

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 6, 2009

11 3:22 p.m.

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13
14 REGULAR SESSION

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18 SENATOR NEIL D. BRESLIN, Acting President

19 ANGELO J. APONTE, Secretary

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

2 ACTING PRESIDENT BRESLIN: The
3 Senate will come to order.

4 I ask all to rise and recite the
5 Pledge of Allegiance.

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

8 ACTING PRESIDENT BRESLIN: The
9 invocation today will be delivered by Rabbi
10 Israel Rubin, outreach director of the Capital
11 Chabad, Albany.

12 RABBI RUBIN: This Wednesday
13 marks a most auspicious day on the Jewish
14 calendar, being the eve of Passover, a major
15 family festival that marks freedom from
16 bondage.

17 This year it also marks Birkat
18 Hachama, the rare once-in-28-years Blessing of
19 the Sun. At this time we take special note of
20 the planetary positioning of the recognition
21 of the divine performance of creation, that
22 great ball of fire in the sky that warms,
23 lights, and energizes all of life.

24 It also marks, yesterday, the

1 birthday of the Lubavitcher Rebbe, whose
2 position in Jewish history was like a sunrise
3 after the Holocaust.

4 Almighty God, may we never take
5 Your blessings for granted. Let us always
6 remember to express and appreciate with
7 thankfulness.

8 Looking at the sun, we increase our
9 solar awareness. May we learn to utilize and
10 tap its vast potential to improve our
11 consumption of energy freedom and independence
12 as well as global climate and well-being.

13 Amen.

14 ACTING PRESIDENT BRESLIN: Thank
15 you, Rabbi.

16 The reading of the Journal.

17 The Secretary will read.

18 THE SECRETARY: In Senate,
19 Friday, April 3, the Senate met pursuant to
20 adjournment. The Journal of Thursday,
21 April 2, was read and approved. On motion,
22 Senate adjourned.

23 ACTING PRESIDENT BRESLIN:

24 Without objection, the Journal stands approved

1 as read.

2 Presentation of petitions.

3 Messages from the Assembly.

4 Messages from the Governor.

5 Reports of standing committees.

6 Reports of select committees.

7 Communications and reports from
8 state officers.

9 Motions and resolutions.

10 Senator Klein.

11 SENATOR KLEIN: Mr. President,
12 Majority Leader Smith has a privileged
13 resolution at the desk. I ask that the title
14 of this resolution be read and move for its
15 immediate adoption.

16 ACTING PRESIDENT BRESLIN: The
17 Secretary will read.

18 THE SECRETARY: By Senator Smith,
19 Legislative Resolution commemorating the
20 Anniversary Celebration of the Birthday of the
21 revered Lubavitcher Rebbe, Rabbi Menachem M.
22 Schneerson, upon the occasion of a Memorial
23 Reception to be held in the New York State
24 Capitol on April 6, 2009.

1 ACTING PRESIDENT BRESLIN: The
2 question is on the resolution. All those in
3 favor please signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT BRESLIN:
6 Opposed, nay.

7 (No response.)

8 ACTING PRESIDENT BRESLIN: The
9 resolution is adopted.

10 At the request of the sponsor, the
11 resolution is open for multisponsorship by the
12 entire house. Any member wishing not to be a
13 multisponsor of the resolution shall so inform
14 the desk.

15 Senator Klein.

16 SENATOR KLEIN: Mr. President,
17 can we at this time take up the reading of
18 Senate Calendar Number 33.

19 ACTING PRESIDENT BRESLIN: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 128, by Senator Espada, Senate Print 3459, an
23 act to amend the Private Housing Finance Law,
24 in relation to facilitating.

1 ACTING PRESIDENT BRESLIN: Read
2 the last section.

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

5 ACTING PRESIDENT BRESLIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BRESLIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT BRESLIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 140, by Senator Huntley, Senate Print 3483, an
15 act to amend the Mental Hygiene Law, in
16 relation to changing.

17 ACTING PRESIDENT BRESLIN: Read
18 the last section.

19 THE SECRETARY: Section 50. This
20 act shall take effect immediately.

21 ACTING PRESIDENT BRESLIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BRESLIN:

1 Announce the results.

2 THE SECRETARY: Ayes, 57.

3 ACTING PRESIDENT BRESLIN: The
4 bill is passed.

5 Senator Klein.

6 SENATOR KLEIN: Mr. President, is
7 there any further business at the desk?

8 ACTING PRESIDENT BRESLIN: No,
9 Senator Klein, the desk is clear.

10 SENATOR KLEIN: Senator Smith
11 hands up the following committee assignment to
12 fill a vacancy on the Local Government
13 Committee: Add Senator Suzi Oppenheimer.

14 ACTING PRESIDENT BRESLIN: To be
15 filed in the Journal.

16 Senator Klein.

17 SENATOR KLEIN: Mr. President, at
18 this time I move we adjourn until Tuesday,
19 April 7th, at 10:00 a.m.

20 ACTING PRESIDENT BRESLIN: There
21 being no further business to come before the
22 Senate, on motion, the Senate stands adjourned
23 until Tuesday, April 7th, at 10:00 a.m.

24 (Whereupon, at 3:28 p.m., the Senate adjourned.)