NEW YORK STATE SENATE

THE

STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 12, 1999

3:02 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President.

STEVEN M. BOGGESS, Secretary.

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

I ask everyone present to please rise and recite with me the Pledge of Allegiance.

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

THE PRESIDENT: In the absence of clergy, may we bow our heads in a moment of silence, please.

(A moment of silence was observed.)

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Friday, April 9th. The Senate met pursuant to adjournment. The Journal of Thursday, April 8th was read and approved. On motion, Senate adjourned.

THE PRESIDENT: Without objection the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Bonacic, from the Committee on Housing Construction and Community Development, reports:

Senate Prints 3771, by Senator Padavan, an act to amend the Private Housing Finance Law;

4139, by Senator Bonacic, an act to amend the Public Housing Law;

4297, by Senator Larkin, an act to amend the Public Housing Law;

4380, by Senator Bonacic, an act to amend the Private Housing Finance Law;

4438, by Senator Bonacic, an act to amend the Private Housing Finance Law.

All bills directly for third reading.

THE PRESIDENT: Without objection, all bills reported direct to third reading.

Reports of select committees.

Communication and reports from State officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

On behalf of Senator Marcellino I would like to amend his bill on page 6. I offer the following amendments to Calendar Number 69, Senate Print 1129, and ask that bill retain its place on third reading.

THE PRESIDENT: The bill will retain its place on third reading.

SENATOR FARLEY: On behalf of Senator Fuschillo on page 6, I offer the following amendments to Calendar 90, Senate Print 558, and I ask that that bill retain its place on the Third Reading Calendar.

THE PRESIDENT: Both amendments are received and both bills will retain their place on third reading.

SENATOR FARLEY: On behalf of Senator Wright, Madam President, on page 25 I offer the following amendment to Calendar Number 430, Senate Print 1479, and I ask that that bill retain its place.

THE PRESIDENT: The amendment is received and the bill will retain its place on third reading.

SENATOR FARLEY: On behalf of Senator Holland, on page 27, I offer the following amendments to Calendar 459, Senate Print 4060 and I ask that that bill retain its place on the Third Reading Calendar.

THE PRESIDENT: The amendment is also received and the bill will retain its place on Third Reading Calendar.

Senator Skelos.

SENATOR SKELOS: Madam President, I believe there is a privileged resolution, Number 945, at the desk by Senator DeFrancisco. May we please have the tile read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator DeFrancisco, Legislative Resolution Number 945 honoring 25 students at State Street Elementary School, Skaneateles, New York for their participation in the 1999 49th Senate District's Good News Good Kids Youth Responsibility Program.

THE PRESIDENT: Senator Gentile. The question is on the resolution.

All in favor of signify by saying aye.

(Response of "Aye".)

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENTS: The resolution is adopted.

Senator Skelos.

SENATOR SKELOS: Madam President, I believe there is a privileged Resolution Number 888 at the desk by Senator Gentile. May we please have the title read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Gentile, Legislature Resolution Number 888, honoring Mafalda DiMango on the occasion of her retirement and 35 years of distinguished service to the families and children of Community School Board District Number 20.

THE PRESIDENT: Senator Gentile

SENATOR GENTILE: Thank you, Madam President.

THE PRESIDENT: Your welcome.

SENATOR GENTILE: Just very quickly, Mafalda DiMango I believe is the longest serving member of Community School Boards still active. And after 35 years has decided not to seek reelection to the school board so I think it is appropriate at this point that we do pass this resolution in honor of her service. She has seen many changes over the 35 years and I think now it is appropriate that she, in her stepping aside that we honor her for that service.

She certainly has given service to the City of New York and to the children of the City of New York. So I think I ask all my members to join me in honoring her in such a way.

Thank you.

THE PRESIDENT: Senator Lachman.

SENATOR LACHMAN: To echo what my distinguished colleague from Staten Island and Brooklyn has already said about Mafalda DiMango I owe a personal debt of gratitude to Ms. DiMango because over 20 years ago when I was a young and callow president of the New York City Board of Education, Mafalda DiMango

was already a very distinguished leader of her school board. I believe at that time she was president of Community School Board 20. And I can't believe that this vigorous and active lady is now retiring after a brief period of 35 years as a member of Community School Board 20 in Brooklyn.

I have a great deal of respect for her wisdom, her tenacity, her knowledge, her dignity, elegance and I wish her well in what I am sure will be a very active retirement.

