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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 28, 2007

11:05 a.m.

REGULAR SESSION

LT. GOVERNOR DAVID A. PATERSON, President

STEVEN M. BOGGESS, Secretary

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P R O C E E D I N G S

THE PRESIDENT: The Senate will  
come to order.

I would ask everyone to please rise  
and recite with me the Pledge of Allegiance to  
our Flag.

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

THE PRESIDENT: In the absence of  
clergy, we will observe a moment of silence.

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

THE PRESIDENT: The reading of  
the Journal.

THE SECRETARY: In Senate,  
Tuesday, February 27, the Senate met pursuant  
to adjournment. The Journal of Monday,  
February 26, was read and approved. On  
motion, Senate adjourned.

THE PRESIDENT: Without  
objection, the Journal stands approved.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from  
3 state officers.

4 Motions and resolutions.

5 Senator Bruno.

6 SENATOR BRUNO: Mr. President, I  
7 have a resolution at the desk. I would ask  
8 that it be read in its entirety and move for  
9 its immediate adoption.

10 THE PRESIDENT: Most certainly.  
11 The Secretary will read.

12 THE SECRETARY: By Senator Bruno,  
13 Legislative Resolution Number 635,  
14 memorializing Governor Eliot Spitzer to  
15 proclaim February 25 through March 3, 2007, as  
16 Eating Disorders Awareness Week in the State  
17 of New York.

18 "WHEREAS, Eating disorders, such as  
19 anorexia nervosa, bulimia nervosa and binge  
20 eating disorder, can have life-threatening  
21 consequences for both males and females; and

22 "WHEREAS, In the United States  
23 there are reported cases of anorexia nervosa  
24 and bulimia nervosa that affect nearly  
25 10 million women and 1 million men, primarily

1 teens and young adults; and

2 "WHEREAS, The vast majority -- more  
3 than 90 percent -- of those afflicted with  
4 eating disorders are adolescent and young  
5 women, with a peak onset among girls ages  
6 14-18. Approximately 5 percent of adolescent  
7 and adult women have an eating disorder, with  
8 as many as 1 in 10 college women suffering  
9 from a clinical or nearly clinical eating  
10 disorder, and 15 percent of young women have  
11 substantially disordered eating attitudes and  
12 behaviors; and

13 "WHEREAS, Those suffering from  
14 anorexia nervosa refuse to maintain a healthy  
15 body weight for height, body type, age and  
16 activity level, and there is usually an  
17 intense fear of weight gain and extreme  
18 concern with body weight and shape; and

19 "WHEREAS, Anorexia nervosa has a  
20 fatality rate 12 times higher than the annual  
21 death rate due to all causes of death among  
22 females ages 15-24 and is often associated  
23 with other serious health consequences,  
24 including heart and kidney failure and  
25 osteoporosis; and

1                   "WHEREAS, Bulimia nervosa is an  
2                   eating disorder characterized by excessive  
3                   food consumption followed by inappropriate  
4                   compensatory behaviors, such as self-induced  
5                   vomiting, misuse of laxatives, fasting or  
6                   excessive exercise; and

7                   "WHEREAS, Bulimia nervosa is often  
8                   associated with cardiac, gastrointestinal and  
9                   dental problems, including irregular  
10                  heartbeat, gastric rupture, peptic ulcer, and  
11                  tooth decay; and

12                  "WHEREAS, Binge eating disorder is  
13                  characterized primarily by periods of  
14                  uncontrolled, impulsive or continuous eating  
15                  beyond the point of feeling comfortably full.  
16                  While there is no purging, there may be  
17                  sporadic fasts or repetitive diets and often  
18                  shame following a binge which can lead to  
19                  binge eating again, creating a cycle of binge  
20                  eating; and

21                  "WHEREAS, Binge eating disorder is  
22                  often associated with obesity, heart disease,  
23                  gallbladder disease and diabetes; and

24                  "WHEREAS, There are other eating  
25                  disorders which may include some combination

