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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 11, 2005

3:07 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

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

2 THE PRESIDENT: The Senate will
3 please come to order.

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

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

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

12 (Whereupon, the assemblage
13 respected a moment of silence.)

14 THE PRESIDENT: Reading of the
15 Journal.

16 THE SECRETARY: In Senate,
17 Sunday, April 10, the Senate met pursuant to
18 adjournment. The Journal of Saturday,
19 April 9, was read and approved. On motion,
20 Senate adjourned.

21 THE PRESIDENT: Without
22 objection, the Journal stands approved as
23 read.

24 Presentation of petitions.

25 Messages from the Assembly.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from
5 state officers.

6 Motions and resolutions.

7 Senator Farley.

8 SENATOR FARLEY: Thank you, Madam
9 President.

10 On behalf of Senator Rath, Madam
11 President, I wish to call up her bill, Senate
12 Print 2637, recalled from the Assembly, which
13 is now at the desk.

14 THE PRESIDENT: The Secretary
15 will read.

16 THE SECRETARY: Calendar Number
17 227, by Senator Rath, Senate Print 2637, an
18 act to adjust.

19 SENATOR FARLEY: Madam President,
20 I now move to reconsider the vote by which
21 this bill was passed.

22 THE PRESIDENT: The Secretary
23 will call the roll on reconsideration.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 40.

1 SENATOR FARLEY: Madam President,
2 I now offer the following amendments.

3 THE PRESIDENT: The amendments
4 are received.

5 SENATOR FARLEY: On behalf of
6 Senator Seward, Madam President, on page 29 I
7 offer the following amendments to
8 Calendar 369, Senate Print 81A, and I ask that
9 the bill retain its place on the Third Reading
10 Calendar.

11 THE PRESIDENT: The amendments
12 are received, and the bill will retain its
13 place on the Third Reading Calendar.

14 SENATOR FARLEY: Madam President,
15 on behalf of Senator Maltese, I move that the
16 following bill be discharged from its
17 respective committee and be recommitted with
18 instructions to strike the enacting clause.
19 That's Senate Print 2310.

20 THE PRESIDENT: So ordered.

21 SENATOR FARLEY: Madam President,
22 on behalf of Senator Robach, I wish to call up
23 his bill, Senate Print 2165, recalled from the
24 Assembly, which is now at the desk.

25 THE PRESIDENT: The Secretary

1 will read.

2 THE SECRETARY: Calendar Number
3 123, by Senator Robach, Senate Print 2165, an
4 act to amend the Retirement and Social
5 Security Law.

6 SENATOR FARLEY: I now move to
7 reconsider the vote by which this bill was
8 passed.

9 THE PRESIDENT: The Secretary
10 will call the roll upon reconsideration.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 40.

13 SENATOR FARLEY: Madam President,
14 I now offer the following amendments.

15 THE PRESIDENT: The amendments
16 are received.

17 SENATOR FARLEY: On behalf of
18 Senator Fuschillo, Madam President, on page 30
19 I offer the following amendments to Calendar
20 377, Senate Print 1430, and I ask that that
21 bill retain its place on the Third Reading
22 Calendar.

23 THE PRESIDENT: The amendments
24 are received, and the bill will retain its
25 place on the Third Reading Calendar.

1 SENATOR FARLEY: Thank you.

2 THE PRESIDENT: Senator Skelos.

3 SENATOR SKELOS: Madam President,
4 there's a Resolution 1359 at the desk by
5 Senator DeFrancisco. Could we have it read in
6 its entirety and move for its immediate
7 adoption.

8 THE PRESIDENT: The Secretary
9 will read.

10 THE SECRETARY: By Senator
11 DeFrancisco, Legislative Resolution Number
12 1359, recognizing the White Ribbon Campaign
13 sponsored by Vera House of Syracuse, New York,
14 to take place the week of April 8-17, 2005.

15 "WHEREAS, Vera House was founded in
16 Syracuse in 1977 by a group of concerned
17 individuals led by Sister Mary Vera, CSJ, who
18 recognized the need for emergency sheltering
19 service for women in crisis; and

20 "WHEREAS, Since 1977, the mission
21 of Vera House has evolved to include outreach
22 and advocacy services, domestic violence
23 education programming, children's counseling
24 services, the Syracuse Area Domestic Violence
25 Coalition, and a domestic violence education

1 program for male perpetrators of violence; and

2 "WHEREAS, On January 1, 2005, Vera
3 House merged with the Rape Crisis Center. In
4 so doing, two staffs became one, with the hope
5 that what had been two agencies with similar
6 missions could more than double the positive
7 work each has done for the Central New York
8 community; and

9 "WHEREAS, While its mission
10 continues to change as it continues its
11 30-year tradition of providing quality
12 service, the White Ribbon Campaign continues
13 in 2005 for the 11th straight year; and

14 "WHEREAS, The White Ribbon Campaign
15 was born in Canada, where on December 6, 1989,
16 an enraged gunman roamed the corridors of
17 Montreal's Ecole Polytechnique for 45 minutes
18 and killed 14 women. Almost immediately
19 thereafter, what became known as the Montreal
20 Massacre became a galvanizing moment in which
21 mourning turned into outrage about all
22 violence against women; and

23 "WHEREAS, The shootings led many
24 men to reflect on the fact that while women's
25 organizations had been working for years to

1 end violence against women, many men regarded
2 it as a 'woman's issue,' even though the vast
3 majority of violent acts against women are, in
4 fact, committed by men; and

5 "WHEREAS, The White Ribbon Campaign
6 began in Canada on December 6, 1990, the first
7 anniversary of the Montreal Massacre; and

8 "WHEREAS, The goals of the campaign
9 are to get men involved in working to end
10 men's violence against women, to raise
11 awareness of this problem in the community,
12 and to support organizations that deal with
13 the consequences of men's violence against
14 women; and

15 "WHEREAS, Vera House brought the
16 White Ribbon Campaign to Syracuse from Canada
17 and conducted its first campaign in 1995; and

18 "WHEREAS, It is the goal of this
19 year's White Ribbon Campaign to distribute
20 40,000 white ribbons to individuals,
21 businesses, educational institutions,
22 community organizations, and places of
23 worship, and to members of the New York State
24 Senate. Last year's campaign raised over
25 \$51,000; and