THE PRESIDENT: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Skelos, we have a substitution at the desk.

SENATOR SKELOS: If you would please recognize Senate DeFrancisco first?

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I have a resolution that was on the Resolution Calendar that was passed in my absence since I was out doing other business.

However it is a resolution that should be discussed very briefly, and that is a resolution commending students from the State Street Elementary School in the Skaneateles School District, which is in my Senate District, for winning the elementary school competition in our Good News Good Kids Program. That program basically recognizes good students throughout our community who do positive things for other people and show that there are goods kids and there is good news in our area, as there is in every other area of the State.

This group recognized that the Blue Bird population, which is our State bird, as we all know, was going down in numbers over the past several decades and they learned of that problem in school and decided how they were going to -- what they were going to do about it. They learned about what Blue Birds -- their habitat, they learned what they

should do about it, they constructed bird houses. They distributed posters and distributed literature and they basically brought public awareness to this issue, which is a very important environmental issue as well.

They are here with us today and I wanted them to recognize that one of the resolutions that passed was this resolution commending them. And I also want to state that we congratulate the students from the State Street Elementary School and their teacher Carol Ann Smith for the wonderful work they are doing in that district.

THE PRESIDENT: And on behalf of the Senate and as President of the Senate I extend all of our courtesies to the Skaneateles Good News Good Kids. Welcome and have a great day.

Senator Skelos, we have a substitution at the desk.

SENATOR SKELOS: Would you please make it.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: On page 26, Senator Libous moves to discharge from the Committee on Mental Health and Developmental Disabilities Assembly Print 6982 and substitute it for the identical third reading 441.

THE PRESIDENT: The substitution is ordered.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could go to the non-controversial calendar at this time?

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 109, by Senator Meier, Senate Print 1480-A, an act to amend the Executive Law and the Social Services Law, in relation to making reports.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect January 1st, year 2000.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 118, by Senator Skelos, Senate Print 11-B an act to amend the General Business Law, in relation to the sale of laser pointing devices.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first day of September.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 264, by Senator McGee, Senate Print 2873, an act to amend the Highway Law, in relation to distribution and payment.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first day of

April.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 285, by Senator Spano, Senate Print 2012, an act to amend the State Finance Law, in relation to the payment of emergency financial aid.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 330, by Senator Seward, Senate Print 3516, an act to amend the Insurance Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

SENATOR DOLLINGER: Can we lay the bill aside.

THE PRESIDENT: The bill is laid aside, Senator.

SENATOR DOLLINGER: Thank you, Madam President.

THE SECRETARY: Calendar Number 340, by Senator Kuhl, Senate Print 3087, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 366, by Senator LaValle, Senate Print 2855, an act to establish the Island volunteer exempt firefighters benevolent association.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.).

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 377, by Senator Libous.

SENATOR PATERSON: Lay the bill aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number 379, by Senator Skelos, Senate Print 3372, an act to amend the General Business Law, in relation to making technical amendments.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 394 by Senator Maziarz, Senate Print 649, an act to amend the Correction Law, in relation to copayment of fees.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Aye 53, nays one. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 400, by Senator Alesi, Senate Print 3484, an act to amend the Economic Development Law, in relation to directing a rural agribusiness.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Aye 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 412, by Senator Trunzo, Senate Print 1778, an act to amend the Penal Law, in relation to the unlawful sale of tobacco products to a child.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Aye 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 413, by Senator Volker, Senate Print 2059, an act to amend the Civil Practice Law and Rules, in relation to confidential communications.

SENATOR KUHL: Lay the bill aside for the day.

THE PRESIDENT: The bill is laid

aside for the day.

THE SECRETARY: Calendar Number 419, by Senator Velella, Senate Print 2531, an act to amend the Penal Law, in relation to the crime of criminal mischief in the third degree.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. The act shall take effect on the first day of November.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 432, by Senator Stachowski, Senate Print 2245 an act to amend the Education Law, in relation to authorizing the lease or rental of school buses.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 434, by Senator Leibell, Senate Print 3257, an act to legalize, validate, ratify and confirm certain transportation contracts.

THE PRESIDENT: A local fiscal impact note is at the desk.

Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Aye 55.

THE PRESIDENT: The bill is passed. Senator Kuhl, that completes the non controversial reading of the calendar.

