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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 25, 2007

11:16 a.m.

REGULAR SESSION

SENATOR THOMAS P. MORAHAN, Acting President

STEVEN M. BOGGESS, Secretary

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P R O C E E D I N G S

ACTING PRESIDENT MORAHAN: The  
Senate will come to order.

If you would all join me in  
repeating the Pledge of Allegiance.

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

ACTING PRESIDENT MORAHAN: In the  
absence of clergy, if you'd all bow your heads  
for a moment of silence.

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

ACTING PRESIDENT MORAHAN: The  
reading of the Journal.

THE SECRETARY: In Senate,  
Tuesday, April 24, the Senate met pursuant to  
adjournment. The Journal of Monday, April 23,  
was read and approved. On motion, Senate  
adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

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

5 Motions and resolutions.

6 Senator Fuschillo.

7 SENATOR FUSCHILLO: Thank you  
8 very much, Mr. President.

9 On behalf of Senator Volker, please  
10 place a sponsor's star on Calendar Number 195.

11 ACTING PRESIDENT MORAHAN: So  
12 ordered.

13 SENATOR FUSCHILLO: Thank you.

14 ACTING PRESIDENT MORAHAN: You're  
15 welcome.

16 Senator Skelos.

17 SENATOR SKELOS: Mr. President, I  
18 believe there's a substitution at the desk.  
19 If we could make it at this time.

20 ACTING PRESIDENT MORAHAN: The  
21 Secretary will read.

22 THE SECRETARY: On page 36,  
23 Senator Lanza moves to discharge, from the  
24 Committee on Environmental Conservation,  
25 Assembly Bill Number 6319 and substitute it

1 for the identical Senate Bill Number 3190,  
2 Third Reading Calendar 556.

3 ACTING PRESIDENT MORAHAN:  
4 Substitution ordered.

5 SENATOR SKELOS: Mr. President,  
6 there's a Resolution 1756 at the desk, by  
7 Senator Seward. Could we have the title read  
8 and move for its immediate adoption.

9 ACTING PRESIDENT MORAHAN: The  
10 Secretary will read.

11 THE SECRETARY: By Senator  
12 Seward, Legislative Resolution Number 1756,  
13 commending Firefighter Orrin D. Mann, Jr.,  
14 upon the occasion of his designation for  
15 special recognition after 50 years of  
16 dedicated service to the Schoharie Fire  
17 Department.

18 ACTING PRESIDENT MORAHAN: On the  
19 resolution, all in favor say aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT MORAHAN:  
22 Opposed, nay.

23 (No response.)

24 ACTING PRESIDENT MORAHAN: The  
25 resolution is passed, Senator Skelos.

1                   SENATOR SKELOS:     Thank you,  
2     Mr. President.

3                   There will be an immediate meeting  
4     of the Rules Committee in the Majority  
5     Conference Room, and the Senate will stand at  
6     ease.

7                   ACTING PRESIDENT MORAHAN:     There  
8     will be an immediate meeting of the Rules  
9     Committee in the Senate Majority Conference  
10    Room, and the Senate will stand at ease.

11                  (Whereupon, the Senate stood at  
12    ease at 11:20 a.m.)

13                  (Whereupon, the Senate reconvened  
14    at 11:28 a.m.)

15                  ACTING PRESIDENT MORAHAN:     The  
16    house will come to order.

17                  Senator Skelos.

18                  SENATOR SKELOS:     Mr. President,  
19    if we could return to motions and resolutions,  
20    there's a resolution at the desk by Senator  
21    Leibell. If we could have the title read and  
22    move for its immediate adoption.

23                  ACTING PRESIDENT MORAHAN:  
24    Motions and resolutions.

25                  The Secretary will read.

1 THE SECRETARY: By Senator  
2 Leibell, Legislative Resolution Number 1757,  
3 commending Ken and Trish Mahoney upon the  
4 occasion of their designation for special  
5 honor by the Make-A-Wish Foundation of the  
6 Hudson Valley on April 27, 2007.

