NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 16, 2007

3:08 p.m.

REGULAR SESSION

SENATOR ELIZABETH O'C. LITTLE, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT LITTLE: The Senate will come to order.

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

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

ACTING PRESIDENT LITTLE: The invocation today will be given by Rabbi Joseph Potasnik, of Congregation Mt. Sinai in Brooklyn.

RABBI POTASNIK: Thank you, Senator.

I want to share a true story with all of you here. Some time ago I was invited to the installation of Archbishop Edwin O'Brien, which was held at St. Patrick's Cathedral in New York City. I arrived that day, and I had two tickets with me.

And an elderly Catholic woman came over to me, and she said: "Do you have an extra ticket? I don't have one, and I'd like to attend." And I reached in my pocket, and I said, "Please, take this one." And she said,

"Oh, thank you so much. Who are you?" And I said, "I'm a rabbi."

And she said, "You know, only in New York, in order to get into St. Patrick's Cathedral, do you need a rabbi to give you a ticket."

The lesson there is, I think, that all of us need rabbis in life. But more importantly, we need people to open doors for us.

So please remember, as you recall Jackie Robinson, that shortly before he played his first game, he went into the stands and he said to his wife: "You will easily recognize me on that field, because I will be wearing Number 42."

So we are here today as people of different faiths and people of different faces, but hopefully we all recognize that there comes that moment when we all must realize we are part of one family.

Amen.

ACTING PRESIDENT LITTLE: Thank you, Rabbi Potasnik.

The reading of the Journal.

THE SECRETARY: In Senate, Sunday, April 15, the Senate met pursuant to adjournment. The Journal of Saturday, April 14, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT LITTLE: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

On behalf of Senator Young, I have a motion to recommit and to strike the enacting clause, and I move that this bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. It's Senate Number 410.

ACTING PRESIDENT LITTLE: So ordered.

SENATOR FARLEY: On behalf of Senator Maziarz, Madam President, on page 5, Calendar Number 63, Senate Print 947A, I now offer the following amendments.

And also for Senator Maziarz, on page 5, Calendar Number 66, Senate Print 957, I offer an amendment.

I offer an amendment to Senator Marcellino's bill, which is on page 8, Calendar Number 144, Senate Print 699A.

And I also would like to amend Senator Volker's bill, on page 10, Calendar Number 194, Senate Print 1977.

And I also would like to amend Senator Maltese's bill, on page 24, Calendar Number 461, Senate Print 3600.

And I would ask that these bills will retain their place on the Third Reading Calendar.

ACTING PRESIDENT LITTLE: The amendments are received and adopted, and the bills will retain their place on the Third Reading Calendar.

Senator Duane.

SENATOR DUANE: Thank you, Madam President.

On behalf of Senator Stavisky, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: 2608 and 2609.

ACTING PRESIDENT LITTLE: So ordered.

Senator Skelos.

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

ACTING PRESIDENT LITTLE: The Secretary will read.

THE SECRETARY: Calendar Number 23, by Senator Maziarz, Senate Print 112, an act to amend the Criminal --

SENATOR SKELOS: Lay it aside temporarily.

ACTING PRESIDENT LITTLE: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 92, by Senator Flanagan, Senate Print 691, an

act to amend the Education Law, in relation to providing.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 111, by Senator Larkin, Senate Print 1582, an act to amend the Civil Service Law, in relation to retaliatory actions.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

ACTING PRESIDENT LITTLE: The

bill is passed.

THE SECRETARY: Calendar Number 129, by Senator Volker, Senate Print 1478, an act to amend the General Business Law, in relation to real estate syndication offerings.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 37. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 235, by Senator Larkin, Senate Print 907, an act to amend Chapter 672 of the Laws of 1993, amending the Public Authorities Law.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 256, by Senator Griffo, Senate Print 3253A, an act to amend the Agriculture and Markets Law, in relation to agricultural assessment values.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 42.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 268, by Senator Larkin, Senate Print 236, an act to amend the Tax Law, in relation to eligibility.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 41. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 272, by Senator Farley, Senate Print 917, an act to amend the Tax Law, in relation to requirement.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 281, by Senator Seward, Senate Print 2073, an

act to amend the Tax Law, in relation to extending the authorization.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 283, by Senator LaValle, Senate Print 2516, an act to amend the Tax Law, in relation to excluding.