SENATOR KUHL: Yes, Madam President. May we now proceed to the controversial Calendar, please.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 330, by Senator Seward, Senate Print 3516, an act to amendment the Insurance Law, in relation to making various technical corrections.

SENATOR DOLLINGER: Madam President.

THE PRESIDENT: Senator Dollinger, why do you rise?

SENATOR DOLLINGER: If I could waive an explanation from Senator Seward and just ask two very specific questions about this bill. I believe this is Senator Seward's bill.

THE PRESIDENT: Senator, do you yield?

SENATOR SEWARD: Yes, I do.

THE PRESIDENT: Go ahead, Senator.

SENATOR DOLLINGER: Senator, could you just explain to me on page 3 of the bill the affect of the change in operating a motor vehicle in excess of the speed limit and wreckless driving? Just what is the impact of that change on the current status of the law?

SENATOR SEWARD: Senator, the bill in that area would correct certain ambiguities that are currently in the motor vehicle liability surcharge provisions of the law. This bill would clarify that an insurer may surcharge a driver's policy if the driver operated a vehicle in excess of the speed limit. In other words, was convicted of that or of wreckless driving or convicted of any other moving violation on two or more occasions within a 36 month period. That is currently the practice. This merely takes away any ambiguity in that area. It does not actually set new policy.

THE PRESIDENT: Senator Dollinger.

SENATOR DOLLINGER: Madam President, I am having difficulty hearing Senator Seward.

THE PRESIDENT: Go ahead, Senator.

SENATOR DOLLINGER: Again, through you Madam President, just so I understand this section says that an insurer can not increase the premium for a series

of-

THE PRESIDENT: Go ahead Senator, I was having trouble hearing you.

SENATOR DOLLINGER: Again, just so I understand it, this section says that an insurer can or can not increase/alter the premium for the conduct listed in section 13? I'm just trying to understand it. Does this say that you can increase the insurance premium if you are guilty of reckless driving, or that you can not?

SENATOR SEWARD: That they can.

SENATOR DOLLINGER: That they can.

SENATOR SEWARD: Yes.

SENATOR DOLLINGER: The other question I have, Madam President, is if Senator Seward could just explain the deletion of the Lloyd's underwriter provision.

I know when I was dealing with Senator Velella and the Lloyd's crisis three years ago there was an enormous concern about the Lloyd's underwriters in this state of which there are many, I think as many as 2,000 that might be involved in Lloyd's here in New

York State and I would just be interested, how does this provision, the deletion of this provision effect the current people who are involved in the Lloyd's underwriting,

SENATOR SEWARD: The legislation before us would delete the references in the Insurance Law to Lloyd's underwriters because the last remaining Lloyd's underwriter has converted to the property and casuality company.

SENATOR DOLLINGER: Again, through you Madam President, does the removal of this provision remove the jurisdiction of the State Insurance Department over Lloyd's of London?

I know that the New York State Insurance Department had been the repository of, I believe, either a bond or a fund over which New York State's Insurance Department on behalf I believe of all of the states had controlled Lloyd's or had some impact on Lloyd's investment and activities and reinsurance here in the United States. Do you know whether we will continue to have that jurisdiction? Through you Madam President.

SENATOR SEWARD: There will be no changes. It is just the reference to Lloyd's of London.

SENATOR DOLLINGER: Through you, Madam President, just on the bill, on the basis of Senator Seward's representation both with respect to the Lloyd's underwriters and with respect to the impact of that new article 13, new section 13, I will vote in favor of the bill.

Thank you.

THE PRESIDENT: Read the last section.

THE SECRETARY: Sections 23. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

THE PRESIDENT: The bill is passed. Senator Marchi.

SENATOR MARCHI: In view of the spirit of collegiality that was introduced by Senator Dollinger, I have a distinguished presence here of members from Staten Island whom you know and they are up here in the

gallery and I would appreciate it if you would recognize them. Mrs. Paladino.

THE PRESIDENT: We extend the courtesies of the house to our distinguished visitors from Staten Island and wish a great day.

The Secretary will read.

THE SECRETARY: Calendar Number 377, by Senator Libous, Senate Print 2100, an act to amend the General Business Law, in relation to unlawful possession of tobacco.

THE PRESIDENT: Read the last section.

SENATOR MONTGOMERY: Explanation.

THE PRESIDENT: Senator Montgomery.

SENATOR MONTGOMERY: An explanation.

THE PRESIDENT: Senator Libous, an explanation.