1 of the signs and symptoms of anorexia nervosa,  
2 bulimia nervosa, and binge eating which may be  
3 physically and psychologically dangerous; and

4 "WHEREAS, Eating disorders usually  
5 appear in adolescence and are associated with  
6 substantial psychological problems, including  
7 depression, substance abuse, and suicide; and

8 "WHEREAS, Eating disorders can have  
9 a negative impact on all aspects of life, and  
10 educational efforts to prevent eating  
11 disorders are of primary importance, and

12 "WHEREAS, With the support of a  
13 number of groups in New York State, along with  
14 the National Eating Disorders Association and  
15 the National Association for Anorexia Nervosa  
16 and Related Disorders, raising awareness and  
17 offering care and treatment to individuals  
18 suffering from eating disorders and their  
19 families, a landmark program is now being  
20 implemented to provide for Northeastern,  
21 Western New York and Metropolitan  
22 Comprehensive Care Centers for Eating  
23 Disorders to provide for individualized and  
24 coordinated care, information and referral,  
25 community outreach and education, prevention

1 and research activities; and

2 "WHEREAS, Now in its 20th year,  
3 National Eating Disorders Awareness Week will  
4 highlight the fact that body size and shape  
5 are strongly influenced by biological factors  
6 such as genetics, while also calling attention  
7 to some of the new discoveries surrounding the  
8 role of genetics in the development of eating  
9 disorders; and

10 "WHEREAS, Further outreach, support  
11 and awareness are necessary for citizens  
12 throughout the state; now, therefore, be it

13 "RESOLVED, That this Legislative  
14 Body pause in its deliberations to memorialize  
15 Governor Eliot Spitzer to proclaim February 25  
16 through March 3, 2007, as Eating Disorders  
17 Awareness Week in the State of New York; and  
18 be it further

19 "RESOLVED, That copies of this  
20 resolution, suitably engrossed, be transmitted  
21 to The Honorable Eliot Spitzer, Governor of  
22 the State of New York, the National Eating  
23 Disorders Association and Northeastern,  
24 Metropolitan and Western New York  
25 Comprehensive Care Centers for Eating

1 Disorders."

2 THE PRESIDENT: Senator Bruno, on  
3 the resolution.

4 SENATOR BRUNO: Thank you,  
5 Mr. President and colleagues.

6 You heard a resolution that talks  
7 about a very serious problem here throughout  
8 this country. And this week is Eating  
9 Disorder Awareness -- hopefully leading to  
10 prevention -- Week.

11 And I just rise because I think  
12 almost everybody here will have been touched  
13 in some way, have been or will be, by people  
14 who are seriously afflicted with an eating  
15 disorder. There are about 10 million people  
16 in this country with anorexia or bulimia,  
17 about a third of them in a very serious,  
18 life-threatening way. It's mental, it is  
19 physical, it is both. It disrupts families,  
20 it destroys families, it destroys people.

21 And I have seen professional after  
22 professional who is afflicted. About  
23 10 percent are men, and the age groups are  
24 really up to 18 or 20, primarily. And then  
25 there are 25 million who are having problems

1 with binging, which creates all kinds of  
2 health issues and catastrophes also in  
3 people's lives.

4 So we want to help make people  
5 aware. There is help out there. We did, with  
6 your help, some legislation two years ago  
7 creating three pilots in this state where  
8 people with anorexia, bulimia, can go through  
9 a complete treatment.

10 Up until now -- and these are not  
11 fully operative, because it's very  
12 complicated. Up till now, people have to go  
13 to Oklahoma, Arizona, New Jersey,  
14 Philadelphia, Boston, Naples, Florida, just to  
15 mention a few where I have had personal  
16 experience with a family member having to be  
17 treated in those facilities.

18 So I thank you for your support.  
19 We have resources here in this state. Through  
20 awareness, through prevention, we will save  
21 lives.