1 "WHEREAS, By wearing a white ribbon
2 during the campaign, men acknowledge the
3 important role men themselves need to play in
4 the efforts to end violence against women; and

5 "WHEREAS, Crime statistics indicate
6 that 95 percent of the victims of domestic
7 violence are women. However, it is important
8 to recognize that individuals in same-sex
9 relationships are also abused. Further,
10 87 percent of battered women report that their
11 children have witnessed their abuse; and

12 "WHEREAS, Vera House's 2005 White
13 Ribbon Campaign features a series of events
14 that are designed to further public
15 recognition of the need to 'End the Silence
16 and Stop the Violence'; and

17 "WHEREAS, Among the events
18 referenced above are an April 8th march from
19 Clinton Square to Armory Square in Syracuse,
20 where white ribbons will be tied to trees and
21 lampposts to mark the start of this year's
22 campaign; a friendly competition among high
23 schools in Syracuse and the Syracuse suburbs
24 to see which school's students will win a
25 prize for selling the greatest number of

1 ribbons; a 'Changing Attitudes' basketball
2 tournament at the Boys and Girls Club of
3 Syracuse; and ribbon distributions at
4 performances of both Syracuse Stage and the
5 Syracuse Symphony Orchestra; and

6 "WHEREAS, Proceeds from the 2005
7 White Ribbon Campaign will be used to help
8 fund the Alternatives Program. This program
9 is a domestic violence education class for men
10 who have been violent and/or abusive to their
11 partners and accepts both court-mandated and
12 nonmandated participants; and

13 "WHEREAS, During the week of April
14 8-17, 2005, as many as 40,000 individuals in
15 the Syracuse community are expected to be hard
16 at work raising both funds and awareness to
17 support the Alternatives Program; now,
18 therefore, be it

19 "RESOLVED, That this Legislative
20 Body pause in its deliberations to recognize
21 the White Ribbon Campaign sponsored by Vera
22 House of Syracuse, New York, to take place the
23 week of April 8-17, 2005, and be it further

24 "RESOLVED, That a copy of this
25 resolution, suitably engrossed, be transmitted

1 to Randi Bregman, executive director of Vera
2 House."

3 THE PRESIDENT: Senator
4 DeFrancisco.

5 SENATOR DeFRANCISCO: Madam
6 President, I rise in support, as I do every
7 year, of this White Ribbon Campaign. I think
8 we've been doing this in the Senate at least
9 six years now.

10 I can see Senator Stachowski is
11 wearing the white ribbon. And we've presented
12 them to each of the Senators to wear today in
13 commemoration of this campaign.

14 You know, it's --

15 THE PRESIDENT: Please take the
16 conversations out of the chamber.

17 Excuse me. Senator DeFrancisco, I
18 think you can be heard better now. Go ahead.

19 SENATOR DeFRANCISCO: Yes. And
20 for those of you who didn't hear all of the
21 resolution, I think it's important to indicate
22 that what we're doing by wearing white ribbons
23 is men are acknowledging their role to play in
24 ending domestic violence -- or any violence
25 against women, for that matter.

1 And I'm proud to support this every
2 year and bring this statewide so that the
3 efforts of our great Vera House and Rape
4 Crisis Center in Syracuse, the word is spread
5 throughout the state.

6 Joining us today are Dottie Hetnar,
7 Laurie Murray, and Jerome Hall in the gallery.

8 And I would urge all of you to join
9 me in sponsoring this resolution. Or, put it
10 a different way, if you don't want to sponsor
11 it, please notify the chair.

12 Thank you very much.

13 THE PRESIDENT: Senator
14 Hassell-Thompson.

15 SENATOR HASSELL-THOMPSON: Thank
16 you, Madam President.

17 Today is the beginning of Crime
18 Victims Week. And to you, Senator
19 DeFrancisco, I commend you on this legislation
20 and your support of it and let you know that I
21 too am very supportive.

22 This morning on the steps of
23 Borough Hall in the Bronx, the Bronx DA and
24 the Bronx borough president, together with
25 Assemblywoman Naomi Rivera and myself,

1 declared our commitment to this effort. At
2 the borough president's address several weeks
3 ago, he appointed Assemblywoman Rivera and
4 myself to chair the task force on domestic
5 violence for the borough of the Bronx.

6 And the stories and just the
7 incidences that have come to our attention
8 just in these last few weeks -- the young
9 woman who was just recently buried in the
10 Bronx because her boyfriend, who professed to
11 love her so, killed her.

12 Many of these acts of violence
13 against women -- and acts against men.
14 Domestic violence is not only an act against
15 women; it is not gender-specific. The
16 greatest preponderance of incidences happen to
17 be among women. One in every four women is a
18 victim of domestic violence. The worst, one
19 in every five teenage women today are victims
20 of domestic violence.

21 So it is our intent to raise the
22 awareness of all citizens of the state of
23 New York that we have a zero tolerance for
24 this kind of behavior. And for this, I
25 congratulate you and thank you, Senator

1 DeFrancisco, for the lead that you have taken
2 on this issue.

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

6 (Response of "Aye.")

7 THE PRESIDENT: Opposed, nay.

8 (No response.)

9 THE PRESIDENT: The resolution is
10 adopted.

11 Senator Skelos, do you wish to open
12 up the resolution?

13 SENATOR SKELOS: Madam President,
14 if we could now go to the noncontroversial
15 reading of the calendar.

16 THE PRESIDENT: First of all,
17 pursuant to Senator DeFrancisco's suggestion,
18 do you wish to open up the resolution to all
19 the members' sponsorship?

20 SENATOR SKELOS: Yes.

21 THE PRESIDENT: Any member who
22 does not wish to cosponsor the last
23 resolution, please notify the desk.

24 The Secretary will read the
25 noncontroversial calendar.

1 THE SECRETARY: Calendar Number
2 67, by Senator Saland, Senate Print 471, an
3 act to amend the Social Services Law, in
4 relation to abandoned infants.

5 THE PRESIDENT: Read the last
6 section.

7 THE SECRETARY: Section 12. This
8 act shall take effect on the 60th day.

9 THE PRESIDENT: Call the roll.
10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 51.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 68, by Senator Skelos, Senate Print 488, an
16 act to amend the Family Court Act and the
17 Domestic Relations Law, in relation to
18 abandoned infants.

