NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 21, 2008

11:07 a.m.

REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

I ask all present to please rise and join me in reciting the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: Today I ask that we all bow our heads in a moment of silence as we pay tribute and remember those who served this great country, and our law enforcement community who are with us today.

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 20, the Senate met pursuant to adjournment. The Journal of Monday, May 19, was read and approved. On motion, Senate adjourned.

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

Senator Skelos.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Rules Committee in the Majority Conference Room.

ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Rules Committee in the Majority Conference Room.

The Senate stands at ease.

(Whereupon, the Senate stood at ease at 11:09 a.m.)

(Whereupon, the Senate reconvened at 11:23 a.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator Skelos.

SENATOR SKELOS: Thank you, Mr. President. If we could continue with session now.

ACTING PRESIDENT GRIFFO: Thank you, Senator Skelos.

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 Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

Amendments are offered to the following Third Reading Calendar bills.

Sponsored by Senator Winner, page number 62, Calendar Number 896, Senate Print Number 6151.

By Senator Leibell, page number 83, Calendar Number 1194, Senate Print Number 7830.

And the third one is also by Senator Leibell, page 83, Calendar Number 1195, Senate Print Number 7879.

ACTING PRESIDENT GRIFFO: Thank you, Senator Bonacic.

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

SENATOR BONACIC: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Duane.

SENATOR DUANE: Thank you, Mr. President.

I move that the following bill be discharged from its committee and be recommitted with instructions to strike the enacting clause: S7114, on behalf of Senator Sabini.

ACTING PRESIDENT GRIFFO: So ordered.

Senator Skelos.

SENATOR SKELOS: Mr. President, Resolution 6050, by Senator Little, is at the desk. If we could have the title read and move for its immediate adoption.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: By Senator Little, Legislative Resolution Number 6050, honoring Technical Sergeant Douglas J. Wildermuth upon the occasion of his designation as recipient of the George M. Searle Memorial Award at the 32nd Annual State Police Awards Day Ceremony on May 28, 2008.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Skelos.

SENATOR SKELOS: Mr. President, Resolution 6051 is at the desk, by Senator Little. If we could have the title read and move for its immediate adoption.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: By Senator Little, Legislative Resolution Number 6051, honoring the Warren-Washington Association for Mental Health, Inc., upon the occasion of its 60th anniversary, to be celebrated May 27, 2008.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Skelos.

SENATOR SKELOS: Mr. President, Resolution 6052, by Senator Larkin, is at the desk. If we could have it read in its entirety, move for its immediate adoption, and open it up for cosponsorship.

ACTING PRESIDENT GRIFFO: The Secretary shall read.

THE SECRETARY: By Senator Larkin, Legislative Resolution Number 6052, calling for the observance of the National Moment of Remembrance in the State of New York on Memorial Day.

"WHEREAS, The National Moment of Remembrance, established by the United States Congress, asks Americans to pause for one minute in an act of national unity wherever they are at 3:00 p.m. on Memorial Day, May 26, 2008, to honor those who died for our freedom;

and

"WHEREAS, This moment of remembrance does not replace other traditional Memorial Day events. Rather, it is an act of national unity in which all Americans, whether alone, with family and friends, or with a stranger, can help to reclaim Memorial Day as the sacred and noble holiday it was meant to be; and

"WHEREAS, Memorial Day is a day of remembrance for the deceased veterans of our armed services. In remembering them, we recall their brave and noble deeds, which, in the more than 200 years of the existence of the United States, have served to preserve our most prized freedoms; and

"WHEREAS, By observing a moment of silence, in shared remembrance we connect as Americans and provide all New Yorkers with the opportunity to honor the veterans of New York and all states, as well as the 1.2 million men and women who have given their lives in defense of our great nation; and

"WHEREAS, In encouraging Americans to participate in this act of national unity,

we not only demonstrate gratitude and respect for those who have served, for those who have died, and for those who continue to serve, we provide a sense of history for our citizens and help our younger generation understand the sacrifices made on their behalf, that the memory of these heroes may remain forever with us; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to call for the observation of the National Moment of Remembrance in the State of New York on Memorial Day."

ACTING PRESIDENT GRIFFO: Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

My colleagues, it's an honor to speak today in favor of this resolution. Many of us will look at Memorial Day and think, what's for sale today? What bargains can I get? What time are the stores open? And what time are the early special dinners?

But you know, we have some young men here joining us today who fought in World

War II, Korea, Vietnam, and Iraq. That is why we're asking people for the State of New York to join our fellow Americans across this great nation in a moment of silence at 3:00 p.m. on Monday the 26th.