SENATOR LIBOUS: Thank you, Madam President, I would be more than happy to give an explanation.

For the last couple of years what we have been trying to do is attach what we

feel is a strong ongoing effort to curb under age smoking and possession of tobacco.

In 1992 we passed legislation that was goods legislation that was the Adolescent Tobacco Use Prevention Act. Basically this legislation would kind of add on to that.

We think it is important that young people who are underage also learn responsibility when they walk into a supermarket or a store and they purchase tobacco products and it gets oftentimes the person who holds the license of that grocery store or that merchant responsible, which they should be if they are selling to a minor, at the same time the minor who purchased the tobacco also has a responsibility and should learn that being under age they shouldn't have that product.

We did this with alcohol. We passed it a number of years ago. I think probably my second year here. Was a possession bill. It seemed to be somewhat effective and we just think this it just another step moving forward.

THE PRESIDENT: Senator

Montgomery.

SENATOR MONTGOMERY: Yes, Madam President, I would like to ask the sponsor, Senator Libous, a question, please.

THE PRESIDENT: Senator Libous, will you yield for a question?

SENATOR LIBOUS: Absolutely, Madam President.

THE PRESIDENT: Go ahead, Senator Montgomery.

SENATOR MONTGOMERY: Senator Libous, I see in language in the bill that says any person, any person 18 or under who unlawfully possess tobacco with intent to use. Would you clarify for me, based on unlawful possession of this tobacco with intent to use, what is the charge?

SENATOR LIBOUS: Madam President, I can address that.

The charge would be -- this is a non criminal offense, obviously. This would be a violation, this would not be a criminal offense, just like we have in the law that this house passed when it deals with underage possession of alcohol, it would be a violation

and it could be a fine of no more than $50 or up to 30 hours of community service.

It is again an act to teach responsibility and not one to set a criminal record for any individual. That is not the intent.

SENATOR MONTGOMERY: All right, thank you Senator Libous.

Madam President, on the bill. I certainly agree with Senator Libous' intent to try and keep minors from using tobacco. Obviously we all agree with that. The problem for me is I'm not sure where these young people who are probably quite young, I mean we may be talking about 14 or 15 years old, possibly younger, where they might get $50. What kind of meaningful community service they may perform as opposed to really investing much more in education and other ways of reaching them, which we apparently have not been successful in doing.

So I vote against this. I voted before in the negative. I'm going to vote again in the negative because I just think that this is not the way that we really are

going to address premature use of tobacco.

Thank you.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. The act shall take effect on the first day of September.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: I would just like to explain my vote. I vote no on this proposal. It is not because I don't think young people should smoke. Of course they should not smoke. They should not do a lot of things as we as adults should not.

My opposition is basically on the grounds that this is a bill that is like many other bills that we have, including position of alcohol with intent to use, a bill that is not going to be enforced. It is going to add more problems to the court system, and it is going to give an opportunity for people who want to over zealously harass teen-agers to

harass them by another bill that might be one way to stop them and to investigate whether or not they are possessing tobacco, god forbid, with intent to use.

I mean, it just seems to me the disadvantages far out weigh the advantages or the ultimate result. The ultimate result as was just mentioned is education and making sure we have penalties for those who produce these types of things that cause health problems in our community.

THE PRESIDENT: Senator DeFrancisco, you will be so recorded as voting in the negative.

Senator Marchi.

SENATOR MARCHI: For the very same reasons, Madam President. I have been down this road many times throughout the decades on this and other variants of the same theme. And what this does as Senator DeFrancisco said so explicitly and exquisitely well, it only heightens the cynicism that so many young people feel that we pass something and that's the end of it and it can not be taken seriously. It is not going to be

enforced, but here we are, we have the bill.

So I am recording in the negative again.

THE PRESIDENT: Thank you, Senator, you will recorded as voting in the negative.

Read the last section. Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: The Secretary will announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 377 are: Senators DeFrancisco, Duane, Marchi, Markowitz, Mendez, Montgomery, Paterson, Schneiderman, Seabrook, Smith.

Ayes 45, nays 10.

THE PRESIDENT: The bill is passed. Senator Kuhl.

SENATOR KUHL: I believe that completes the reading of the controversial calendar, Madam President.

May we return to the order of motions and resolutions and there is a privileged resolution, I believe, Number 785,

at the desk by Senator Nozzolio.