19 THE PRESIDENT: Read the last
20 section.

21 THE SECRETARY: Section 10. This
22 act shall take effect on the 60th day.

23 THE PRESIDENT: Call the roll.
24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 51.

1 THE PRESIDENT: The bill is
2 passed.

3 THE SECRETARY: Calendar Number
4 69, by Senator Skelos, Senate Print 497, an
5 act to amend the Domestic Relations Law, in
6 relation to parents and other persons.

7 THE PRESIDENT: Read the last
8 section.

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

11 THE PRESIDENT: Call the roll.
12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 51.

14 THE PRESIDENT: The bill is
15 passed.

16 THE SECRETARY: Calendar Number
17 239, by Senator Farley, Senate Print 947, an
18 act to amend the Tax Law, in relation to the
19 mortgage recording tax.

20 THE PRESIDENT: There is a local
21 fiscal impact note at the desk.

22 Read the last section.

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

25 THE PRESIDENT: Call the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 51. Nays,

3 1. Senator Valesky recorded in the negative.

4 THE PRESIDENT: The bill is

5 passed.

6 THE SECRETARY: Calendar Number
7 245, by Senator Rath, Senate Print 1776, an
8 act to amend Chapter 579 of the Laws of 2004,
9 amending the Tax Law.

10 THE PRESIDENT: There is a local
11 fiscal impact note at the desk.

12 Read the last section.

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

15 THE PRESIDENT: Call the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 53.

18 THE PRESIDENT: The bill is

19 passed.

20 THE SECRETARY: Calendar Number
21 292, by Senator Balboni, Senate Print 178A, an
22 act relating to the procurement process of
23 homeland security.

24 THE PRESIDENT: Read the last

25 section.

1 THE SECRETARY: Section --
2 SENATOR SCHNEIDERMAN: Lay it
3 aside.
4 THE PRESIDENT: The bill is laid
5 aside.
6 THE SECRETARY: Calendar Number
7 359, by Senator Trunzo, Senate Print 424, an
8 act to amend the Vehicle and Traffic Law, in
9 relation to form of number plates.
10 THE PRESIDENT: Read the last
11 section.
12 THE SECRETARY: Section 2. This
13 act shall take effect immediately.
14 THE PRESIDENT: Call the roll.
15 (The Secretary called the roll.)
16 THE SECRETARY: Ayes, 55.
17 THE PRESIDENT: The bill is
18 passed.
19 THE SECRETARY: Calendar Number
20 402, by Senator Maziarz, Senate Print 3251A,
21 an act to amend the Labor Law, in relation to
22 contracts for public work.
23 THE PRESIDENT: Read the last
24 section.
25 THE SECRETARY: Section 6. This

1 act shall take effect immediately.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 55.

5 THE PRESIDENT: The bill is
6 passed.

7 THE SECRETARY: Calendar Number
8 415, by Senator Nozzolio, Senate Print 1324,
9 an act to amend the Correction Law, in
10 relation to requiring inmates.

11 THE PRESIDENT: Read the last
12 section.

13 SENATOR SCHNEIDERMAN: Lay it
14 aside.

15 THE PRESIDENT: The bill is laid
16 aside.

17 THE SECRETARY: Calendar Number
18 422, by Senator Morahan, Senate Print 1503 --

19 SENATOR SKELOS: Lay it aside for
20 the day, please.

21 THE PRESIDENT: The bill is laid
22 aside for the day.

23 Senator Skelos, that completes the
24 noncontroversial reading of the calendar.

25 SENATOR SKELOS: Thank you, Madam

1 President. If you'd ring the bells to
2 indicate to the members that we're about to
3 have the reading of the controversial
4 calendar.

5 THE PRESIDENT: The Secretary
6 will ring the bell.

7 And the members should take their
8 seats to begin the controversial calendar.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 292, by Senator Balboni, Senate Print 178A, an
12 act relating to the procurement process.

13 SENATOR SCHNEIDERMAN: Brief
14 explanation, please.

15 THE PRESIDENT: Senator Balboni,
16 an explanation has been requested.

17 SENATOR BALBONI: Thank you,
18 Madam President.

19 The bill before us, this is a
20 result of several studies that were done at
21 the federal government level, particularly
22 beginning with the 2004 Conference of Mayors
23 report that found that 90 percent of the
24 homeland security dollars that were issued
25 by -- well, actually through the

1 Washington-based Homeland Security Department
2 were not reaching local first-responders.

3 In reaction to that, then-Secretary
4 of Homeland Security Tom Ridge put together a
5 task force on funding to see where the monies,
6 the dollars were not getting down to the local
7 municipalities. That's this report -- I was
8 privileged to serve on it -- representing the
9 50 states.

10 And one of the key recommendations
11 of the report was that many of the safeguards
12 that we put in place at the state level have
13 in fact resulted in a delay in the processes
14 of getting the material and resources down to
15 the localities.

16 This bill here represents taking
17 that recommendation and putting it into action
18 and essentially says that the pre-audit
19 authority of the Comptroller will be tailored
20 so that it does not apply only to federally
21 approved resources off of a federally approved
22 list for federal dollars only.

23 And this -- lest you think that I
24 am saying something that the Comptroller's
25 office is not interested in, today they

1 announced at a press conference their own
2 steps to try and streamline the process.
3 Specifically, the Comptroller announced today
4 that he is going to change -- he wants to
5 change the competitive requirement bid for all
6 items between 15,000 raised to 50,000.

7 And the point of that is that
8 23 percent of all the contracts that the
9 Comptroller approves are essentially before
10 this -- below the \$50,000 threshold. And he
11 believes that's a huge amount of time and
12 resources that shouldn't be spent. So he's
13 trying to streamline it.

14 That's what this bill does. We can
15 get more money into the hands of our
16 first-responders by adopting this.

17 And to note that the initial
18 recommendation was for Congress to exempt
19 these types of funds from the Cash Management
20 Act for Localities. They have acted on that
21 too. So we would be the second state to work
22 on this in the nation.