I urge all of my fellow Senators, many of whom, like myself, are veterans -- or if you aren't a veteran, somebody within your household has served some time in combat, or just in a Cold War situation. But it's very important that we don't let a day like this pass by.

I read an article in USA Today that said that less than 28 percent of Americans understand what Memorial Day is all about. It was about the flowers that were put on graves after the Civil War.

So I think it's important that we take a few moments and reflect. You can look at these young men, from my good friend George Lowe, World War II, to these young two troopers on the right over here who are Iraq people.

This is important. But too often the sacrifices that these men and women have

made go by without anybody recognizing. It's, well, there's a parade today, but I think I can go buy those new shoes, or I've got to take the baby to get new diapers, or something else. But without the men and women that we've had who have made that sacrifice, you wouldn't have that opportunity to go and shop.

I ask you to take a moment at 3:00 p.m. on Monday and reflect on what Memorial Day really means. It's not a holiday; it's a time to remember those who have made the supreme sacrifice, and others.

Thank you very much, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Larkin.

We wish to extend our gratitude and appreciation and warm welcome to the veterans who are here today, both active and retired. Thank you for your service.

(Extended applause.)

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO:

Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

And Senator Larkin has opened up the resolution for cosponsorship. If you choose not to be a cosponsor, please indicate by notifying the desk.

Senator Skelos.

SENATOR SKELOS: If we could go to the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 889, by the Senate Committee on Rules, Senate Print 5988, an act to amend the Hudson River Park Act, in relation to authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Duane.

SENATOR DUANE: Thank you, Mr. President.

I want to make just a couple of points as I cast my vote on this legislation.

First of all, the entire debate on this issue and where the siting of a waste transfer station should occur is all in my district -- the alienation of the parkland and also where the transfer sites could potentially go.

Just very briefly, as I explained, the city has always known that the site that they would like to put the transfer station is an illegal location because it violates our state's Hudson River Park Act.

The city also knows that, because of a court-sanctioned settlement, they had to remove all sanitation facilities from the Gansevoort Peninsula and they could not even begin construction there till, at the earliest, the end of 2012. So that would delay the siting of a transfer station.

My colleagues on the West Side of

Manhattan and numerous community groups have proposed alternative sites in our backyards in my district that would in fact be able to transfer larger amounts of garbage. And yet, unfortunately, the city has refused to look at our alternative locations in good faith.

I circulated a letter to everyone, so I won't go on more about that. But I just -- if anyone had any questions about it, they could look at the study which we had commissioned by Halcrow, which actually was vetted by another engineering company, McLaren, which the city itself has used, which shows that we are right about using the tow pound at Pier 76 as a waste transfer site, a better location than Gansevoort peninsula.

I implore the Mayor and the City Council to revisit this part of their solid waste transfer plan. We have a better plan. We would get more trucks off the streets of neighborhoods that have been the most severely and negatively impacted by the city's garbage policies in the past. It's a better plan. It's better for the City of New York.

And I encourage my colleagues to

vote no, and I implore the Mayor and the City Council to take a real look at our alternative, because it will help to get more garbage and trucks off the streets of the most negatively impacted neighborhoods.

I vote no, Mr. President, and I urge my colleagues also to vote in the negative.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Duane to be recorded in the negative.

Senator Diaz, to explain his vote.

SENATOR DIAZ: Thank you, Mr. President.

This is one of those occasions where I can stand up here and be proud of voting yes, voting yes because we in the minority community, the black and Hispanic community, has always been the dumping ground for all -- for everybody else's garbage.

We in the Bronx, Brooklyn, Queens, we have taken Manhattan garbage for years and years and years. So we have been taking the garbage from everyone. Some time ago they were supposed to build 11 miniplants. They

studied 60 places in the state to build 11 miniplants. So they studied 60 places. Out of the 11 plants, they chose seven places in the black and Hispanic community. Out of the 11 miniplants, seven were built were built in black and Hispanic areas, four of them in the Bronx.

Manhattan has no one, Manhattan has no transfer station plant, nothing at all. This is the first time that Manhattan is going to get -- will take care of their own garbage and stop trucks coming to the Bronx, coming from Manhattan. They're saying that 13,600 less trucks will be going to the Bronx and to other areas with this plan.

So Mayor Bloomberg is doing a good thing by calling for this. Even Christine Quinn, the City Council president that this plant would be built in her own district, is supporting this.

So, ladies and gentlemen, stop the discrimination against the black and Hispanic community. It's about time that we protect our black and Hispanic community and minority areas and that Manhattan, for the first time

ever, takes care of their own garbage and don't dump it on us in the Bronx and Brooklyn and Staten Island and Queens.

