Number 3828,
13 an act to amend Chapter 576 of the Laws of
14 1975.

15 SENATOR GOLD: Lay it aside.

16 ACTING PRESIDENT FARLEY: Lay it
17 aside.

18 THE SECRETARY: Calendar Number
19 478, by Senator Spano, Senate Bill Number 3494,
20 an act to amend the Mental Hygiene Law.

21 ACTING PRESIDENT FARLEY: Read
22 the last section.

23 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT FARLEY: Call
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes 49.

6 ACTING PRESIDENT FARLEY: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 481, by Senator Trunzo, Senate Bill Number 1299,
10 an act to allow Steven B. Olsen to retroactively
11 transfer membership in New York State and local
12 employees' retirement system.

13 ACTING PRESIDENT FARLEY: There's
14 a home rule message here at the desk. You can
15 read the last section.

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

18 ACTING PRESIDENT FARLEY: Call
19 the roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes 47, nays
22 two, Senators Gold and Leichter recorded in the
23 negative.

1 ACTING PRESIDENT FARLEY: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 482, by Senator DeFrancisco, Senate Bill Number
5 2187, an act to allow certain persons in the
6 employ of the town of Camillus in the county of
7 Onondaga prior to July 1st, 1973.

8 ACTING PRESIDENT FARLEY: Read -
9 there's a home rule message here at the desk.
10 You can read the last section.

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

13 ACTING PRESIDENT FARLEY: Call
14 the roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes 47, nays 2,
17 Senators Gold and Leichter recorded in the
18 negative.

19 ACTING PRESIDENT FARLEY: That
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 483, by Senator Volker, Senate Bill Number 2338,
23 an act to reopen the 20- and 25-year retirement

1 plans to policemen and firemen.

2 ACTING PRESIDENT FARLEY: There's
3 a home rule message here at the desk. You can
4 read the last section.

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

7 ACTING PRESIDENT FARLEY: Call
8 the roll.

9 SENATOR LEICHTER: Which bill,
10 please?

11 THE SECRETARY: 483.

12 ACTING PRESIDENT FARLEY: Call
13 the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes 49.

16 ACTING PRESIDENT FARLEY: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 486, by Senator Daly.

20 SENATOR GOLD: Lay aside.

21 ACTING PRESIDENT FARLEY: Laid
22 aside.

23 THE SECRETARY: Calendar Number

1 488, by Senator Cook, Senate Bill Number 2291,
2 Public Authorities Law, and the Environmental
3 Conservation Law and the Education Law.

4 SENATOR GOLD: Lay it aside,
5 please.

6 ACTING PRESIDENT FARLEY: Laid
7 aside.

8 THE SECRETARY: Calendar Number
9 490, by Senator LaValle, Senate Bill Number
10 4142, Public Authorities Law, in relation to the
11 financing and construction of certain
12 facilities.

13 ACTING PRESIDENT FARLEY: Read
14 the last section.

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

17 ACTING PRESIDENT FARLEY: Call
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes 49.

21 ACTING PRESIDENT FARLEY: The
22 bill is passed.

23 THE SECRETARY: Calendar Number

1 532, by Senator Spano, Senate Bill Number 4541,
2 authorize the village of Tuckahoe to finance a
3 deficit in its general fund.

4 ACTING PRESIDENT FARLEY: There's
5 a home rule message here at the desk. You can
6 read the last section.

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

9 ACTING PRESIDENT FARLEY: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 51.

13 ACTING PRESIDENT FARLEY: The
14 bill is passed.

15 Senator Present, that's the first
16 time through.

17 SENATOR PRESENT: Mr. President,
18 let's take up the controversial calendar,
19 please.

20 ACTING PRESIDENT FARLEY:
21 Controversial, the Secretary will read.

22 THE SECRETARY: On page 26,
23 Calendar Number 473, by Senator Marino, Senate

1 Bill Number 3828, an act to amend Chapter 576 of
2 the Laws of 1975.

3 SENATOR GOLD: Explanation.

4 ACTING PRESIDENT FARLEY:
5 Explanation has been asked for. Senator
6 Present, who's going to explain?

7 SENATOR LAVALLE: I am.

8 ACTING PRESIDENT FARLEY: Senator
9 LaValle.

10 SENATOR LAVALLE: On behalf of
11 Senator Marino, I will explain this bill, as I
12 did last year.

13 What this bill does is, it
14 provides additional opportunities for medical
15 education by authorizing the Commissioner of
16 Education to contract on a basis with the
17 University of Padua, Royal College of Surgeons
18 and St. George's University School of Medicine,
19 and New York State will form contracts with
20 these universities for our New York State
21 students as we have in the past with other
22 medical -- other medical colleges in -- outside
23 of the state of New York and lastly the

1 individuals who -- who receive this education
2 will serve in medically under-served areas upon
3 graduation from medical school.

