NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:13 p.m.

REGULAR SESSION

SENATOR NEIL D. BRESLIN, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT BRESLIN: The Senate will come to order.

I ask everyone to rise and recite the Pledge of Allegiance.

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

ACTING PRESIDENT BRESLIN: The invocation today will be given by the Reverend Peter Young, of Mother Theresa Community in Albany.

REVEREND YOUNG: During these times of economic stress, we can remember instances when we needed a little mercy. Maybe we needed an extension on a project. Maybe we needed, maybe, a loan. Or, as often the case, we needed forgiveness from someone whom we had hurt.

Remember the sigh of relief when mercy was granted and the grief and the disappointment when mercy was denied.

O, merciful God, You have given all these Senators what we need and constantly now will guide us. Now grant that we will be

known for people as Senators generous in mercy toward all of our New York citizens. May we be known as Senators of mercy and of forgiveness, now and forever.

Amen.

ACTING PRESIDENT BRESLIN: Thank you, Father.

The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Friday, April 17, the Senate met pursuant to adjournment. The Journal of Thursday, April 16, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT BRESLIN: 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 Klein.

SENATOR KLEIN: Mr. President, I believe Senator Stachowski has a resolution at the desk. I ask that the title of the resolution be read and move for its immediate adoption and allow Senator Stachowski to speak on his resolution.

ACTING PRESIDENT BRESLIN: The Secretary will read.

THE SECRETARY: By Senator Stachowski, Legislative Resolution Number 1110, memorializing Governor David A. Paterson to proclaim April 20, 2009, as Polish American Congress Day in the State of New York.

ACTING PRESIDENT BRESLIN: Senator Stachowski.

SENATOR STACHOWSKI: Mr. President, I'd just like to point out that we asked today to be Polish American Congress Day. There's members of the Polish American Congress in Albany today from different parts of the state.

They're an important group that was

formed in 1944 to help point out the plight of the Polish people back home in Poland, to them, and to point out as they came out of the Nazi oppression and then, as part of the Yalta Agreement, fell under the control of the Communist Russian administration.

But all through that time, they kept support flowing to the people in Poland and help for the people in Poland and help for the people that lived here that came from Poland, and celebrated when the Communist regime finally ended with the Solidarity Movement.

And still today they have a constant Polish pride and pushing of Polish traditions. And they do a marvelous job working with Polish-American people and Polish immigrants not only throughout New York State but throughout the United States.

And we just thought it was a great day to mention it and to have the Governor recognize the Polish American Congress for all the fine work that they do.

ACTING PRESIDENT BRESLIN: Thank

you, Senator Stachowski.

Can we have some order, please.

Senator Maziarz.

SENATOR MAZIARZ: Thank you very much, Mr. President.

I want to rise and join in support of this resolution.

I met with the representatives from Western New York this morning from the Polish American Congress, the Western New York division, just to congratulate them on the great work that they do in Western New York and throughout New York State on keeping alive the traditions of those hardworking Polish immigrants who came to this country.

I particularly want to point out the Monsignor Peter Adamski Polish School of Buffalo that teaches Polish culture, Polish language, Polish traditions on an annual basis. They've been doing it for a long time with funding from the Polish American Congress, and they do an excellent job.

I don't think that -- the Western New York folks are not in the room now. But

if they were, Mr. President, I would join all of us in saying to them "Dziekuje."

Thank you, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Maziarz.

Are there any other Senators wishing to be heard on the resolution?

The question is on the resolution. All those in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT BRESLIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BRESLIN: The resolution is adopted.

At the request of the sponsor, the resolution is open for multisponsorship by the entire house. Any member not wishing to be a multisponsor please notify the desk.

Senator Klein.

SENATOR KLEIN: Mr. President, I believe Senator Griffo has a resolution at the desk. I ask that the resolution title be read and move for its immediate adoption and allow

Senator Griffo to speak on his resolution.

ACTING PRESIDENT BRESLIN: The Secretary will read.

THE SECRETARY: By Senator Griffo, Legislative Resolution Number 1431, congratulating the New Hartford High School Boys Hockey Team and Coach John Cunningham upon the occasion of capturing the 2009 New York State Division II Championship.

ACTING PRESIDENT BRESLIN: Senator Griffo.

SENATOR GRIFFO: Thank you, Mr. President.

I want to extend a warm welcome to all the individuals from New Hartford High School, the New Hartford Spartan high school team that is here today.

They're joined by the superintendent of schools of New Hartford, Mr. Bob Nole, who is here, as well as the athletic director, Pete Alvanos, and the coaching staff -- Head Coach John Cunningham and his assistants, Jerry Malloy and Carson Cunningham.

But I think this is a remarkable story. These young men truly exemplify not only exceptional athletes, but they are great role models to look to from all segments of our community. Because what they accomplished through the course of this year was truly remarkable. They were 28 and 2 over the season; it's a single high for wins in the school's history. They are the New York State Division II ice hockey champions as well as the Section III champions.

But I think, again, what is the most impressive aspect is that these young men came together this season, they set goals, they continued to work together, to work hard to achieve those goals and to ultimately be successful.