7 ACTING PRESIDENT MORAHAN: On the  
8 resolution, all in favor say aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT MORAHAN:  
11 Opposed, nay.

12 (No response.)

13 ACTING PRESIDENT MORAHAN: The  
14 resolution is passed.

15 SENATOR SKELOS: Mr. President,  
16 if we could return to reports of standing  
17 committees for the report of the Rules  
18 Committee.

19 ACTING PRESIDENT MORAHAN:  
20 Reports of standing committees.

21 The Secretary will read.

22 THE SECRETARY: Senator Bruno,  
23 from the Committee on Rules, reports the  
24 following bills:

25 Senate Print 4524, by Senator

1 LaValle, an act to amend the Education Law;  
2 And Senate Print 4863, by Senator  
3 Oppenheimer, an act authorizing the villages  
4 of Larchmont and Mamaroneck.

5 Both bills ordered direct to third  
6 reading.

7 ACTING PRESIDENT MORAHAN:  
8 Senator Skelos.

9 SENATOR SKELOS: Move to accept  
10 the report of the Rules Committee.

11 ACTING PRESIDENT MORAHAN: On the  
12 motion to accept the report of the Rules  
13 Committee, all in favor say aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT MORAHAN:  
16 Opposed, say nay.

17 (No response.)

18 ACTING PRESIDENT MORAHAN: The  
19 motion is passed.

20 Senator Skelos.

21 SENATOR SKELOS: Mr. President,  
22 if we could go to the noncontroversial reading  
23 of the calendar.

24 ACTING PRESIDENT MORAHAN: The  
25 Secretary will read.

1 THE SECRETARY: Calendar Number  
2 63, by Senator Maziarz, Senate Print 947B, an  
3 act to amend the Penal Law, in relation to  
4 crimes of criminal possession.

5 ACTING PRESIDENT MORAHAN: Read  
6 the last section.

7 THE SECRETARY: Section 3. This  
8 act shall take effect on the first of  
9 November.

10 ACTING PRESIDENT MORAHAN: Call  
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MORAHAN:  
14 Announce the results.

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT MORAHAN: The  
17 bill is passed.

18 THE SECRETARY: Calendar Number  
19 169, by Senator Bonacic, Senate Print 490, an  
20 act to amend the Alcoholic Beverage Control  
21 Law, in relation to Class A-1 distiller's  
22 license.

23 ACTING PRESIDENT MORAHAN: Read  
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MORAHAN: Call  
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MORAHAN:  
6 Announce the results.

7 THE SECRETARY: Ayes, 55. Nays,  
8 1. Senator Duane recorded in the negative.

9 ACTING PRESIDENT MORAHAN: The  
10 bill is passed.

11 THE SECRETARY: Calendar Number  
12 202, by Senator Maziarz, Senate Print 45, an  
13 act to amend the Vehicle and Traffic Law, in  
14 relation to repeat convictions.

15 ACTING PRESIDENT MORAHAN: Read  
16 the last section.

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

19 ACTING PRESIDENT MORAHAN: Call  
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MORAHAN:  
23 Announce the results.

24 THE SECRETARY: Ayes, 58.

25 ACTING PRESIDENT MORAHAN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 367, by Senator Larkin, Senate Print 645, an  
4 act to amend the Lien Law, in relation to  
5 authorizing.

6 ACTING PRESIDENT MORAHAN: Read  
7 the last section.

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

10 ACTING PRESIDENT MORAHAN: Call  
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MORAHAN:  
14 Announce the results.

15 THE SECRETARY: Ayes, 58.

16 ACTING PRESIDENT MORAHAN: The  
17 bill is passed.

18 THE SECRETARY: Calendar Number  
19 520, by Senator Saland, Senate Print 3913A, an  
20 act to amend the Social Services Law, in  
21 relation to including certain school  
22 employees.