ACTING PRESIDENT LITTLE: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first day of the sales tax quarterly.

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 48.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 324, by Senator Stachowski, Senate Print 2754, an act to amend the Penal Law, in relation to definition.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 49.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 326, by Senator DeFrancisco, Senate Print 2877, an act to amend the Penal Law and the Criminal Procedure Law.

ACTING PRESIDENT LITTLE: Read the last section.

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

November.

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 326 are Senators Duane, Hassell-Thompson, L. Krueger, Montgomery and Perkins. Also Senator Schneiderman.

Ayes, 44. Nays, 6.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 336, by Senator Morahan, Senate Print 2898, an act to amend Chapter 631 of the Laws of 1997, amending the Social Services Law.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT LITTLE: The

bill is passed.

THE SECRETARY: Calendar Number 345, by Senator Little, Senate Print 1120, an act to amend the Real Property Tax Law, in relation to taxation of forest lands.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 345 are Senators Duane, Hassell-Thompson, and L. Krueger.

Ayes, 47. Nays, 3.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 346, by Senator Wright, Senate Print 1555, an act in relation to authorizing.

ACTING PRESIDENT LITTLE: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 420, by Senator Bonacic, Senate Print 479, an act to amend the Correction Law, in relation to requiring.

ACTING PRESIDENT LITTLE: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day.

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT LITTLE: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 23, by Senator Maziarz, Senate Print 112, an

act to amend the Criminal Procedure Law, in relation to enacting criteria.

ACTING PRESIDENT LITTLE: Read the last section.

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

SENATOR MONTGOMERY: Explanation, please.

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT LITTLE: The roll call is withdrawn. Senator Montgomery asks for an explanation.

The bill is laid aside.

SENATOR SKELOS: Madam President, if an explanation has been requested, then we should go to the controversial reading of the calendar.

ACTING PRESIDENT LITTLE: Thank you.

The Secretary will ring the bell to bring Senators into the chamber for the controversial calendar.

The Secretary will read.

THE SECRETARY: Calendar Number 23, by Senator Maziarz, Senate Print 112, an act to amend the Criminal Procedure Law.

SENATOR MONTGOMERY: Explanation.

ACTING PRESIDENT LITTLE: Senator Maziarz, for an explanation.

SENATOR MAZIARZ: Thank you, Madam President.

This legislation would expand the scope of criteria judges are allowed to consider when setting bail. This bill would give the judge certain discretion to decide if the individual is a possible threat to the alleged victim, if the individual has made any prior threatening comments to the alleged victim.

This legislation would also allow the judge to consider whether or not the individual has violated past court orders when setting bail. The judge would also be able to consider if the defendant has a pattern of violence or threats of violence against the victim or towards others.

This legislation is named after an

individual who I've talked about many times on the floor here, Jill Cahill, whose husband repeatedly beat her. The second to the last time that he beat her, he sent her to a hospital in Syracuse for several weeks. And while she was there recovering, he surreptitiously snuck into the hospital and poisoned her to death and murdered her in an extremely horrific way.

The husband had been through the Family Court, had had numerous orders of protection, had been through the system and none of that helped, and was actually out on bail at the time that he murdered her, for the beating that he inflicted upon her.

Thank you, Madam President.

ACTING PRESIDENT LITTLE: Thank you, Senator Maziarz.

SENATOR MAZIARZ: I might also add that this bill is supported by Senator Duane and Senator Ruben Diaz, Madam President.

ACTING PRESIDENT LITTLE: Thank you.

Senator Schneiderman.