22 Karen Carpenter is probably one of  
23 the most notable. You think about a gifted  
24 woman in her early thirties who dies from  
25 anorexia and bulimia. Think about that, a

1 person with everything in the whole world to  
2 live for. Now, why did she die? Because she  
3 couldn't help herself. And no one else could  
4 help her, because it is what it is.

5 And about a third of the people  
6 that are afflicted, and that's several  
7 million, have that kind of potential serious  
8 malady, to die.

9 So thank you, Mr. President. And  
10 thank you to my colleagues. And this is an  
11 important resolution to people's lives in this  
12 state and throughout the country, really.

13 And anyone that would like to join  
14 on this resolution, I would appreciate it.  
15 And I know all of the people that relate in  
16 some way to this would also appreciate it.

17 Thank you, Mr. President.

18 THE PRESIDENT: Thank you very  
19 much, Senator Bruno.

20 Senator Rath.

21 SENATOR RATH: Yes, Mr. President  
22 and my colleagues.

23 I'd like to first of all thank the  
24 Governor for calling attention to the  
25 critical, critical issue in front of us by

1 designation of this particular week as Eating  
2 Disorders Week, and thank Senator Bruno for  
3 his leadership, particularly on the anorexia  
4 side of this issue, which is as critical as  
5 the obesity issue, though not as widespread, I  
6 don't believe, as the obesity issue.

7 But I rise to draw attention to  
8 some of the items that have been in the news  
9 this week. You all saw the little boy who was  
10 so grossly overweight, you saw the concerns  
11 that the child might be taken away from his  
12 parents because of child abuse. You see the  
13 airlines talking about charging people two  
14 tickets if they are overweight, for two seats.

15 We have an emerging crisis in this  
16 country. And one of the things that I think  
17 through the work that I've done -- and for  
18 those of you who don't know me well, my basic  
19 background was as a home ec teacher. So I've  
20 been watching this issue for all of my life --  
21 and I think it's the opportunity for all of us  
22 to share in the goodwill of our lifetimes and  
23 our lifestyles with wonderful foods. It's  
24 part of our ethnic traditions, all of our  
25 ethnic traditions. And it's just gotten away

1 from us, and it's gotten away from the rest of  
2 the country.

3 That part of it as well as the fast  
4 food part of it and the trans fats issue,  
5 they're all there and they're all kind of  
6 boiling, if you'll let me use that phrase.

7 So I stand to suggest to all of you  
8 that we keep this on the top of our thoughts  
9 one way or another, looking for ways out of  
10 this dilemma that is -- it's there, and it's  
11 going to catch up with us. And we're going to  
12 have to take some dramatic and strategic moves  
13 if we don't take care of it in the early  
14 stages.

15 And I am again grateful to the  
16 Governor and grateful to Senator Bruno and the  
17 eating disorders centers that are there. So  
18 let us -- again, I urge you to keep this in  
19 your thoughts and help all of us help  
20 ourselves.

21 Thank you.

22 THE PRESIDENT: Senator  
23 Hassell-Thompson.

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

1                   I rise in support of this  
2                   resolution and also to commend the Governor  
3                   and Senator Bruno for the leadership that they  
4                   have taken.

5                   Senator Rath began to talk about  
6                   the concerns that I also had, and that is that  
7                   we have created an image in this country of  
8                   what people should in fact look like. And in  
9                   an effort to meet that standard, we have given  
10                  our children too much latitude and we've given  
11                  advertisers a lot of latitude in terms of how  
12                  they project.

13                  We cannot legislate every action of  
14                  people, but certainly we have a monitoring  
15                  responsibility to ensure that companies are  
16                  reporting properly the food intake contents  
17                  and that we're doing a better job in educating  
18                  our parents in terms of how to help children  
19                  eat balanced diets and not allow them to  
20                  believe that because their incomes are small,  
21                  that this should affect the way in which  
22                  children eat.