4 That's the bill, Mr. President.

5 ACTING PRESIDENT FARLEY: Read
6 the last section.

7 SENATOR GOLD: Mr. President.

8 ACTING PRESIDENT FARLEY: Senator
9 Gold.

10 SENATOR GOLD: Yeah, as was
11 indicated by Senator LaValle, we've had this
12 before. Senator Connor and Galiber and
13 Halperin, Leichter, Masiello, Montgomery,
14 Ohrenstein, Smith, Stachowski and myself voted
15 against it.

16 Last section.

17 ACTING PRESIDENT FARLEY: Read
18 the last section.

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

21 ACTING PRESIDENT FARLEY: Call
22 the roll.

23 (The Secretary called the roll.)

1 THE SECRETARY: Those recorded in
2 the negative on Calendar Number 473 are Senators
3 Connor, Galiber, Gold, Halperin, Leichter,
4 Markowitz, Ohrenstein, Onorato, Santiago, and
5 Solomon. Ayes 42, nays 10.

6 ACTING PRESIDENT FARLEY: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 486, by Senator Daly, Senate Bill Number 624, an
10 act to amend the Public Authorities Law, in
11 relation to the board of the Dormitory Authority
12 of the state of New York.

13 SENATOR GOLD: Explanation.

14 ACTING PRESIDENT FARLEY:
15 Explanation. Senator Daly.

16 SENATOR DALY: Mr. President, at
17 the present time the Dormitory Authority does
18 not have any representatives from the Legisla
19 ture. It's made up of four members appointed by
20 the Governor, plus some several commissioners.
21 I thought it would be appropriate that an agency
22 that is becoming, or an authority that's
23 becoming as important as the Dormitory Authority

1 to have legislation representation.

2 Therefore, this bill would allow
3 the Majority Leader of the Senate and the
4 Speaker of the Assembly to appoint one member of
5 their respective houses to the Dormitory
6 Authority board of directors.

7 SENATOR GOLD: Mr. President.

8 ACTING PRESIDENT FARLEY: Senator
9 Gold.

10 SENATOR GOLD: Mr. President, we
11 we had this last year and 17 of us, mainly on
12 this side of the aisle, voted in opposition and
13 for very, very good reason.

14 Assemblyman Rappleyea, with his
15 Cornell education, is a very intelligent gentle
16 man, and we're talking about representation by
17 the Legislature with regard to the Dormitory
18 Authority, you provide rightfully so for
19 Assemblyman Weprin to have representation, but
20 you don't provide for a great stalwart of the
21 Republican Party, Cornell graduate Assemblyman
22 Rappleyea, to have an appointment, and the
23 members on this side find that very offensive.

1 Oh, yeah, Fred Ohrenstein doesn't have an
2 appointment either, I understand.

3 Mr. President, we don't have to
4 go through the debate again. It's -- we are
5 elected to act as a body, but the fact of the
6 matter is that there are differences in our
7 opinions, and to take the naive position that
8 the Majority Leader of this house, who I greatly
9 respect, represents my political philosophies or
10 views is as naive as to say that the Republican
11 members of the Assembly would, en masse, give
12 their support to anything done by the Democratic
13 Speaker.

14 So, in these bills, if we want
15 legislative input, it seems clear that there
16 should be legislative input from all sides, and
17 I once again urge my colleagues on this side of
18 the aisle to vote against this bill and any
19 bills like it until such time as there is some
20 equitable representation of the various factions
21 of this Legislature involved.

22 ACTING PRESIDENT FARLEY: Read
23 the last section.

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

3 ACTING PRESIDENT FARLEY: Call
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Those recorded in
7 the negative on Calendar Number 486 are Senators
8 Connor, Galiber, Gold, Halperin, Jones,
9 Leichter, Markowitz, Montgomery, Ohrenstein,
10 Onorato, Oppenheimer, Santiago and Solomon.
11 Ayes 40, nays 13.

12 ACTING PRESIDENT FARLEY: That
13 bill is passed.

14 SENATOR PRESENT: Mr. President.

15 ACTING PRESIDENT FARLEY: Senator
16 Present.

17 SENATOR PRESENT: May we just
18 stand at ease for a few moments, please.

19 ACTING PRESIDENT FARLEY: Senate
20 will stand at ease.

21 Senator Montgomery.

22 SENATOR MONTGOMERY: Mr.
23 President, I would like to be recorded in the

1 negative on Calendar 473.