SENATOR SCHNEIDERMAN: Yes, Madam

President, on the bill.

ACTING PRESIDENT LITTLE: Thank you. Senator Schneiderman on the bill.

SENATOR SCHNEIDERMAN: I appreciate the growing Maziarz coalition.

I have voted against this bill in the past, I will continue to vote against it, and I'd urge my colleagues to vote against it for a very simple reason. This is a classic example of the old expression "Hard cases make bad law."

Obviously this is a tragic situation where this individual was a wife-batterer and made threats and then was released on bail, for whatever reason, and killed his wife.

I would urge that this bill does absolutely nothing to add to the likelihood that that tragedy could have been prevented and potentially does a great deal of harm, particularly to poor defendants in this state who will be unable to meet the burden that could be imposed on them by prosecutors who wanted to turn a bail hearing into an open-ended inquiry on the mental state of the

defendant.

Right now what bail is for is to determine if someone is going to show up for trial. This is something that is tremendously important in our criminal justice system. But New York's current statutes allow the judge to take into account every single thing that this bill would allow the court to take into account.

What the current statutes do, though, is frame those inquiries in a way so that you don't have an open-ended hearing with witnesses called on issues that would be permitted by this bill, including -- and again, I'm going to read from the language of the bill, because I don't think that the description of the distinguished, elegant sponsor and head of the Maziarz coalition provided us.

This bill would allow someone to be held if the court finds that they are a danger to some third party, someone who has nothing to do with the crime. This would allow a prosecutor, if they were inclined, to say: You know, this person got into a fight with

Joe Smith down the street and we think he should be held in jail for that, and would tremendous discretion for the judge.

And again, I think this would be discretion that would work to the detriment of the poorest defendants, who would not be able to have lawyers capable of calling witnesses and rebutting these charges.

This would allow the judge to hold someone in jail for something that had absolutely nothing to do with the crime charged. That, ladies and gentlemen -- first of all, I think it's unconstitutional. Second of all, I would urge that it's not the way to solve this problem.

If we want to have a tougher standard for people who perpetrate domestic violence, if we want to have a tougher standard for letting them out on bail, let's bite that bullet, let's deal with that.

Remember the work that went into crafting the bill on civil confinement. Remember the work that went into protecting the due process right of those accused or that the court would hold after their sentences

were served. That inquiry and that effort is completely absent from this piece of legislation.

This would turn every bail hearing into an open-ended inquiry on whether this defendant had ever posed a danger to anyone else, including to himself. This is a bill that would require the court to look at the issue of whether or not this defendant might be suicidal.

Again, who suffers? Poor defendants, mostly defendants who are people of color in the state of New York who cannot afford fancy defense lawyers to call rebuttal witnesses. If a prosecutor wants to keep someone in jail, this gives that prosecutor open-ended discretion to keep someone in jail.

And that's the reason I'm opposed to it -- not because I want people who are dangerous out on the loose; I don't. But this is a bill that is a one-house bill. Suggestions are made every year, they're never adopted, it's the same language. It never comes out of committee in the Assembly and, frankly, is not taken very seriously in the

Assembly.

Our bail laws already allow the consideration of all these factors. What our bail laws now do not do is allow the prosecutor to go on a vendetta to say, I'm keeping this guy in jail pending his trial no matter what I have to do, and I'm going to raise issues that he can't deal with related to third parties and other allegations and the fact that maybe he's considered to be somewhat suicidal or something like that.

All of these factors are things that would change the nature of our bail hearings. If I'm going to jail, I can afford a good defense lawyer, I can call witnesses, I'm getting out pending my trial. A poor person wouldn't be able to do this.

This is a situation, as I say, in which hard cases make bad law. This would be bad law. And I'd urge all of my colleagues to vote against it.

ACTING PRESIDENT LITTLE: Thank you.

Is there any other Senator wishing to be heard?

Senator Diaz.

SENATOR DIAZ: Thank you, Madam President.