23 Thank you, Madam President. I hope
24 that was quick enough.

25 SENATOR SCHNEIDERMAN:

1 Explanation satisfactory.

2 THE PRESIDENT: Senator Malcolm
3 Smith.

4 SENATOR MALCOLM SMITH: Yes,
5 Madam President, would the sponsor yield for a
6 question.

7 THE PRESIDENT: Senator Balboni,
8 will you yield for a question?

9 SENATOR BALBONI: Yes, I will,
10 Madam President.

11 THE PRESIDENT: You may proceed,
12 Senator Smith.

13 SENATOR MALCOLM SMITH: Senator
14 Balboni, could you give me a brief explanation
15 of what this particular piece, what impact it
16 will have on minority and small businesses?

17 SENATOR BALBONI: Sure.

18 Senator Smith, as you know, it is
19 the Executive Law that specifically authorizes
20 the bidding requirement that minority-owned
21 businesses participate -- I'm sorry, yeah, 15A
22 of the Executive Law.

23 This does not affect that law.
24 What it affects is the pre-audit authority,
25 which would not affect competitive bidding at

1 all. As a matter of fact, we believe that
2 this could remove some of the red tape so that
3 minority-owned businesses could participate in
4 a fuller manner.

5 SENATOR MALCOLM SMITH:

6 Explanation satisfactory.

7 THE PRESIDENT: Does any other
8 member wish to be heard?

9 Senator Hassell-Thompson.

10 SENATOR HASSELL-THOMPSON: On the
11 bill, Madam President.

12 THE PRESIDENT: You may proceed.

13 SENATOR HASSELL-THOMPSON: When
14 this bill first came to committee, I gave
15 Senator Balboni a thorough going-over. And I
16 do have to say that it's probably one of the
17 first times that I've really -- I've felt
18 respected as a member of the Minority
19 conference in a legislative action.

20 He pulled this bill back twice in
21 order to ensure that the concerns that we
22 raised were addressed. And for that, I wanted
23 to publicly thank him and tell him that I
24 appreciate that and hope that that will become
25 the norm, as opposed to the exception, here in

1 these chambers.

2 THE PRESIDENT: The debate is
3 then closed.

4 The Secretary will ring the bell.
5 Read the last section.

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

8 THE PRESIDENT: Call the roll.
9 (The Secretary called the roll.)

10 THE PRESIDENT: The Secretary
11 will announce the results.

12 THE SECRETARY: Ayes, 57.
13 Those Senators absent from voting:
14 Senator Parker.

15 THE PRESIDENT: The bill is
16 passed.

17 The Secretary will continue to
18 read.

19 THE SECRETARY: Calendar Number
20 415, by Senator Nozzolio, Senate Print 1324,
21 an act to amend the Correction Law, in
22 relation to requiring.

23 SENATOR LIZ KRUEGER:
24 Explanation.

25 THE PRESIDENT: Senator Nozzolio,

1 an explanation has been requested.

2 SENATOR NOZZOLIO: Thank you,
3 Madam President. Who requested the
4 explanation?

5 THE PRESIDENT: Senator Krueger.

6 SENATOR NOZZOLIO: Thank you,
7 Madam President. Could I have some order,
8 please.

9 THE PRESIDENT: Yes.

10 SENATOR NOZZOLIO: Thank you,
11 Madam President.

12 This bill was passed by the Senate
13 each year since 1997. The purpose of the
14 measure is to require inmates in state
15 correctional facilities to make a modest \$7
16 copayment for medical treatment.

17 While this legislation makes
18 inmates partially responsible for their
19 medical treatment, no inmate would be denied
20 medical treatment for the lack of ability to
21 pay. Emergency care would not be denied under
22 this legislation. Medical care for chronic
23 conditions would not be denied under this
24 legislation.

25 This requirement of medical

1 copayment is currently employed in the Federal
2 Bureau of Prisons and other states, such as
3 California, Connecticut, Ohio, Pennsylvania,
4 New Jersey, where there is no discernible
5 difference between the health care of inmates
6 in those states and New York.

7 This measure is carried in the
8 Assembly by Member of the Assembly Gunther,
9 Assemblywoman Gunther.

10 THE PRESIDENT: Senator Krueger.

11 SENATOR LIZ KRUEGER: Thank you,
12 Madam President. On the bill.

13 THE PRESIDENT: You may proceed.

14 SENATOR LIZ KRUEGER: Thank you.

15 We debated this bill last year and
16 perhaps the year before, Senator Nozzolio, so
17 I think I will just, rather than ask questions
18 again, highlight some of the arguments I had
19 against the bill last year and some new
20 additional data that's been brought to my
21 attention since we last discussed this bill on
22 the floor.

23 You made the argument in your
24 presentation and your explanation that a
25 \$7 copay is not unreasonable and is perhaps

1 parallel to copays that others not in the
2 prison system pay.

3 Again, just to highlight for my
4 colleagues, if you are in the prison system,
5 where wages may be nonexistent or incredibly
6 low -- 50 cents per hour as opposed to \$6 per
7 hour minimum wage outside of prison -- a \$7
8 copay in order to visit a doctor to get a
9 Tylenol could be 14 hours' worth of labor.
10 And therefore, I would argue that a \$7 copay
11 for someone in the New York State prison
12 system is an enormous amount of money.

13 I would also make the argument
14 against this bill that in fact health care for
15 prisoners is really an issue of public health.
16 And in fact, since the assumption is that
17 prisoners come back into our communities after
18 leaving jail, that it is a high priority for
19 protection not only of the prison population's
20 health, but for the overall population of
21 New Yorkers, that we don't create public
22 health crises in our prisons.

23 And in fact, as I will go over in a
24 moment, some of the data shows that we already
25 have public health crises in our prisons.

1 There is an argument that prisoners
2 don't have to make the payment because it can
3 be deducted from their account at a later
4 date. But in fact, research shows that
5 prisoners are already routinely being denied
6 access to health care in our New York State
7 prison system.

8 And so I would make the argument
9 that in fact requiring an additional point of
10 entry or access to health care will only
11 increase an already severe problem with lack
12 of access to health care in the New York State
13 prison system.

14 There was a recent report, it was a
15 three-part series in the New York Times in
16 late February, early March, and it talked
17 about the problems of the health care system
18 in the New York State prison system. And it
19 highlighted people who had died from
20 relatively minor illnesses because they
21 couldn't get access to health care.