23                  We have a tremendous responsibility  
24                  to our kids, because we're looking at  
25                  outstanding numbers of children who are

1 developing juvenile diabetes and early stages  
2 of cancer because of overweight, overeating.  
3 So eating has become something that we do not  
4 out of necessity, but it is a substitute for  
5 those things that we are missing in our  
6 society.

7 Here in this chamber we look at  
8 things, we look at things politically. But we  
9 need to begin to look at things more from a  
10 perspective of humanity and what we're doing  
11 to our next generation of children.

12 So I commend both our Governor and  
13 Senator Bruno for their leadership, and I hope  
14 that this is just a first step in the things  
15 that we do together to ensure that we pay more  
16 attention to what is happening to the  
17 generation behind us.

18 THE PRESIDENT: Senator  
19 DeFrancisco, on the resolution.

20 SENATOR DeFRANCISCO: Yes, I rise  
21 in support of the resolution and want to take  
22 this opportunity to commend Mary Ellen Clausen  
23 and all the fine people of Ophelia's Place in  
24 Syracuse, New York, who organized and continue  
25 to run a facility that they actually created

1 themselves as a result of personal involvement  
2 with family members with these diseases.

3 And it's extremely successful and  
4 extremely helpful to people to obtain  
5 information and also to obtain how to get the  
6 services that these young people truly need.

7 It is a very important resolution.  
8 And the efforts beyond the resolution to  
9 provide the centers and information centers,  
10 such as what Mary Ellen Clausen does at  
11 Ophelia's Place, is so important because so  
12 few people truly understand the nature of the  
13 disease and what has to be done to help people  
14 who have that disease.

15 THE PRESIDENT: Senator C.  
16 Johnson.

17 SENATOR CRAIG JOHNSON: Thank  
18 you, Mr. President.

19 I rise today to also not only  
20 commend our Governor and Senator Bruno, but to  
21 thank Senator Bruno for his leadership on this  
22 issue.

23 As a father of two young children,  
24 our friends, who also have young children, and  
25 primarily daughters, are starting to see their

1 daughters as young as 6, 7, 8 already talking  
2 about dieting, because they're conscious of  
3 their body image. They see the  
4 advertisements, even in the young miss and all  
5 those young magazines that are focusing on the  
6 children, and the women -- the models are all  
7 stick-thin. And they are already wanting to  
8 talk about dieting and losing weight. Six, 7,  
9 8 years old. This is what we're talking about  
10 in Port Washington and Roslyn around the  
11 dinner table, and our concern for our  
12 children.

13                   And it is about education. The  
14 other day I was watching the TV news and there  
15 was a discussion about in the elementary  
16 schools they had a group of children sitting  
17 around a table and they picked up a picture,  
18 one a stick figure with a very thin girl, and  
19 one with a more full-figured young girl. And  
20 they said: "Who do you want to be friends  
21 with?" And uniformly the girls picked the  
22 thin girl. They didn't want to be friends  
23 with the fat girl.

24                   And so we're seeing it's not just  
25 about the health issues that we talk about and

1 the fast food, but we're talking about it  
2 expands. We're talking about bullying issues.  
3 And it's all these things that focus upon,  
4 that bring about the eating disorders, the  
5 mental problems and the physical problems.

6 So it's about moving just on  
7 prevention and education, but really working  
8 with the advertisers in New York State to get  
9 them to stop at such a young age having our  
10 children focus on a thin figure, and to work  
11 with our food and our service industries to  
12 make sure we provide healthy foods -- not just  
13 to buy in the fast food, but in the schools.

14 Because if you look at the food  
15 quality that is given in a number of our  
16 schools, it is such poor quality that they're  
17 going to gain weight, and of course the cycle  
18 begins.

19 So I thank you, Senator Bruno, for  
20 this resolution. I strongly support it. And  
21 I hope we can move forward and really address  
22 these issues going forward.

23 Thank you.

24 THE PRESIDENT: Is there any  
25 other member that would like to speak on the

1 resolution?