2 ACTING PRESIDENT FARLEY: 473,
3 Senator Montgomery will be in the negative.

4 SENATOR MONTGOMERY: Thank you.

5 ACTING PRESIDENT FARLEY: Senator
6 Present.

7 SENATOR PRESENT: Mr. President,
8 will you recognize Senator Tully, please.

9 ACTING PRESIDENT FARLEY: Senator
10 Tully.

11 SENATOR TULLY: Mr. President, I
12 believe I have a resolution at the desk. May I
13 have it read in its entirety, please.

14 ACTING PRESIDENT FARLEY: The
15 Secretary will read Senator Tully's resolution
16 in its entirety.

17 THE SECRETARY: Legislative
18 Resolution, by Senator -- Senators Tully -

19 ACTING PRESIDENT FARLEY: Hold
20 on. Let's hold it down. Thank you.

21 Secretary will read it.

22 THE SECRETARY: Legislative
23 Resolution, by Senators Tully, Marino and

1 others, honoring the Henry Viscardi School
2 senior class upon their trip to the New York
3 State Capitol on May 3rd, 1993.

4 WHEREAS, in the course of the
5 evolving development of this Empire State, if
6 the ingredients of shared concern and responsive
7 endeavor combine in the symmetry of commitment
8 to heritage, there have emerged among the
9 distinguished citizenry of the state of New York
10 certain students who warrant special
11 recognition;

12 It is the sense of this
13 legislative body to commend students of such
14 magnanimous conduct and bearing, specifically
15 the Henry Viscardi School senior class upon the
16 occasion of their trip to the New York State
17 Capitol on May 3rd, 1993;

18 The senior class of the Henry
19 Viscardi High School, through their assiduous
20 commitment to the study of the legislative
21 process, are invited guests of this legislative
22 body and will arrive on May 3rd, 1993 to
23 supplement their studies by witnessing the New

1 York State Legislature in progress;

2 It is the sense of this
3 legislative body that those who give positive
4 definition to the profile and disposition of
5 their communities do so profoundly strengthen
6 their commitment to the exercise of freedom;

7 Through their long and sustained
8 commitment to the principles upon which this
9 beloved nation was first founded, the Henry
10 Viscardi School senior class has so demonstrably
11 advanced the perception of Albertson, New York
12 as a caring and united community;

13 It is the sense of this
14 legislative body that the Henry Viscardi School
15 senior class has so unselfishly advanced the
16 spirit of united purpose which is the
17 unalterable manifestation of our American
18 experience;

19 NOW, THEREFORE, BE IT RESOLVED
20 that this legislative body pause in its
21 deliberations to honor the Henry Viscardi School
22 senior class upon the occasion of their trip to
23 the New York State Capitol on May 3rd, 1993; and

1 BE IT FURTHER RESOLVED that
2 copies of this resolution, suitably engrossed,
3 be transmitted to students James Allen, Brian
4 Cella, Christian Chavez, Alan Corey, Todd
5 Decker, Nancy Dubin, Alison Evans, Brian Garton,
6 John LaMacchia, Chicho Mertsaris, Angela
7 Pittala, Anita Richichi, Ramon Rodriguez, James
8 Walsh, Brian Wiegand and Cybil Wilson.

9 ACTING PRESIDENT FARLEY: Senator
10 Tully, on the resolution.

11 SENATOR TULLY: Yes, Mr.
12 President.

13 Today as in many, many years
14 past, we were to have the honor of hosting this
15 year's senior class at the Henry Viscardi School
16 as our guests in the chamber. Unfortunately,
17 due to scheduling conflicts and no doubt because
18 of the ability of the Governor to communicate
19 with individuals, as I understand it, these
20 youngsters are currently meeting with the
21 Governor, and the situation that exists here in
22 the Senate chamber is such that we're about to
23 conclude our business. Therefore, in order to

1 get this resolution on the record, it was
2 incumbent upon us to go forward with it and
3 hopefully during the course of my remarks, the
4 students will enter the chamber, and you will be
5 able to give them proper recognition.

6 The Henry Viscardi School in
7 Albertson, New York specializes in educating
8 students with severe physical disabilities from
9 throughout the New York metropolitan region.
10 Each year the senior class takes a trip to
11 Albany to witness the New York State government
12 in action. These students whose special brand
13 of strength and determination has enabled them
14 to overcome their disabilities and instead focus
15 on their abilities and talents, are among the
16 most gifted students that I've ever met.