22 And there was a year-long
23 examination by the New York Times leading to
24 this three-part series, and it was an
25 indictment, in my opinion, of the failure of

1 the New York State Corrections Department to
2 ensure adequate access to 21st-century health
3 care for members of our citizenry who, granted
4 are guilty of crimes; that is why they are in
5 prison. But there are also standards for
6 humane treatment that we are obligated to for
7 people in the prison system.

8 And in fact I would argue that,
9 based on the year-long study by the New York
10 Times and other investigators, particularly of
11 a company called Prison Health Systems -- whom
12 we contract out health care services to in
13 many jails in the State of New York, both
14 local and state -- that we have serious
15 questions we ought to be investigating to
16 address the quality of health care in our
17 prisons.

18 And I hope that Senator Nozzolio
19 will support investigating those problems in
20 our prisons. But I would argue that that data
21 even further argues against implementing a
22 copayment at this time.

23 I would also argue that we have to
24 recognize some of the severe concerns for
25 health care and illness in our prisons. We

1 have already documented, by any number of
2 people who have investigated and testified
3 about prison health care in the state of
4 New York, the fact that we've got incredible
5 understaffing in health care in the prison
6 system; that we have long waits to see
7 physicians; that in several of the prisons it
8 is documented that it is a two-to-four-week
9 wait to see a physician; that we have over
10 6,000 HIV-infected inmates in the New York
11 State prison system, people who, by
12 definition, if they don't get health care are
13 at a greater rate of risking infection to
14 others, not to mention the ongoing illness
15 expansion to themselves if they don't get
16 health care.

17 We have an estimated hepatitis C
18 crisis in our prison system, with the Division
19 of Corrections' own analysis showing that
20 about 14 percent of incoming male inmates and
21 nearly 25 percent of incoming female inmates
22 are infected with hepatitis C; again, an
23 epidemic type of rate of illness. And in
24 fact, it is estimated that over the long-term
25 this crisis will cost us more than AIDS has in

1 the health care system in this state.

2 We also have a rapidly aging
3 population in our state prison system, a sick
4 and aging population, which also raises the
5 question about how will they get access to
6 health care if they are required to pay a
7 copayment when they are least likely to be in
8 the working population in our prison system.

9 And in fact, data shows that over
10 the last ten years the percentage of our
11 inmates who are over age 60 has nearly
12 doubled. And in fact, there are all kinds of
13 added costs for chronic illness,
14 long-term-care issues and other terminal
15 illness problems for older prisoners in our
16 system.

17 But I think Senator Nozzolio in
18 good faith believes that this is a mechanism
19 to bring revenue into the prison system not at
20 expense to the taxpayer. So perhaps the one
21 document I would like to most focus on and
22 refer him to is a document, an audit by the
23 State of California.

24 And he was right, California has a
25 copayment system in place in their prison

1 system. And the state office of the auditor
2 in California did a study -- excuse me, the
3 California State Auditor's Office, and found
4 that it cost the State of California
5 \$3.2 million to collect \$654,000 in
6 copayments.

7 So if the final and ultimate
8 argument for copayments is that we can save
9 money in the State of New York by requiring
10 copayments to get access to health care in the
11 New York State jail system, we'd better figure
12 out what California did wrong before we go
13 forward. Because I know that Senator Nozzolio
14 does not wish us to implement a system that
15 will actually cost us more to collect money
16 than we would receive through copayments.

17 So on a whole series of grounds and
18 arguments, I would hope that my colleagues
19 will consider voting against this bill this
20 year.

21 Thank you, Madam President.

22 THE PRESIDENT: Senator
23 Montgomery I believe was first.

24 SENATOR MONTGOMERY: Thank you,
25 Madam President.

1 I know that we have debated this
2 bill before, and I've made similar statements
3 to what I'm going to make now. But I just
4 want to make sure that each time this bill
5 comes before us, hopefully it won't pass. But
6 certainly I think it is incumbent upon us to
7 acknowledge the implications of this
8 legislation.

9 I certainly agree with my colleague
10 that we have a number of areas of health
11 crisis in the prison system, mainly --
12 certainly, namely, one is HIV infection.
13 There's a huge problem with that. And all of
14 those returning from prison with HIV infection
15 or AIDS have the potential of bringing that
16 disease to a community and spreading this
17 problem.

18 Hepatitis C, similarly. We have a
19 huge number of our inmates, a large percent --
20 somewhere over a third, I believe -- it's
21 reported have serious mental health issues.
22 There is a great need for substance abuse
23 treatment activities. And so on and so forth.

24 So to the extent that these issues
25 are not addressed, and certainly because,

1 according to this legislation, you either have
2 a copayment required when you go in or you
3 have a \$7 tax onto the -- onto your record, so
4 that even when you leave, if you have not
5 satisfied the copayment requirements, you will
6 owe it after you leave prison.

7 I also want to just remind my
8 colleagues here that we have this huge prison
9 industry for which prisoners are paid, I
10 believe my colleague indicated 50 cents an
11 hour. Some people earn up to 60 cents an
12 hour.

13 And when you sit at your desk, when
14 you get back to your office and you sit at
15 your desk, on your furniture, please
16 understand that it was made by inmates in
17 prison, in our state prison.

18 And the next time you have a -- or
19 we have a reception down there either, in the
20 Albany Room or the convention center, or
21 wherever we walk to, and you see those young
22 men with green uniforms taking care of our
23 floors, waxing the floors, please understand
24 those are inmates.

25 And when we pass through our

1 buildings and we see the beautiful plants that
2 we enjoy so much, that give us pleasure, bring
3 spring into our buildings, please understand
4 that those are done by inmates, particularly
5 in Green Haven, which is not too far from us
6 here.

7 And understand that the glasses
8 that are used for people who are on Medicaid
9 are made by inmates, and guide dogs are
10 trained by inmates.

11 Understand that the street signs --
12 I just received a beautiful street sign in the
13 name of Harriet Tubman, because we renamed or
14 we co-named one of the streets in my district
15 in honor of Harriet Tubman. And I recognize
16 that that wonderful sign came from one of the
17 prisons, because the inmates make our street
18 signs and our highway signage and so forth and
19 so on.