23 ACTING PRESIDENT MORAHAN: Read  
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 90th day.

2 ACTING PRESIDENT MORAHAN: Call  
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MORAHAN:  
6 Announce the results.

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT MORAHAN: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number  
11 556, substituted earlier today by Member of  
12 the Assembly Cusick, Assembly Print Number  
13 6319, an act to amend Chapter 395 of the Laws  
14 of 1978.

15 ACTING PRESIDENT MORAHAN: Read  
16 the last section.

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

19 ACTING PRESIDENT MORAHAN: Call  
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MORAHAN:  
23 Senator Duane, to explain his vote.

24 SENATOR DUANE: Thank you,  
25 Mr. President.

1 I just want to point out that last  
2 year there were 11 members who voted no on  
3 this piece of legislation.

4 This legislation would impose a ban  
5 on the siting of facilities for transporting  
6 and storing liquid natural gas in the City of  
7 New York. Now, if we do enact this bill, it  
8 will impose a tremendous burden on the siting  
9 of and maintaining of the natural gas  
10 facilities in New York City.

11 Now, natural gas is a nonpolluting  
12 or, I should say, a cleaner source of energy.  
13 And we should be encouraging the use of  
14 natural gas, which of course would mean that  
15 we will need to provide for more natural gas  
16 facilities.

17 While I know that 30 years ago  
18 there was a tragedy that was caused by a  
19 natural gas explosion, we are certainly much  
20 further along in our being able to deal with  
21 this cleaner energy source.

22 So prohibiting the siting of these  
23 facilities is a bad idea for a whole host of  
24 reasons, but especially if we want to try to  
25 protect the environment.

1 I do know that DEC would like to  
2 promulgate regulations on this issue. I'm  
3 hoping that the new commissioner will do so in  
4 a timely manner. But in the meantime, I think  
5 it behooves many of us to vote no on this so  
6 as to provide for the opportunity to site  
7 facilities where natural gas can be kept.

8 Mr. President, I'll be voting no.  
9 Thank you.

10 ACTING PRESIDENT MORAHAN:  
11 Senator Duane will be recorded in the  
12 negative.

13 Announce the results.

14 THE SECRETARY: Those recorded in  
15 the negative on Calendar Number 556 are  
16 Senators Adams, Breslin, Diaz, Dilan, Duane,  
17 Gonzalez, Hassell-Thompson, L. Krueger,  
18 Parker, Perkins, Sabini, Sampson, Serrano and  
19 Stavisky. Also Senator Montgomery. Also  
20 Senator Oppenheimer.

21 ACTING PRESIDENT MORAHAN:  
22 Announce the results.

23 THE SECRETARY: Ayes, 43. Nays,  
24 16.

25 ACTING PRESIDENT MORAHAN: The

1 bill is passed.

2 Senator Skelos.

3 SENATOR SKELOS: Mr. President, I  
4 don't know if everybody is going to applaud,  
5 but this is Senator Lanza's first bill, I  
6 believe.

7 So we congratulate you, Senator  
8 Lanza.

9 (Applause.)

10 ACTING PRESIDENT MORAHAN: The  
11 Secretary will read.

12 THE SECRETARY: Calendar Number  
13 558, by Senator Lanza, Senate Print 4044, an  
14 act to amend the Environmental Conservation  
15 Law, in relation to restrictions.

16 ACTING PRESIDENT MORAHAN: Read  
17 the last section.

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

20 ACTING PRESIDENT MORAHAN: Call  
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MORAHAN:  
24 Announce the results.

25 THE SECRETARY: Ayes, 59.

1                   ACTING PRESIDENT MORAHAN:     The  
2     bill is passed.

3                   And no applause for that one.

4                   (Laughter.)

5                   THE SECRETARY:     Calendar Number  
6     568, by Senator Larkin, Senate Print 905A, an  
7     act to authorize the Town of Chester, in the  
8     County of Orange.