2                   Hearing none, the question is on  
3 the resolution. All those in favor please  
4 indicate so by saying aye.

5                   (Response of "Aye.")

6                   THE PRESIDENT:     Opposed, nay.

7                   (No response.)

8                   THE PRESIDENT:     The resolution is  
9 adopted.

10                   And the chair notes Senator  
11 Johnson, Senator DeFrancisco, Senator Rath,  
12 Senator Hassell-Thompson, and the wonderful  
13 remarks by Senator Bruno. The resolution is  
14 adopted.

15                   Senator Bruno did indicate  
16 previously that we would open the resolution  
17 to all members. Any who would not like to be  
18 on the resolution may indicate so at the desk.

19                   Thank you, Senator Bruno.

20                   SENATOR BRUNO:     Mr. President, I  
21 believe there's a resolution at the desk by  
22 Senator Robach. I would ask that the title be  
23 read and move for its immediate adoption.

24                   THE PRESIDENT:     The Secretary  
25 will read.

1 THE SECRETARY: By Senator  
2 Robach, Legislative Resolution Number 649,  
3 commemorating the 75th anniversary of the  
4 Aquinas Institute Mission Bouts.

5 THE PRESIDENT: On the  
6 resolution, all those in favor.

7 (Response of "Aye.")

8 THE PRESIDENT: Opposed.

9 (No response.)

10 THE PRESIDENT: The resolution is  
11 adopted.

12 Senator Bruno.

13 SENATOR BRUNO: I believe,  
14 Mr. President, that there is another  
15 resolution at the desk, by Senator Leibell. I  
16 would ask that the title be read and move for  
17 its immediate adoption.

18 THE PRESIDENT: The Secretary  
19 will read.

20 THE SECRETARY: By Senator  
21 Leibell, Legislative Resolution Number 650,  
22 commending Hudson River HealthCare and the  
23 Park Street African Methodist Episcopal Zion  
24 Church as they honor the legacy of Harriet  
25 Tubman on March 2, 2007.

1                   THE PRESIDENT:     All those in  
2     favor please indicate by saying aye.  
3                   (Response of "Aye.")  
4                   THE PRESIDENT:     Opposed, nay.  
5                   (No response.)  
6                   THE PRESIDENT:     The resolution is  
7     adopted.  
8                   Senator Bruno.  
9                   SENATOR BRUNO:     Mr. President,  
10     can we at this time have the noncontroversial  
11     reading of the calendar.  
12                  THE PRESIDENT:     The Secretary  
13     will begin the noncontroversial reading of the  
14     calendar.  
15                  THE SECRETARY:     Calendar Number  
16     103, by Senator Morahan, Senate Print 249, an  
17     act to amend the General Business Law, in  
18     relation to requiring.  
19                  THE PRESIDENT:     Last section.  
20                  THE SECRETARY:     Section 2. This  
21     act shall take effect immediately.  
22                  THE PRESIDENT:     Call the roll.  
23                  (The Secretary called the roll.)  
24                  THE PRESIDENT:     Results.  
25                  THE SECRETARY:     Ayes, 50. Nays,

1           1. Senator DeFrancisco recorded in the  
2           negative.

3                       THE PRESIDENT:       The bill is  
4           passed.

5                       THE SECRETARY:       Calendar Number  
6           107, by Senator Flanagan, Senate Print 695, an  
7           act to amend the General Business Law, in  
8           relation to prohibiting the sale.

9                       THE PRESIDENT:       Last section.

10                      THE SECRETARY:       Section 2. This  
11           act shall take effect on the 60th day.

12                      THE PRESIDENT:       Call the roll.

13                      (The Secretary called the roll.)

14                      THE SECRETARY:       Ayes, 51.

15                      THE PRESIDENT:       The bill is  
16           passed.

17                      THE SECRETARY:       Calendar Number  
18           109, by Senator Fuschillo, Senate Print 1547,  
19           an act to amend the General Business Law, in  
20           relation to increasing the civil penalty.