So I am proudly, proudly voting yes on this one. Thank you.

ACTING PRESIDENT GRIFFO: Senator Diaz to be recorded in the affirmative.

Senator Perkins, to explain his vote.

SENATOR PERKINS: Thank you, Mr. President. I'm going to be brief.

First I want to make it clear that there is in Manhattan a waste treatment plant in northern Manhattan, in the district that I share with State Senator Eric Schneiderman.

However, the point that my colleague has been making is a very, very important point, in that communities of color have been discriminated against over the years with regard to whose garbage is being dumped in whose community. And invariably, communities of color have been the victims of the garbage dumping.

Unfortunately, to delay is to dump and to potentially dump this garbage in places

that we are trying to prevent them from being dumped, and that is, again, communities of color.

In a rare instance, all the environmental justice groups throughout the city, throughout the state, practically, are united around one fact, that this is the best solution. Unfortunately, it happens to be in one of my colleague's districts. But there is universal agreement that this is the best solution.

This, by the way, happens to be the second part of a two-stage situation which began when I was in the City Council and another treatment plant was sited, I'm sorry to say, on the East Side, in an area represented by another colleague of mine.

But again, this was absolutely necessary in order to avoid perpetuating the racist dumping in communities of color.

So I'm here to support -- I want to, for the record, vote aye on this and encourage my colleagues to do the same. And hopefully, after we get past this, we can begin to come up with better solutions such

that none of our communities have to be victimized. But surely we have to break the historic pattern that has allowed communities like the ones that I represent to be the dumping grounds.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Perkins to be recorded in the affirmative.

Senator Krueger, to explain her vote.

SENATOR LIZ KRUEGER: Thank you, Mr. President.

I rise in follow-up to Senator Duane, and my esteemed colleagues Senator Diaz and Senator Perkins, to clarify as I vote no on this bill that in fact the issues they raise about dumping on communities of color are real issues. The unequal distribution of pollution in communities of color is a very real issue.

But I would highlight from Senator Duane's presentation and my own familiarity with the issue, he's not asking for a marine transfer station not to be put in his district. He's saying there's an alternative

site in his own district, I believe it's only 10 blocks away, that has been supported by the community as an alternative site and in fact has been shown that could be done more quickly than the Mayor's proposal.

So I would argue here today that if the City of New York had spent the last two years just doing the evaluation on the alternative site that the community and the elected officials have called for -- again, within their own district -- that we wouldn't even need to stand here and debate this. We would have an alternative site within Senator Duane's district in Manhattan -- not also in a community of color -- that would be up and running sooner than the Mayor's proposal. So I don't want us to get confused on what the actual discussion is.

I vote no on this bill, and I wish that the City of New York would simply do what we've been asking them: Take a look at the alternative site 10 blocks away.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Liz Krueger to be recorded in the negative.

Announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 889 are Senators Aubertine, Breslin, Connor, Duane, Huntley, C. Johnson, Klein, L. Krueger, Oppenheimer, Parker, Sampson, Schneiderman, Stavisky, Thompson and Valesky.

Ayes, 42. Nays, 15.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1090, by Senator Morahan, Senate Print 4438A, an act to amend the Mental Hygiene Law, in relation to establishing.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1215, by Senator Winner, Senate Print 3231A, an act to amend the General Municipal Law, in relation to municipal annexation.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1216, by Senator Winner, Senate Print 3232, an act to amend the General Municipal Law, in relation to authorizing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1218, by Senator Young, Senate Print 3846, an act relating to the filing of documentation for the implementation or expansion of a coordinated assessment program.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1221, by Senator Little, Senate Print 7539, an act to amend the Real Property Tax Law and others, in relation to making technical and clarifying amendments.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1223, by Senator DeFrancisco, Senate Print --

SENATOR LEIBELL: Lay it aside for the day, please.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

THE SECRETARY: Calendar Number 1228, by Senator Farley, Senate Print 5288B, an act to authorize the Town of Caroga, County of Fulton.

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1231, by Senator Rath, Senate Print 7558A, an act to amend the Parks, Recreation and Historic Preservation Law, in relation to developing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1233, by Senator Young, Senate Print 440, an act to amend the Education Law, in relation to required disclosure.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th today.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 1233 are Senators Duane and Huntley.

Ayes, 55. Nays, 2.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1235, by Senator Morahan, Senate Print 2440, an act to amend the Education Law, in relation to tuition-free courses.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January next succeeding.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The

bill is passed.