9                   ACTING PRESIDENT MORAHAN:     There  
10    is a home-rule message at the desk.

11                  Read the last section.

12                  A little order in the house. The  
13    Secretary is having great difficulty in trying  
14    to hear my instructions.

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

17                  ACTING PRESIDENT MORAHAN:     Call  
18    the roll.

19                  (The Secretary called the roll.)

20                  THE SECRETARY:     Ayes, 59.

21                  ACTING PRESIDENT MORAHAN:     The  
22    bill is passed.

23                  THE SECRETARY:     Calendar Number  
24    569, by Senator Little, Senate Print 1131, an  
25    act to amend the General Municipal Law, in

1 relation to balancing public interests.

2 ACTING PRESIDENT MORAHAN: Read  
3 the last section.

4 THE SECRETARY: Section 2. This  
5 act shall take effect on the first of July.

6 ACTING PRESIDENT MORAHAN: Call  
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MORAHAN:  
10 Announce the results.

11 THE SECRETARY: Ayes, 59.

12 ACTING PRESIDENT MORAHAN: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number  
15 572, by Senator Morahan, Senate Print 1473, an  
16 act to authorize the Village of Greenwood  
17 Lake, in Orange County.

18 ACTING PRESIDENT MORAHAN: There  
19 is a home-rule message at the desk.

20 Read the last section.

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

23 ACTING PRESIDENT MORAHAN: Call  
24 the roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT MORAHAN:

2           Announce the results.

3                   THE SECRETARY:     Ayes, 59.

4                   ACTING PRESIDENT MORAHAN:     The  
5           bill is passed.

6                   THE SECRETARY:     Calendar Number  
7           574, by Senator LaValle, Senate Print 1852, an  
8           act to amend the General Municipal Law, in  
9           relation to allowing.

10                  ACTING PRESIDENT MORAHAN:     Read  
11           the last section.

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

14                  ACTING PRESIDENT MORAHAN:     Call  
15           the roll.

16                           (The Secretary called the roll.)

17                  ACTING PRESIDENT MORAHAN:  
18           Announce the results.

19                  THE SECRETARY:     Ayes, 59.

20                  ACTING PRESIDENT MORAHAN:     The  
21           bill is passed.

22                  THE SECRETARY:     Calendar Number  
23           575, by Senator Seward, Senate Print 2006, an  
24           act authorizing the towns of Richfield, Otsego  
25           and Exeter in the County of Otsego.

1                   ACTING PRESIDENT MORAHAN:     There  
2     is a home-rule message at the desk.

3                   Read the last section.

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

6                   ACTING PRESIDENT MORAHAN:     Call  
7     the roll.

8                   (The Secretary called the roll.)

9                   ACTING PRESIDENT MORAHAN:  
10    Announce the results.

11                   THE SECRETARY:     Ayes, 59.

12                   ACTING PRESIDENT MORAHAN:     The  
13    bill is passed.

14                   THE SECRETARY:     Calendar Number  
15    578, by Senator Winner, Senate Print 3231, an  
16    act to amend the General Municipal Law, in  
17    relation to municipal annexation.

18                   ACTING PRESIDENT MORAHAN:     Read  
19    the last section.

20                   THE SECRETARY:     Section 7. This  
21    act shall take effect immediately.

22                   ACTING PRESIDENT MORAHAN:     Call  
23    the roll.

24                   (The Secretary called the roll.)

25                   ACTING PRESIDENT MORAHAN:

1 Announce the results.

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT MORAHAN: The  
4 bill is passed.

5 THE SECRETARY: Calendar Number  
6 590, by Senator Morahan, Senate Print 3685, an  
7 act to amend the Mental Hygiene Law, in  
8 relation to providing for the submission of  
9 reports.