This bill was introduced because a man by the name of Jeff Cahill had viciously attacked with a baseball bat, seven times, his wife. He was arrested, according to the bill, and while she was in the hospital, he was released on bail. He went into the hospital, made believe that he was a maintenance person in the hospital, and worked out to poison his wife. So he did that. He killed her.

In the 32nd Senatorial District, which I represent, in the county of the Bronx, there are black and Hispanic majority of the residents, what we call brown and black. And somebody today told me -- asked me to wake up and smell the coffee. My colleague, Senator Ruth Hassell-Thompson, she asked me to wake up and smell the coffee.

And I want to tell you and respond to my colleagues in the Democratic side that will oppose this bill and those in the other side that will oppose this bill. In my district there are women, a lot of women that

get killed and get beaten by their spouses, by their in-laws or whatever.

There are statistics here that say that in the United States, 32 percent of all the female murders, women killed in this country, 32 percent of them were killed by their husbands or by their boyfriends.

And here in New York State, in 2002, 194 women were killed. Out of those 194 women, 66 were murdered, killed by their spouse, by their common-law spouse, by their sexual partner or by their ex-sexual partner.

So we in the Democratic Party, we brag about that we defend women and that we are the defenders of women. And when a piece of legislation like this comes to the floor, we then say that most of the defendants cannot afford the bail. But let me tell you something, to all of you -- and I have to be careful because nowadays, if you say things that you're not supposed to say, even in a joke, they kick you out of your job. But I want to take my chances.

In the 32nd Senatorial District that I represent, we are majority black and

Hispanic. But you know who are the ones killing the bodegueros? Us, black and Hispanic. You know who are the ones killing the taxi drivers? Us, black and Hispanic. Do you know who are the ones raping women? Us, black and Hispanic.

Let me wake up and smell the coffee. And as soon as I wake up and smell the coffee, ladies and gentlemen, I can assure you that that coffee is going to stink. Because it's us who are committing the crimes against our people.

But then we don't want us to pay for the crime. We come and we say, oh, the black and Hispanic will never afford the bail. Who's the one beating the women in our communities? Who is the one committing the crimes? With all due respect to all of you and to all my colleagues, my community, in my district, the whites are not the ones committing the crimes. It's us, black and Hispanic. Brown and black.

So when the year gets out, guess who are the majority of people in jail? Black and Hispanic. But why? Hello. Why? Because

we are the ones.

So now this piece of legislation calls for stronger bail or giving the judge the authority to hold someone. But we say, oh, but that person would be black and Hispanic and would be poor and will not be able to afford the bail. Anybody, any man, any man that physically abuses a woman deserves to be in jail as strongly -- with a strong bail. If I abuse my wife and she complains and they arrest me, I cannot complain, Oh, I can't afford the bail. Why did I abuse my wife? Why did you abuse a woman? So if you don't want to pay the price, don't commit the crime.

And as long as we don't come strong forward to our community and to send a message, stop the nonsense that the system is -- stop the nonsense that we cannot pay the bail, stop the nonsense that we have to be easy with them. They are not being easy with our women, they are not being easy with our bodegueros, they are not being easy with our taxi drivers, they are not being easy with our senior citizens. We are being abused by our

own.

Ladies and gentlemen, Senator Maziarz, I am supporting your bill. And I'm going to get heat because of what I'm saying, but I'm supporting your bill. And it is a good bill. And whoever abuse a woman, lock him up and throw the keys away.

Thank you.

ACTING PRESIDENT LITTLE: Thank you, Senator.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President.

I think that when we come into these chambers, many times in our zeal and our zest to do the right things for the right reasons, we sometimes do so without regard for the fact that there is a constitutionality that must also be considered.

In my comments here on this floor, I always want to make sure that no one goes away believing that I do not believe that the victim is entitled to justice. But I also am smart enough -- whether that's a belief or not by most -- that we use language not only to

cover the victim, but we also lend ourselves to the opportunity to expand on our judicial powers to cover crimes that sometimes in the language is not understood.