THE SECRETARY: Calendar Number 1237, by Senator Trunzo, Senate Print 3048, an act to amend the Education Law, in relation to scholarships for academic excellence.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1239, by Senator LaValle, Senate Print 3673, an act to amend the Education Law, in relation to volunteer recruitment.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1240, by Senator LaValle, Senate Print 3905, an act to amend the Education Law, in relation to meetings of councils.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Leibell, that completes the noncontroversial reading of the calendar.

SENATOR LEIBELL: Mr. President, if we can return to reports of standing committees, please, and read the report of the Rules Committee.

ACTING PRESIDENT GRIFFO: Reports

of standing committees.

The Secretary will read.

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

Senate Print 8166, by Senator LaValle, an act to amend the Highway Law;

And Senate Print 8260, by Senator DeFrancisco, an act to amend Chapter 62 of the Laws of 2003, amending the Public Service Law.

Both bills ordered direct to third reading.

ACTING PRESIDENT GRIFFO: Senator Leibell.

SENATOR LEIBELL: Move to accept the report of the Rules Committee.

ACTING PRESIDENT GRIFFO: All in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The report is accepted.

Senator Leibell.

SENATOR LEIBELL: Would you please take up, Mr. President, Calendar Number 1483, Senate Print 8166.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 1483, Senator LaValle moves to discharge, from the Committee on Transportation, Assembly Bill Number 10856 and substitute it for the identical Senate Bill Number 8166, Third Reading Calendar 1483.

ACTING PRESIDENT GRIFFO: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1483, by Member of the Assembly Thiele, Assembly Print Number 10856, an act to amend the Highway Law, in relation to designating a certain portion of the state highway system.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call

the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator LaValle, to explain his vote.

SENATOR LaVALLE: Yes, thank you, Mr. President.

This piece of legislation names a portion of Route 114 in Sag Harbor after Jordan Haerter, Lance Corporal Jordan Haerter. A number of weeks ago this young man -- 19 years old -- from Sag Harbor was killed in Iraq.

And I would tell you that the residents of the village of Sag Harbor memorialized this young man's life in a way that we as Americans and New York State residents would be so proud. The outpouring of humanity and love for the family and for this young man was really quite wonderful.

And it is a shame that a young man in the prime of his life, at age 19, had his life taken. But he was a hero, because a truck with -- a suicide-bomb truck came into the checkpoint, and he diverted that truck in such a way that protected many, many other

lives.

And so we have a true hero in our community in my district, from the village of Sag Harbor, Lance Corporal Jordan Haerter. And a portion of Route 114, a bridge, will be named in his honor.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Senator LaValle to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 0.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Leibell, that completes the noncontroversial reading of the calendar.

SENATOR LEIBELL: One second, please.

ACTING PRESIDENT GRIFFO: Senator Hassell-Thompson, why do you rise?

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

Had I been in the chamber, I would have voted no on Calendar Number 889, Bill

Number S5988.

ACTING PRESIDENT GRIFFO: The record shall so reflect.

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

ACTING PRESIDENT GRIFFO: Thank you.

Senator Leibell.

SENATOR LEIBELL: Mr. President, would you please go back to motions and resolutions and bring up Resolution 6053 and read the title, please.

ACTING PRESIDENT GRIFFO: Motions and resolutions.

The Secretary will read.

THE SECRETARY: By Senator Bruno, Concurrent Resolution Number 6053, accomplishing a plan setting forth an itemized list of grantees for certain appropriations for the 2008-2009 state fiscal year, as required by subdivision 5 of Section 24 of the State Finance Law.

ACTING PRESIDENT GRIFFO: On the concurrent resolution, the Secretary will call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The concurrent resolution is adopted.

Senator Robach.

SENATOR ROBACH: Yes, Mr. President. On page 61 I offer the following amendments to Calendar Number 888, Senate Print Number 7659, and ask that the said bill retain its place on Third Reading Calendar, on behalf of yourself, Senator Griffo.

ACTING PRESIDENT GRIFFO: Thank you, Senator Robach.

The amendments are received and adopted, and the bill shall retain its place on the Third Reading Calendar.

Senator Leibell.

SENATOR LEIBELL: Mr. President, is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is no further business.

SENATOR LEIBELL: Then, Mr. President, I move we adjourn until Tuesday, May 27th, at 3:00 p.m., intervening

days to be legislative days.

ACTING PRESIDENT GRIFFO: On motion, the Senate stands adjourned until Tuesday, May 27th, at 3:00 p.m. intervening days being legislative days.

(Whereupon, at 11:45 a.m., the Senate adjourned.)