20 Huge prison industry for which the
21 prisoners are paid 50 cents an hour. And when
22 they're there for long enough, and in certain
23 categories, they earn 60 cents an hour.

24 So I think that it is just an act
25 of total disregard and inhumanity,

1 essentially, to have these people now have to
2 pay \$7 every time they go to visit the doctor.

3 Not to mention that for people in
4 my district who have someone in prison, trying
5 to keep in touch with them by telephone, they
6 spend on the average of \$3,000 a year just to
7 talk to someone in prison. That is a tax on
8 poor families. Because prisoners don't
9 generally come from wealthy families. The
10 walley people don't go to prison.

11 Although -- although -- although
12 some elected officials do. But the people
13 from my district are not in that category.

14 So they pay, and it is ostensibly
15 to cover health care costs in prison. So as a
16 consequence of this tax on poor people keeping
17 in touch with their people in prison, the
18 prison industry or the New York State
19 Department of Corrections is able to reap a
20 20-or-more-million-dollar benefit from those
21 telephone calls.

22 So it seems to me that we should
23 draw the line someplace. We should at least
24 say that the funds should be used for health
25 services, that we will make sure that we have

1 adequate health care treatments for people in
2 prison, because we understand that they will
3 at some point be going back to those
4 communities from which they come.

5 They are not counted, I will remind
6 you, in the census. They are not counted as
7 part of my district, but they are coming back
8 to my district. And they are coming back to
9 other districts around the state for which
10 they have not been counted or accounted for.
11 So the least that we can do is provide health
12 care for them.

13 So, Madam President, I'm adamantly
14 opposed to this concept. I think this is --
15 not only is it a bad bill, it's a mean bill.
16 And we should not be looking to do this kind
17 of thing to people who are in prison but,
18 rather, to hopefully be part of the reform of
19 those people so that they will, one, use
20 health care appropriately and adequately and
21 also, when they come back to their
22 communities, that they will be healthy people.

23 Thank you, Madam President.

24 THE PRESIDENT: Senator Stavisky.

25 SENATOR STAVISKY: I wonder if I

1 could ask just a couple of questions, if the
2 sponsor would yield.

3 THE PRESIDENT: Senator Nozzolio,
4 will you yield for a question?

5 SENATOR NOZZOLIO: Yes, Madam
6 President.

7 THE PRESIDENT: You may proceed,
8 Senator Stavisky.

9 SENATOR STAVISKY: Is there any
10 difference between this bill and the one last
11 year?

12 SENATOR NOZZOLIO: Madam
13 President, there were no changes in the
14 measure.

15 SENATOR STAVISKY: Thank you,
16 Madam President.

17 Thank you, Senator.

18 THE PRESIDENT: Does any other
19 member wish to be heard?

20 Senator Onorato.

21 SENATOR ONORATO: On the bill.

22 THE PRESIDENT: You may proceed.

23 SENATOR ONORATO: You know, we've
24 discussed this here for the past five years.
25 And I've asked Senator Nozzolio if he would at

1 least have a consideration of amending his
2 bill to reflect the wages that are earned in
3 the prison system, to make the payment
4 comparable to what they pay on the outside.

5 And this certainly in no way
6 reflects that amount that the prisoners would
7 have to pay for a visit to the infirmary. And
8 part of the reasoning that you said, that you
9 were trying to cut down on goldbricking,
10 prisoners taking advantage of the system. And
11 I explained to you there's a much better way
12 of curing goldbricking.

13 Because when I was in the Army, I
14 was in the medical battalion. And we had the
15 goldbrickers coming in. And our prescription
16 for them was to get them some extra guard duty
17 or kitchen KP. That cured those goldbrickers
18 from constantly coming into the infirmary.

19 So if you were to amend your bill
20 to more reflect the realities of what prison
21 life is like and what they earn, make that
22 copayment comparable, I would be happy to
23 support your bill. But in the current form, I
24 will be voting no.

25 THE PRESIDENT: Senator Diaz.

1 SENATOR DIAZ: On the bill.

2 THE PRESIDENT: You may proceed.

3 SENATOR DIAZ: This is my third
4 year in this chamber. And I think that I
5 have -- we have dealt with that bill every
6 year. But I would have asked some questions
7 to the sponsor, but I'm speaking on the bill,
8 so I could not ask questions to the sponsor.

9 If I were to ask questions to the
10 sponsor, I would say how much money do an
11 inmate make who are incarcerated. But I would
12 answer my same question. It's 50 cents an
13 hour.

14 If I could ask a question to the
15 sponsor, I would ask the sponsor: How much do
16 you make? But I am talking on the bill, so I
17 cannot ask questions to the sponsor. So I
18 could answer the question myself. I make
19 \$79,000 a year. And they give me \$9,000 of
20 something called "lulu." So I make close to
21 \$80,000 a year.

22 SENATOR LIZ KRUEGER:
23 Eighty-eight.

24 SENATOR DIAZ: Eighty-eight.
25 Look at that, she knows.

1 If I were to ask a question to the
2 sponsor, I would ask the sponsor: When a
3 person gets convicted and sentenced to be
4 incarcerated, doesn't he or she become
5 property of the state? But because I am
6 talking on the bill, I cannot ask the question
7 to the sponsor.

8 But I will answer my own question.
9 Yes, when you get convicted and you are
10 sentenced, you become the property of the
11 state.

12 If I could ask questions to the
13 sponsor, I would ask the sponsor: Doesn't the
14 state have sole responsibility to care and
15 protect its property? But because I cannot
16 ask questions, because I'm talking on the
17 bill, so I would answer my own question.

18 I'm talking Columbo here.

19 (Laughter.)

20 SENATOR DIAZ: Yes. Yes, the
21 state has sole responsibility to protect and
22 to care for its property.

23 I make -- how much do I make?
24 \$88,000 a year. And when I go to the doctor,
25 so when I have to go to the doctor, I pay a

1 \$15 copay. And I always get angry because
2 it's too much. Too much. Every time when I
3 go to the doctor, \$15, too much. And I make
4 how much? \$88,000 a year.

5 And now the sponsor of this bill,
6 the honorable Senator Nozzolio, sponsor of the
7 bill, Senate Bill 1324, he wants to charge an
8 inmate \$7 per visit. If I get angry paying
9 \$15 making \$88,000 a year, could you imagine
10 an inmate paying \$7 per visit?