It has been previously adopted, but may we please read it in its entirety at this time, and then I would ask you to recognize Senator Nozzolio on the resolution.

THE PRESIDENT: Upon the completion of reading of the reading of the controversial calendar we will return to motions and resolutions and the Secretary will read.

THE SECRETARY: By Senator Nozzolio, Legislative Resolution Number 785 congratulating the Bloomfield High School Girls Basketball Team and Coach Phil White on winning the New York State Section V, Class C championship.

THE PRESIDENT: Senator Nozzolio.

THE SECRETARY: Where as, excellence and success in competitive sports can be achieved only through strenuous practice, team play and team spirit, nurtured by dedicated coaching and strategic planning, athletic competition enhances the moral and physical development of the young people of this State, preparing them for the future by

instilling in them the value of team work, encouraging a standard of healthy living, imparting a desire for success and developing a sense of fair play and competition, the Bloomfield Bombers are the Section V, Class C champions. As New York State Public School Athletic Association champions the Bombers, 27 and 0, will advance to the federation tournament semi-finals in Glens Falls, New York, against the Catholic High School Athletic Association Champions.

The athletic talent displayed by this team is due in great part to the efforts of Coach Phil White, a skilled and inspirational tutor, respected for his ability to develop potential into excellence.

The teams overall record is outstanding and the team members were loyally and enthusiastically supported by family, fans, friends and the community at large. The hallmarks of the Bloomfield High School Girls Basketball Team from the opening game of the season to participation in the championship were a sisterhood of athletic ability, of good sportsmanship, of honor and of scholarship,

demonstrating that these team players are second to none.

Athletically and academically the team members have proven themselves to be an unbeatable combination of talent, reflecting favorably on their school. Coach Phil White has done a superb job in guiding, molding and inspiring the team members toward their goals.

Whereas, sports competition instills the values of team work, pride in accomplishment and Coach Phil White and his outstanding athletes have clearly made a contribution to the spirit of excellence which is a tradition of their school. Now, therefore be it.

Resolved, that this legislative body pause in its deliberations to congratulate the Bloomfield High School Girls Basketball Team, its members; Heathar Shepard, Ericka Bellis, Renee Yell, Kate Headlee, Marissa Kiporsky, Monica Davis, Crystal Stanton, Beth Hudson, Emily Paulsen, Ashley Myers, Jill Hammond, Jamie Cooper, Kim Rogers and Beth Kaufmann and Coach Phil White on winning the New York State Section V, Class C

championship, and be it further

Resolved that a copy of this resolution, suitably engrossed, be transmitted to the Bloomfield High School girls basketball team and to Coach Phil White.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Madam President.

My colleagues, in the chamber today is represented the best of not only the community of Bloomfield but the entire State of New York that we have with us fine athletes who have represented their community extremely well. The entire Bloomfield community reached out and was extremely proud of the accomplishments of this basketball team, these fine young women who represented our region in the State championship with a great deal of class and dignity and I want to rise and congratulate the team and their Coach White for their contribution.

They are what the finest we have to offer in New York State and Madam President, this resolution reflects the Senate's recognition of the wonderful, wonderful effort

put forward by this athletic team.

Thank you for the support of my colleagues in this resolution in recognizing the contributions of not only great athletes but excellent citizens.

THE PRESIDENT: Thank you Senator. And on behalf of the Senate I also want to acknowledge your presence and congratulate you for what you are doing not only for the sport of basketball but for women athletes around the state.

It is great to have you here and have a wonderful day with us here in the Senate.

Again, congratulations.

(Applause.)

THE PRESIDENT: Senator Kuhl.

SENATOR KUHL: Any housekeeping at the desk, Madam President?

THE PRESIDENT: No there is not, Senator.

SENATOR NANULA: Madam President.

THE PRESIDENT: Senator Nanula.

SENATOR NANULA: Thank you, Madam President.

I would like to request unanimous consent to be recorded in the negative on Calendar Number 377.

THE PRESIDENT: Without objection you will be so recorded in the negative.

SENATOR KUHL: Madam President.

THE PRESIDENT: Senator Kuhl.

SENATOR KUHL: Madam President, there being no further business, I move we adjourn until tomorrow, Tuesday, April 13th, at 3:00 p.m.

THE PRESIDENT: On motion, the Senate stands adjourned until Tuesday, April 13th, 3:00 p.m.

(Whereupon, at 3:35 p.m., the Senate adjourned.)