10 ACTING PRESIDENT MORAHAN: That  
11 bill is laid aside for the day.

12 THE SECRETARY: Calendar Number  
13 592, by Senator Morahan, Senate Print 3960, an  
14 act to amend Chapter 667 of the Laws of 2006.

15 ACTING PRESIDENT MORAHAN:  
16 Senator Skelos, can we return to 590?

17 SENATOR SKELOS: Without  
18 objection.

19 Calendar 590 was laid aside in  
20 error. If we could take that up at this time.

21 THE SECRETARY: Calendar Number  
22 590, by Senator Morahan, Senate Print 3685, an  
23 act to amend the Mental Hygiene Law.

24 ACTING PRESIDENT MORAHAN: Read  
25 the last section.

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

3 ACTING PRESIDENT MORAHAN: Call  
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MORAHAN:  
7 Announce the results.

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT MORAHAN: The  
10 bill is passed.

11 THE SECRETARY: Calendar Number  
12 592, by Senator Morahan --

13 SENATOR SKELOS: Please lay that  
14 aside for the day.

15 ACTING PRESIDENT MORAHAN: The  
16 bill is laid aside.

17 THE SECRETARY: Calendar Number  
18 597, by Senator LaValle, Senate Print 3659, an  
19 act to amend the Education Law, in relation to  
20 the practice of interior design.

21 ACTING PRESIDENT MORAHAN: Read  
22 the last section.

23 THE SECRETARY: Section 9. This  
24 act shall take effect one year after the date  
25 on which it shall have become a law.

1                   ACTING PRESIDENT MORAHAN:     Call  
2     the roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:     Ayes, 59.

5                   ACTING PRESIDENT MORAHAN:     The  
6     bill is passed.

7                   THE SECRETARY:     Calendar Number  
8     687, by Senator LaValle, Senate Print 4524, an  
9     act to amend the Education Law, in relation to  
10    protecting students.

11                  ACTING PRESIDENT MORAHAN:     Read  
12    the last section.

13                  THE SECRETARY:     Section 3. This  
14    act shall take effect on the 30th day.

15                  ACTING PRESIDENT MORAHAN:  
16    Senator LaValle, to explain his vote.

17                  SENATOR LaVALLE:     Thank you,  
18    Mr. President.

19                         We are passing a bill that each  
20    member of this house is on. It's a bill at  
21    the request of the Attorney General.

22                         And I just want to say that the  
23    Attorney General should be complimented for  
24    his work in this area, one, to identify the  
25    problem that has existed between lending

1 agents and institutions dealing with student  
2 loans and the fact that lending agencies have  
3 in many, many instances given gifts in order  
4 to receive a place of preference on the loan  
5 lending list.

6 And the second thing that the  
7 Attorney General has done is met with the  
8 lenders and institutions, and fines have been  
9 levied against them.

10 The third thing is this legislation  
11 that is before us is one which this house and  
12 the Assembly have entered into discussions to  
13 formulate a code of conduct so that our  
14 students and the exploitation of students will  
15 never exist again.

16 I know that I spoke with Senator  
17 Stavisky earlier and that there are some  
18 technical questions that some of the members  
19 have on this legislation. We have -- both  
20 Assembly members and the Senate have entered  
21 into discussions to resolve these technical  
22 questions so that there are no unintended  
23 consequences on this legislation. Whether we  
24 will be passing a chapter amendment later on I  
25 believe will be the course that we will be

1 taking.

2 But I just want to say that thank  
3 you to each and every member for your input  
4 and your participation and sponsorship, and  
5 again to the Attorney General for his  
6 vigilance and his work on this matter.

7 Thank you, Mr. President.

8 ACTING PRESIDENT MORAHAN:  
9 Senator Stavisky, to explain her vote.

10 SENATOR STAVISKY: Yes,  
11 Mr. President, to explain my vote.

12 This is an important bill for each  
13 of the young people throughout the state who  
14 are applying to college. It's a particularly  
15 terrifying time for these young people as they  
16 enter a new phase of their life, and trying to  
17 be sure that they're not going to be taken  
18 advantage of should not be one of their  
19 concerns.