17 This year's class has 16
18 graduating seniors, all of whom have made post
19 graduation plans. Some have made plans to go to
20 college and some have made plans for a
21 transition into vocational training programs.
22 Whatever their intention, knowing these young
23 adults and the school from which they come, each

1 will be an important and productive member of
2 society.

3 Mr. President, as in the past
4 years, I would hope that all of my colleagues
5 will join me in welcoming the senior class of
6 the Henry Viscardi School to Albany whenever
7 that time arrives.

8 ACTING PRESIDENT FARLEY: Senator
9 Marchi.

10 SENATOR MARCHI: Mr. President, I
11 certainly -- it's a nostalgic echo that Senator
12 Tully sounded in behalf of Mr. Viscardi and the
13 school and the people who have been annually
14 recognized.

15 The undoubtedly authentic quality
16 that has been imparted by the school and Mr.
17 Viscardi is something that I take on the weight
18 of authority, the authority of people who
19 represent that area so well, but I remember
20 Senator Caemmerer making the same presentation
21 with the same fervor and eloquence that Senator
22 Tully did and Senator Spano before him.

23 So as long -- as many years as I

1 can recall, this is a service and a presence
2 that has elicited the grateful approbation of
3 the -- of the area involved, but in its
4 presentation to the entire membership here, I
5 think it strikes a responsive chord. So my
6 compliments, Senator.

7 ACTING PRESIDENT FARLEY: Senator
8 Maltese.

9 SENATOR MALTESE: I'd just like
10 to add a word to my good colleagues, Senator
11 Tully and Senator Marchi.

12 I think the students and the
13 school truly exemplify the name -- the founder's
14 name. Henry or "Hank" Viscardi is well known
15 throughout the nation for his contributions to
16 the disabled or the youngsters that need that
17 special type of help. It's youngsters like this
18 that make him and all of us proud.

19 Henry Viscardi himself who was, I
20 would say some would call him handicapped
21 because of the lack of legs, rose above that.
22 He wrote a book, I recall, A MAN'S STATURE, with
23 the implication that a man's stature could not

1 be measured by his height or anything physical,
2 but by what's inside of him.

3 I think these youngsters are an
4 example for all of us and are truly to be
5 saluted, and I commend my colleagues in doing
6 so.

7 ACTING PRESIDENT FARLEY: Senator
8 Tully, is the resolution open?

9 SENATOR TULLY: Yes, it is, Mr.
10 President.

11 ACTING PRESIDENT FARLEY: The
12 resolution is open for anybody who wishes to be
13 on it.

14 On the resolution, all in favor
15 say aye.

16 (Response of "Aye.")

17 Those opposed nay.

18 (There was no response.)

19 The resolution is adopted.

20 Senator Waldon.

21 SENATOR WALDON: Mr. President, I
22 respectfully request unanimous consent to be
23 recorded in the negative on Calendar Number 486.

1 ACTING PRESIDENT FARLEY: Without
2 objection.

3 Senator Stachowski.

4 SENATOR STACHOWSKI: Mr.
5 President, can I have unanimous consent to be
6 recorded in the negative on Calendar Number 473.

7 ACTING PRESIDENT FARLEY: Without
8 objection.

9 Senator Cook.

10 SENATOR COOK: Star Calendar
11 Number 488, please.

12 ACTING PRESIDENT FARLEY: 488 is
13 starred at the request of the sponsor.

14 Senator Present.

15 SENATOR PRESENT: Mr. President,
16 can we return to reports of standing
17 committees. I believe there's one at the desk.

18 ACTING PRESIDENT FARLEY: Yes,
19 there is. Secretary will read a report of a
20 standing committee.

21 THE SECRETARY: Senator Larkin,
22 from the Committee on Local Governments, reports
23 the following bill directly for third reading:

1 Senate Bill Number 4773 by Senator Cook, an act
2 authorizing Greene County to sell and convey
3 certain lands, reported directly for third
4 reading.

5 ACTING PRESIDENT FARLEY: Without
6 objection, right to third reading.

7 Senator Smith.

8 SENATOR SMITH: Thank you, Mr.
9 President. I request unanimous consent to be
10 recorded in the negative on Calendar Number 473
11 and 486.

12 ACTING PRESIDENT FARLEY: Without
13 objection.

14 SENATOR SMITH: Thank you.

15 ACTING PRESIDENT FARLEY: Senator
16 Present.

17 SENATOR PRESENT: Mr. President,
18 there being no further business, I move that we
19 adjourn until tomorrow at 3:00 p.m.

20 ACTING PRESIDENT FARLEY: Senate
21 stands adjourned until tomorrow, regular hour.

22 (Whereupon at 3:50 p.m., the
23 Senate adjourned.)