21                      THE PRESIDENT:       The Secretary  
22           will please 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 PRESIDENT: Senator  
3 Schneiderman.

4 SENATOR SCHNEIDERMAN: Thank you,  
5 Mr. President. To explain my vote.

6 I think Senator Fuschillo's bill is  
7 a first step towards addressing an issue that  
8 requires a lot more attention from this house,  
9 from the Legislature and the Governor in  
10 general.

11 The issue of price gouging has come  
12 up repeatedly in the context particularly of  
13 energy prices. And it's an area in which our  
14 law is really not up to the challenge. This  
15 piece of legislation is a good step, but the  
16 Attorney General needs more power, needs  
17 clarification of their authority in the  
18 absence of a gubernatorial declaration of an  
19 emergency. And, frankly, we need to get more  
20 people involved.

21 So I have a proposal, and there's  
22 others who have proposals to involve local  
23 district attorneys. We don't have an  
24 effective mechanism in this state for ensuring  
25 that price gouging doesn't take place. I hope

1           that energy prices go down, but I don't  
2           believe they will in the long term. And I  
3           think that this is an issue that will come up  
4           again and again and again.

5                       And so I commend Senator Fuschillo  
6           for trying to keep the issue on the table, but  
7           this is something where we do need to take  
8           further action before the next crisis occurs.

9                       I will be voting yes,  
10          Mr. President.

11                      THE PRESIDENT:     Senator  
12          Schneiderman will be recorded in the  
13          affirmative.

14                      The Secretary will announce the  
15          results.

16                      THE SECRETARY:     Ayes, 51.

17                      THE PRESIDENT:     The bill is  
18          passed.

19                      THE SECRETARY:     Calendar Number  
20          117, by Senator Little, Senate Print 1099, an  
21          act in relation to directing the Law Revision  
22          Commission.

23                      THE PRESIDENT:     Last section.

24                      THE SECRETARY:     Section 4. This  
25          act shall take effect on the 30th day.

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 51.

4 THE PRESIDENT: The bill is  
5 passed.

6 THE SECRETARY: Calendar Number  
7 124, by Senator Leibell, Senate Print 2377, an  
8 act directing the Commissioner of Labor to  
9 issue a report.

10 THE PRESIDENT: Last section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 51.

16 THE PRESIDENT: The bill is  
17 passed.

18 THE SECRETARY: Calendar Number  
19 134, by Senator Larkin, Senate Print 1918, an  
20 act to amend the General Business Law and  
21 others, in relation to peddling New York  
22 agricultural products on the streets.

23 THE PRESIDENT: Last section.

24 THE SECRETARY: Section 5. This  
25 act shall take effect on the 180th day.

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 51.

4 THE PRESIDENT: The bill is  
5 passed.

6 THE SECRETARY: Calendar Number  
7 135, by Senator Skelos, Senate Print 2041, an  
8 act to amend the General Business Law, in  
9 relation to the sale of laser pointing  
10 devices.

11 THE PRESIDENT: Last section.

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

15 THE PRESIDENT: Call the roll.

16 (The Secretary called the roll.)

17 THE PRESIDENT: Senator Craig  
18 Johnson.

19 SENATOR CRAIG JOHNSON: Thank  
20 you. I wish to take this opportunity to  
21 explain my vote.

22 I commend Senator Skelos on this  
23 law, and I support this law. I just do think  
24 that in the process, if the Assembly puts  
25 something together and puts it through, they

1       should maybe put a couple of things in there  
2       that we can address.

3                 In reviewing the law, one concern I  
4       have is that there's no exception in the terms  
5       of school for educational purposes. You know,  
6       I've recently -- or compared to the members of  
7       this body, I'm probably one of the more recent  
8       graduates of high school. And laser pointers  
9       are used for educational purposes in terms of  
10      slide presentations, Power Points.