20 I thank the Attorney General for  
21 bringing this issue to the forefront and the  
22 work that he did in securing consent decrees  
23 and research and investigations into some of  
24 the unscrupulous practices.

25 Hopefully this legislation will

1 resolve many of these difficulties. There are  
2 some problems, perhaps, and I know they will  
3 be addressed in a chapter amendment. But let  
4 me add that this is the way government is  
5 supposed to work, in a bipartisan or  
6 nonpartisan manner, with the Assembly and the  
7 Senate, the Majority and the Minority, working  
8 together with the Attorney General and the  
9 Governor to resolve a very serious problem.

10 And this legislation I think is  
11 important because it sets the trend not only  
12 in New York State, but nationally. This  
13 legislation has national implications. I  
14 suspect that other states will be following  
15 our lead. And once again, New York, I think,  
16 is going to be in the forefront of this issue.

17 So I thank Senator LaValle and the  
18 Attorney General. And let's hope that the  
19 difficult times that high school seniors face  
20 can somehow be alleviated with this  
21 legislation.

22 Thank you.

23 ACTING PRESIDENT MORAHAN: Thank  
24 you, Senator.

25 Senator Marcellino, to explain his

1 vote.

2 SENATOR MARCELLINO: Thank you  
3 very much, Mr. President.

4 I agree with Senator Stavisky  
5 wholeheartedly. And I thank Senator LaValle  
6 for taking up this issue today and passing  
7 this needed legislation. I congratulate the  
8 Attorney General, Andrew Cuomo, for uncovering  
9 this very, very distasteful procedure and  
10 behavior on the part of certain loan  
11 institutions and the colleges that colluded  
12 with them.

13 It is an example of what can happen  
14 when people at all levels of government -- the  
15 Governor, the Attorney General, both houses of  
16 the Legislature -- actually sit down and talk  
17 to one another in a collegial manner, with  
18 respect. No pounding the table, no screaming  
19 and yelling, no threats, but really discuss an  
20 important issue that's significant for the  
21 residents of our state.

22 As a parent of a youngster who went  
23 through college and law school and is still  
24 paying off his loans, I understand the  
25 problems that the parents of these kids are

1 facing. They have extreme expenses to go  
2 through.

3 It's very important and it's very  
4 costly to send a child to any level of college  
5 and any level of school. It's extremely  
6 expensive. Anyone who would make that more  
7 expensive deserves our utmost contempt. And  
8 this activity, again, in a bipartisan way,  
9 working together, will help solve that  
10 problem.

11 So again, Senator LaValle to be  
12 congratulated for taking leadership on this,  
13 the Attorney General to be congratulated for  
14 taking leadership on this. And all who  
15 sponsored and cosponsored this important  
16 legislation, thank you.

17 And I wish to vote aye on this very  
18 important piece.

19 ACTING PRESIDENT MORAHAN:  
20 Senator Marcellino will be recorded in the  
21 affirmative.

22 Senator Stewart-Cousins.

23 SENATOR STEWART-COUSINS: Yes, to  
24 explain my vote.

25 I too wanted to commend certainly

1 Senator LaValle and Senator Stavisky and the  
2 Attorney General. This is such an important  
3 piece of legislation.

4 I know I might be one of many who  
5 were first-generation college-goers and their  
6 families. And I know that my parents had no  
7 idea as to how to actually afford the  
8 education that they knew was going to be so  
9 important to their child. And when lenders  
10 came, whoever would give to someone who made  
11 minimum wage alone, you tended to go and say  
12 fine, at least this will help finance a dream.

13 So to have legislation in place  
14 that protects students from the ambitions of  
15 those who would not necessarily seek their  
16 higher education, but just profit, is so very,  
17 very important.