11 I don't know, Senator Nozzolio and
12 ladies and gentlemen, who drafted this bill,
13 who drafted the bill. But whoever did it and
14 whoever thought about it doesn't have a heart.
15 I mean, people in state penitentiaries having
16 to pay \$7 per visit to go to see a doctor?
17 I'm pretty sure that the sponsor of this bill
18 will not pay that much money. I think he pays
19 less than I do for copayment.

20 But this is something that I think
21 is above what we should call being human and
22 being responsible and being considerate to
23 people that cannot afford something like this.

24 I think that that bill, even though
25 we have talked about it every year since I

1 came here, it's about time that we pulled this
2 bill over and get it out of our sight and
3 start sending a message that the Republican
4 Party cares about people.

5 Because that's what my community
6 always says: The Republican Party? They
7 don't care about us. The Republican Party,
8 they are the enemy, the Republican Party. Of
9 course our people have to think about the
10 Republican Party this way. Showing no
11 respect, showing no consideration, showing no
12 love to us blacks and Hispanics. Show us some
13 love, the same way we show you love.

14 Thank you. I'm voting no on this
15 bill.

16 THE PRESIDENT: Senator Nozzolio,
17 to close.

18 SENATOR NOZZOLIO: Thank you,
19 Madam President.

20 I find it extremely disturbing, if
21 not shocking, that the other side of the aisle
22 has stood to defend so quickly those who have
23 raped, those who have murdered, those who have
24 broken the laws of this state in such a
25 serious fashion that they are now serving

1 state prison time.

2 Your defense of them is
3 unconscionable when at the same token each and
4 every one of you supports copayments for state
5 employees, supports copayments for teachers
6 and, yes, requires copayments for the senior
7 citizens of this state who receive EPIC. It's
8 okay for a senior citizen to make a copayment,
9 to be required to make a copayment in a state
10 program, but it's not okay for a rapist, for a
11 murderer, for a robber. We want to protect
12 them.

13 The last I looked, those same
14 individuals are given meals, are given a free
15 room, are given no electric bills to pay.
16 With all seriousness, the housing and feeding
17 and health care of prison inmates in this
18 state literally costs billions of dollars.

19 What this measure is doing is
20 saying not to the prisoners but saying to the
21 senior citizens: We're requiring prisoners to
22 make copayments too. You have to pay your own
23 heat bill, your own light bill, you have to
24 pay for your groceries. We understand that.
25 But here we're also trying to ensure that the

1 prison system is run in an orderly fashion and
2 that the same copayments that teachers, that
3 state employees and that senior citizens are
4 making are also made by prison inmates.

5 Thank you, Madam President.

6 THE PRESIDENT: Read the last
7 section.

8 Senator Schneiderman.

9 SENATOR SCHNEIDERMAN: Thank you,
10 Madam President. Very briefly --

11 THE PRESIDENT: Senator
12 Schneiderman, the debate is closed. I did ask
13 if any other member wished to be heard.

14 SENATOR SCHNEIDERMAN: And then I
15 stood up.

16 THE PRESIDENT: No, before that.

17 The debate is closed.

18 The Secretary will ring the bell.

19 Read the last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 120th day.

22 THE PRESIDENT: Call the roll.

23 (The Secretary called the roll.)

24 THE PRESIDENT: Senator
25 Schneiderman, to explain your vote.

1 SENATOR SCHNEIDERMAN: Thank you,
2 Madam President.

3 What I was going to say before, and
4 I had hoped we would have the opportunity to
5 persuade other members before the vote, is
6 that I think that the sponsor may be
7 misreading some of the comments from this
8 side.

9 I don't think anyone is objecting
10 to the notion that perhaps some appropriate
11 level of copayment might be a good idea. I do
12 think that there is a general recognition --
13 and I think Senator Diaz's colloquy with
14 himself brought this out -- that \$7 for a
15 visit for health care for someone who's making
16 25 to 50 cents an hour is absolutely absurd.

17 And that if we want to move this
18 beyond the level of debate and posturing and
19 attempting to show how tough we are on
20 criminals, which would include people who are
21 in for white-collar crimes -- which would
22 include, in the last year, a former colleague
23 of ours -- who do state time, that perhaps if
24 you lowered the level of copayment to
25 something that is more in line with what

1 prisoners make, this bill could make pass this
2 house and could pass the other house.

3 Let's not posture on a number that
4 really -- that is not realistic.

5 Administratively, this will cost a tremendous
6 amount to collect. And the first time there
7 is some sort of health problem in the prison
8 because of an epidemic, prisoners catching a
9 disease from someone who didn't seek help
10 because they couldn't afford it, you'll wipe
11 out all of the savings.

12 So let's not get carried away with
13 the rhetoric. This is an impractical
14 proposal. This is a punitive proposal. And I
15 think that's really what the people on this
16 side of the aisle were talking about. I don't
17 think there's necessarily an objection to some
18 appropriate level of copay. But the bill as
19 proposed does not meet any of the standards
20 for reasonableness or for humaneness that
21 we're seeking to discuss.

22 Thank you, Madam President. I'm
23 voting no.

24 THE PRESIDENT: You will be
25 recorded as voting in the negative, Senator

1 Schneiderman.

2 Senator Stavisky.

3 SENATOR STAVISKY: Madam
4 President, to explain my vote.

5 THE PRESIDENT: You may proceed.

6 SENATOR STAVISKY: I read this
7 bill rather carefully, and the first couple of
8 lines calls for a \$7 copayment. And if a
9 prisoner wants an aspirin, that's going to
10 cost \$7. To me, it makes no sense.

11 Secondly, it says on line -- point
12 6, line 18, an inmate shall not be refused
13 treatment for lack of ability to pay copayment
14 charges. But that's all it says on that
15 issue.

16 On the second page, it says federal
17 inmates will be billed directly to the
18 jurisdiction, and so on.

19 I think the concept is not a bad
20 one. Nobody is coddling criminals. But we're
21 trying to help our criminal justice system
22 with a realistic, enforceable copayment
23 system. And for that reason -- I don't think
24 this bill meet those qualifications.