11                Under this law, in theory merely  
12      walking into a school they can be confiscated  
13      if a principal wants to, you know, assert a  
14      violation against them. So there's no  
15      educational exception for the purpose of the  
16      schools.

17                The second thing, in reading the  
18      justification, and those instances are  
19      horrible in terms of the police. And when you  
20      put these out there and the potential lives  
21      that could be lost in terms of them, the  
22      justification when looking at the law doesn't  
23      really go to what the purpose of the law is.

24                I think we should ban them entirely  
25      in the possession of 18-year-olds. We have a

1           number of laws in local counties which  
2           prohibit -- it's not just the sale, but let's  
3           stop the possession. Because if you look at  
4           the justification, when these instances were  
5           used, it was outside of the school grounds.  
6           It was in people's homes, it was on a school  
7           bus, which technically actually I don't think  
8           would be covered under this bill, because a  
9           school bus is not a school building.

10                         But I think we need to go a little  
11           bit further. And hopefully Senator Skelos  
12           will put something forward or we can work  
13           together to put something forward that would  
14           actually prohibit children under the age of 18  
15           to possessing these things outside of a  
16           school, because there's no purpose for them to  
17           have them outside of the school.

18                         So I commend Senator Skelos, I  
19           support the bill, and I look forward to its  
20           enactment by the Assembly.

21                         Thank you.

22                         THE PRESIDENT:         Senator Craig  
23           Johnson will be recorded in the affirmative.

24                         Results.

25                         THE SECRETARY:         Ayes, 53.

1                   THE PRESIDENT:     The bill is  
2     passed.

3                   THE SECRETARY:     Calendar Number  
4     147, by Senator Marcellino, Senate Print 603,  
5     an act to amend the Criminal Procedure Law, in  
6     relation to evidence.

7                   THE PRESIDENT:     Last section.

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

10                  THE PRESIDENT:     Call the roll.

11                  (The Secretary called the roll.)

12                  THE SECRETARY:     Ayes, 53.

13                  THE PRESIDENT:     The bill is  
14     passed.

15                  THE SECRETARY:     Calendar Number  
16     153, by Senator Trunzo, Senate Print 884, an  
17     act to amend the Penal Law, in relation to  
18     prohibiting stalking.

19                  THE PRESIDENT:     Read the last  
20     section.

21                  THE SECRETARY:     Section 4. This  
22     act shall take effect on the first of  
23     November.

24                  THE PRESIDENT:     The Secretary  
25     will call the roll.

1 (The Secretary called the roll.)

2 THE PRESIDENT: The Secretary  
3 will announce the results.

4 THE SECRETARY: Ayes, 53.

5 THE PRESIDENT: The bill is  
6 passed.

7 Senator Bruno, that completes the  
8 noncontroversial reading of the calendar.

9 SENATOR BRUNO: Mr. President, is  
10 there any further business to be done by this  
11 body at this time?

12 THE PRESIDENT: There is no  
13 further business to be attended to, Senator.

14 SENATOR BRUNO: Then we are going  
15 to ask the Majority members to have an  
16 immediate conference on the break of session,  
17 which is imminent. And it will be short and  
18 direct. And productive. And something that  
19 you don't want to miss.

20 THE PRESIDENT: There will be an  
21 immediate meeting of the Senate Majority in  
22 the Majority Conference Room, Room 332. It  
23 will be short, direct, and productive, right  
24 after session.

25 SENATOR BRUNO: And,

1 Mr. President, there being no further business  
2 to come before the Senate, I would move that  
3 we stand adjourned until Monday, March 5th, at  
4 3:00 p.m., intervening days to be legislative  
5 days.

6 Thank you.

7 THE PRESIDENT: The Senate is  
8 adjourned and will reconvene on Monday,  
9 March 5th, at 3:00 p.m., intervening days  
10 being legislative.

11 Senate is adjourned.

12 (Whereupon, at 11:31 a.m., the  
13 Senate adjourned.)

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