18 Another part of this legislation  
19 establishes the student lending education  
20 account. And I don't think that that's been  
21 emphasized enough, because those who have to  
22 pay fines will now have their money go into a  
23 lending education account so the parents and  
24 students can go and get real information about  
25 their options as they finance their education

1 dream.

2 So again, I want to commend my  
3 colleagues and the Attorney General and look  
4 forward to working in a bipartisan way to pass  
5 the kinds of legislation that not only builds  
6 hope now but protects the future.

7 Thank you.

8 ACTING PRESIDENT MORAHAN:  
9 Senator Stewart-Cousins will be recorded in  
10 the affirmative.

11 Announce the results.

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT MORAHAN: The  
14 bill is passed.

15 THE SECRETARY: In relation to  
16 Calendar Number 688, Senator Oppenheimer moves  
17 to discharge, from the Committee on Rules,  
18 Assembly Bill Number 7553 and substitute it  
19 for the identical Senate Bill Number 4863,  
20 Third Reading Calendar 688.

21 ACTING PRESIDENT MORAHAN:  
22 Substitution ordered.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number  
25 688, by Member of the Assembly Latimer,

1 Assembly Print Number 7553, an act authorizing  
2 the villages of Larchmont and Mamaroneck.

3 ACTING PRESIDENT MORAHAN: There  
4 is a home-rule message at the desk.

5 Senator Oppenheimer.

6 SENATOR OPPENHEIMER: Mr.  
7 President, very briefly. I just want to thank  
8 so many people who have made this happen in  
9 the last 40 hours.

10 We had, from my village of  
11 Mamaroneck -- which, as many of you know, a  
12 third of the village has been kind of  
13 destroyed. And it would be impossible for us  
14 to finalize the adoption of a village budget  
15 by the first of May. The entire operation of  
16 my village is totally in confusion.

17 And so for all the people that  
18 helped make this happen on both sides of the  
19 aisle and in the other house, I want to thank  
20 you. Because this was a very quick operation,  
21 as you all know. And without assistance, we  
22 could not have done this.

23 So thank you. And any of you folks  
24 want to help, Habitat for Humanity is very  
25 actively working in my village and we are

1 taking groups from union workers, my husband's  
2 law firm put out a message to the 500 lawyers  
3 in the firm, and we have something like 30  
4 people coming from Proskauer to help rebuild  
5 some of our housing with Habitat for Humanity.

6 So if any of you are so motivated,  
7 please get in touch with me, because we have  
8 lots of needs.

9 Thank you very much.

10 ACTING PRESIDENT MORAHAN: You're  
11 welcome.

12 Read the last section.

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

15 ACTING PRESIDENT MORAHAN: Call  
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MORAHAN:  
19 Announce the results.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT MORAHAN: The  
22 bill is passed.

23 SENATOR SKELOS: Mr. President.

24 ACTING PRESIDENT MORAHAN:  
25 Senator Skelos.

1                   SENATOR SKELOS:     Is there any  
2 further business at the desk?

3                   ACTING PRESIDENT MORAHAN:     There  
4 is no other business at the desk.

5                   SENATOR SKELOS:     Please recognize  
6 Senator Bonacic.

7                   ACTING PRESIDENT MORAHAN:  
8 Senator Bonacic.

9                   SENATOR BONACIC:     Thank you,  
10 Mr. President.

11                   I'm going to ask, pursuant to  
12 Rule 9, Section 4B, for unanimous consent of  
13 my colleagues to talk of an event, because of  
14 some extraordinary circumstances that occurred  
15 yesterday and today in our Senate district  
16 concerning the shooting of three state  
17 troopers.