I don't purport to be an attorney, but I do purport to be a student of language. And when I suggested to my colleague Senator Diaz that he wake up and smell the coffee, I do so because I want us to always be clear that when we're throwing out a net to catch tuna, that we don't catch a dolphin.

And for anyone who does not believe that we are in the business of language, then they don't understand what we're here to do. Language is very powerful. And within the language that is written, there are also nuances that are sometimes not written but is understood by very few.

So my contention is that when I look at a bill, if I do not understand it, I will ask questions continually until I not only understand the language that is being written but the language that is being presumed. And I presumed very correctly, I believe, each time that I have voted no on

this bill, that this language goes way beyond that which is necessary to give judicial discretion to our courts.

And therefore it is not a concern of duplicativeness, but it is because within it is contained the ability to go beyond what appears on the surface. And I think maybe the language is called prima facie; more than what we see is contained in this bill.

So therefore I have voted no. I have encouraged many of my colleagues to vote no. And I will continue to vote no. Not because I am not concerned about the numbers of the crimes that are permitted against women not only in my district but across the State of New York -- I'm not passing laws for the 36th Senatorial District. I'm interested in laws that go beyond the boundaries of the 36th for women across this state, and for men who are abused across this state. And because men don't come forward does not mean that the numbers of cases of abuse and deaths among men does not occur. That's not the issue.

This is not a gender issue. This is not a boundary issue. But it is an issue

of law that says yes, protect the victim, but not at the expense of perhaps another criminal act's constitutionality. And that's what I see in this bill, and that's what I have voted against in the past. And that's what I will vote against in the future, because I see my job as being sure that the action that I take does not cross the boundaries of the constitutionality of all the citizens of the State of New York.

Thank you, Madam President.

ACTING PRESIDENT LITTLE: Thank you, Senator.

Is there any other Senator wishing to be heard?

The debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT LITTLE: The

Secretary will announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 23 are Senators Breslin, Dilan, Gonzalez, Hassell-Thompson, L. Krueger, Montgomery, Perkins and Schneiderman.

Ayes, 43. Nays, 8.

Absent from voting: Senators Huntley and Parker.

ACTING PRESIDENT LITTLE: The bill is passed.

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

SENATOR SKELOS: Madam President, is there any further business at the desk?

ACTING PRESIDENT LITTLE: No, there is not, Senator Skelos.

SENATOR SKELOS: If you would recognize Senator Griffo, please.

ACTING PRESIDENT LITTLE: Thank you. Senator Griffo.

Could we have some quiet in the chamber, please?

Senator Griffo.

SENATOR GRIFFO: Thank you,

Senator Skelos, Madam President.

Last Thursday evening in the city of Utica, New York, Police Officer Thomas Lindsey, in the performance of a vehicle and traffic stop, was killed in cold blood in the line of duty. A veteran of the United States Marine Corps with over five and a half years of service to the Police Department of the City of Utica, an extraordinary young man who gave his life to protect others.

I ask today that we join together as we remember this fine police officer, offer our condolences to his family and to the members of the Utica Police Department, and ask that we keep Officer Lindsey in our prayers, as well as a random senseless act of murder that occurred today, for all those who have been hurt and killed at Virginia Tech University -- this outrageous, ridiculous violence that permeates our society.

So I ask that we adjourn in a moment of silence for Officer Lindsey and to remember those other victims today wounded and killed at Virginia Tech.

ACTING PRESIDENT LITTLE: Senator

Skelos.

SENATOR SKELOS: I thank Senator Griffo for the suggestion.

And if we could rise in a moment of silence and adjourn until Tuesday, April 17th, at 3:00 p.m.

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

ACTING PRESIDENT LITTLE: On motion, the Senate stands adjourned until Tuesday, April 17th, at 3:00 p.m.

(Whereupon, at 3:48 p.m., the Senate adjourned.)