25 And for that reason, Madam

1 President -- nobody here is supporting
2 criminals. We condemn their actions as
3 strongly as my colleague did -- but I shall
4 vote no.

5 THE PRESIDENT: You will be so
6 recorded as voting in the negative, Senator
7 Stavisky.

8 Senator Diaz, would you like to
9 explain your vote?

10 SENATOR DIAZ: Yes, Madam
11 President, thank you, to explain my vote.

12 THE PRESIDENT: You may proceed.

13 SENATOR DIAZ: Thank you.

14 I think that I have shown here time
15 after time that I am second to no one in this
16 chamber when it comes to sending criminals to
17 jail and when it comes to being tough on
18 crime. I'm telling you, I'm second to no one
19 in this chamber on that. And I have proven
20 it, that I'm tough on crime.

21 But being tough on crime and being
22 inhumane are two different things. Tough on
23 crime is get the criminals and get them out of
24 the street, send them to jail. But once they
25 are there, we have a moral commitment to care

1 for them. Because they are not animals. So
2 that's why I'm voting no on this bill.

3 Thank you.

4 THE PRESIDENT: You will be so
5 recorded as voting in the negative.

6 Senator Brown.

7 SENATOR BROWN: Thank you, Madam
8 President. To explain my vote.

9 THE PRESIDENT: You may proceed.

10 SENATOR BROWN: You know,
11 generally speaking, I too feel like I am tough
12 on criminals and don't believe that criminals
13 should get any kind of special treatment.

14 But I do want to say that we -- in
15 last year's debate I think it came out pretty
16 clearly that oftentimes there was an
17 expectation that we might not even be able to
18 collect on this copay, so we were simply
19 imposing something that in many instances
20 might never be collected.

21 I also am concerned that anything
22 that we imposed that might impede an inmate's
23 ability to get necessary medical treatment --
24 particularly inmates that might return to
25 communities and bring illnesses and diseases

1 back into the community -- I think is a public
2 safety and public health risk that we should
3 be all very concerned about in this chamber.

4 I also want to set the record
5 straight and make it clear that the
6 Legislature does not approve copays for public
7 employees. They are collectively bargained.
8 So that was a piece of misinformation that we
9 need to be very clear about.

10 So for the reasons that I've
11 mentioned, even though I would be in favor of
12 some reasonable, responsible copay for
13 inmates, with respect to this legislation I
14 also vote no.

15 THE PRESIDENT: You will be so
16 recorded as voting in the negative, Senator.

17 The Secretary will announce the
18 results.

19 THE SECRETARY: Those recorded in
20 the negative on Calendar Number 415 are
21 Senators Andrews, Breslin, Brown, Diaz, Dilan,
22 Gonzalez, Hassell-Thompson, L. Krueger,
23 Marchi, Montgomery, Onorato, Paterson, Sabini,
24 Sampson, Savino, Schneiderman, Serrano,
25 A. Smith, M. Smith and Stavisky.

1 Ayes, 37. Nays, 20.

2 Those Senators absent from voting
3 on Calendar Number 415: Senator Parker.

4 THE PRESIDENT: The bill is
5 passed.

6 Senator Skelos, that completes the
7 reading of the controversial calendar.

8 SENATOR SKELOS: Madam President,
9 is there any housekeeping at the desk?

10 THE PRESIDENT: No, there isn't,
11 Senator.

12 SENATOR SKELOS: Would you please
13 recognize Senator Paterson.

14 THE PRESIDENT: Senator Paterson.

15 SENATOR PATERSON: Madam
16 President, I have a motion at the desk. And
17 I'd like to speak on the motion at this time.

18 THE PRESIDENT: The Secretary
19 will read.

20 THE SECRETARY: Senate Print 956,
21 by Senator Paterson, an act to amend the Real
22 Property Tax Law.

23 THE PRESIDENT: Senator Paterson.

24 SENATOR PATERSON: Madam
25 President, this motion would bring to the

1 floor legislation that would increase the
2 maximum allowable income for senior citizens
3 to be eligible for the senior citizens' rent
4 increase exemption from \$24,000 to the
5 regional Consumer Price Index.

6 The number of senior citizens who
7 make \$24,000 or less and pay one-third of
8 their income for rent has made them eligible
9 for this program in the past. This is simply
10 a cost-of-living increase for them as prices
11 and obviously the cost of living goes up.

12 What we are really trying to combat
13 is the displacement of seniors, Madam
14 President. Right now the cost of implementing
15 the program for seniors is \$1,300 per person,
16 but the cost of putting them in shelters if
17 they are displaced from their homes because
18 they're unable to keep up with their rent is
19 \$2,300 a person. So this is -- \$23,000 a
20 person.

21 I actually knew that. I wanted to
22 see if he was paying attention.

23 The reality is that this is a huge
24 problem, particularly in New York City where
25 the units of housing are scarce and where we

1 try not to have people, senior citizens who
2 have provided the broad revenue base for our
3 city and our state, at a point later in their
4 lives to lose their homes, lose their
5 apartments due to the inability to pay it.

6 This is a program in which the
7 landlord gets a tax abatement for the exact
8 cost that the landlord is losing by allowing
9 the lesser rent.

10 So it's a very good program. We
11 certainly hope everyone will support it. And
12 I stand on my motion now, Madam President.

13 THE PRESIDENT: All those
14 Senators in favor of the petition out of
15 committee please signify by raising your
16 hands.

17 THE SECRETARY: Those recorded in
18 agreement are Senators Breslin, Brown, Diaz,
19 Dilan, Hassell-Thompson, Klein, L. Krueger,
20 C. Kruger, Montgomery, Onorato, Gonzalez,
21 Paterson, Sabini, Sampson, Savino,
22 Schneiderman, Serrano, A. Smith, M. Smith,
23 Stachowski, Stavisky and Valesky.

24 THE PRESIDENT: The petition is
25 not agreed to.

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Senator Skelos.

SENATOR SKELOS: Madam President,
there being no further business to come before
the Senate, I move we stand adjourned until
Tuesday, April 12th, at 3:00 p.m.

THE PRESIDENT: Hearing no
objection, on motion, the Senate stands
adjourned until Tuesday, April 12th, 3:00 p.m.

(Whereupon, at 4:09 p.m., the
Senate adjourned.)