18                   ACTING PRESIDENT MORAHAN:  
19 Without objection. Continue, Senator.

20                   SENATOR BONACIC:     I remember,  
21 1990, I came to Albany in a special election.  
22 My first speech on the floor, I was very  
23 nervous, never having been before a  
24 prestigious body. And while I'm in the middle  
25 of the speech on the death penalty, an aide

1 comes up to me and gives me a note and says:  
2 "Investigator Aversa from your district was  
3 killed in a drug buy."

4 That was back in 1990. I'm  
5 saddened to stand here today and talk about  
6 shootings of state police officers yesterday  
7 and today in our Senate district.

8 You know, we get up here and  
9 there's a lot of political rhetoric. And  
10 sometimes we get calloused and we listen with  
11 a half ear, or we don't even listen at all, we  
12 don't listen to the words because they're just  
13 words.

14 But police officers are the  
15 difference between chaos and civility in the  
16 protection of your children and your loved  
17 ones and yourselves. We go every year to the  
18 Capitol Plaza, in front of the monument, and  
19 we honor all of the troopers that were killed.

20 Our sergeants-at-arms and the  
21 people that stand outside are former police  
22 officers and BCI that protect us from people  
23 that may want to come in here and do harm to  
24 us.

25 Last year Bucky Phillips, that

1 fugitive from justice who escaped from jail,  
2 shot two police officers, state troopers.  
3 Killed one of them, and we honored his widow,  
4 when she was up there, and this police  
5 officer's conduct. That was Officer  
6 Longobardo. Officer Baker is still  
7 recovering.

8           Yesterday, in the small town of  
9 Margaretville, sleepy town upstate, could be  
10 any community that you know -- vacation, had a  
11 second home, visited -- less than 7,000  
12 people -- a young man came up and shot a  
13 trooper at a stop at a local convenience  
14 store. That was Trooper Gombosi. We read  
15 about it. Had a bulletproof vest on, walked  
16 away uninjured. That's a good thing.

17           Today, that same perpetrator comes  
18 back and shoots two state troopers. They were  
19 flown this morning to Albany Med. The names  
20 are not being released. I'm told one died.  
21 His family is there now.

22           Now, I say to you we can make a  
23 difference. I understand that this  
24 perpetrator is surrounded in a building up in  
25 Delaware County. Don't know what's going to

1           happen. But I'm here to ask you to consider  
2           this. Last year we passed a death penalty for  
3           cop killers. That's what we did. The  
4           Assembly did nothing.

5                         Now, I asked the Governor, who's  
6           touring the state on campaign finance reform,  
7           come back to Albany. The safety and the  
8           protection of our communities is paramount.  
9           And the protection of law enforcement, who put  
10          their lives on the line every day, for us and  
11          our loved ones, is paramount.

12                        Come back and tell the Assembly to  
13          pass the cop-killing death legislation,  
14          because we in this chamber will be doing it  
15          again. And I know many of you have supported  
16          it, and I thank you for that. And more  
17          importantly, the law enforcement community  
18          thanks you for that.

19                        So I stand in great sorrow today  
20          when I talk to you. And my prayers go to the  
21          families of those two state troopers that were  
22          shot; one killed, the other in critical  
23          condition.

24                        Thank you, Mr. President.

25                        ACTING PRESIDENT MORAHAN:        Thank

1           you, Senator Bonacic.

2                         Senator Skelos.

3                         SENATOR SKELOS:        Mr. President,  
4           there being no further business to come before  
5           the Senate, I move we stand adjourned until  
6           April 30th, at 3:00 p.m., intervening days  
7           being legislative days.

8                         And perhaps we could rise and have  
9           a silent prayer for our state troopers, those  
10          who have been injured, those who have lost  
11          their lives.

12                        ACTING PRESIDENT MORAHAN:        There  
13          will be a moment of silence.

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

16                        ACTING PRESIDENT MORAHAN:        The  
17          Senate stands adjourned until April 30th, at  
18          3:00 p.m., intervening days being legislative  
19          days.

20                        (Whereupon, at 11:57 a.m., the  
21          Senate adjourned.)

22

23

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