And I think that is the great thing today. Not only we do we respect the athletic prowess that all of them have; many of them are going on to pursue higher education, those seniors, and some also professional careers, potentially, in hockey.

But I think today, as I said, what

I really take great pride in is that these young men who come from our area have represented the community of New Hartford and the Greater Oneida County area so well as they went out, not only in sportsmanship and how hard and competitive they were and how they played the game, but how they conducted themselves too.

So to all of the young men who have come here today, this is truly deserving recognition. Not only do we applaud this outstanding season record and your coaches for what you have been able to do -- Coach Cunningham over 19 years has proven not only continuity, but also that he has been creative in not accepting things for what they are but to continue to strive for future success.

So hopefully the lessons that you have learned here that you will take with you now in your future careers, as you pursue them: All things are possible. And we are proud of you, not only what you did athletically, but how you conducted yourselves as residents and citizens of the State of

New York. Congratulations to each and every one of you.

And you may want to join me in applause.

(Applause.)

SENATOR GRIFFO: Stand up. The New Hartford High School Boys Hockey Team.

(Applause.)

SENATOR GRIFFO: Thank you, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Griffo.

Are there any Senators wishing to be heard on the resolution?

The question is on the resolution. All those in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT BRESLIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BRESLIN: The resolution is adopted.

Again, congratulations to the New Hartford High School Boys Hockey Team and

their Coach John Cunningham. Thank you very much.

Senator Klein.

SENATOR KLEIN: Mr. President, I have a couple of motions.

On page number 13, I offer the following amendment to Calendar Number 139, Senate Print 2967, and ask that the said bill retain its place on the Third Reading Calendar, on behalf of Senator Liz Krueger.

ACTING PRESIDENT BRESLIN: So ordered.

SENATOR KLEIN: Also, the second, a Senator's motion to recommit, striking the enacting clause. I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Bill 1973, on behalf of Senator Stachowski.

ACTING PRESIDENT BRESLIN: So ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time can we move to a reading of Senate

Calendar Number 35.

ACTING PRESIDENT BRESLIN: The Secretary will read.

THE SECRETARY: Calendar Number 14, by Senator Aubertine --

SENATOR LIBOUS: Lay it aside, please.

ACTING PRESIDENT BRESLIN: The bill is laid aside.

THE SECRETARY: Calendar Number 48, by Senator Stavisky, Senate Print 1538B, an act to amend the Executive Law, in relation to providing information.

ACTING PRESIDENT BRESLIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT BRESLIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BRESLIN: The bill is passed.

THE SECRETARY: Calendar Number

58, by Senator C. Kruger, Senate Print 458, an act to amend the Agriculture and Markets Law, in relation to the enforcement.

ACTING PRESIDENT BRESLIN: Read the last section.

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

ACTING PRESIDENT BRESLIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BRESLIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BRESLIN: The bill is passed.

THE SECRETARY: Calendar Number 63, by Senator Stachowski, Senate Print 1279, an act to amend the Local Finance Law, in relation to the sale.

ACTING PRESIDENT BRESLIN: 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 BRESLIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BRESLIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BRESLIN: The bill is passed.

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

SENATOR KLEIN: Mr. President, at this time can we please move to a reading of the controversial calendar.

ACTING PRESIDENT BRESLIN: If the Secretary would please ring the bell.

Members are asked to come to their seats for the reading of the controversial calendar.

The Secretary will read.

THE SECRETARY: Calendar Number 14, by Senator Aubertine, Senate Print 1676A, an act to amend the New York State Urban Development Corporation Act.

SENATOR YOUNG: Explanation.

ACTING PRESIDENT BRESLIN:

Senator Aubertine, Senator Young has requested an explanation.

SENATOR AUBERTINE: Thank you, Mr. President.

What this bill would do, it would create the regionally based urban and regional farmers' market facilities. It would allow essentially municipalities, not-for-profits to apply for grants to the UDC -- construction grants, low-interest loans and so forth -- to develop these markets.

ACTING PRESIDENT BRESLIN:

Senator Young.

SENATOR YOUNG: Will the sponsor yield for a few questions?

SENATOR AUBERTINE: Absolutely.

ACTING PRESIDENT BRESLIN:

Senator Aubertine, would you yield for questions by Senator Young?

SENATOR AUBERTINE: Absolutely.

SENATOR YOUNG: Through you, Mr. President. How much money are we talking about? Because usually with these types of

bills there's a fiscal note and there's a quantification of how much money we're considering here. I don't see any.

SENATOR AUBERTINE: This essentially -- Senator, this essentially creates the program. It will be funded on a needs basis.

But to give you a flavor for what the grants would be, grants and low-interest loans, they are limited to $50,000, with a match of 80 percent for the total project cost in a distressed area and a maximum of 60 percent of the cost of the total project in a non-distressed area.

SENATOR YOUNG: Could you point out in the bill where that's outlined?

ACTING PRESIDENT BRESLIN: Senator Young, are you asking Senator Aubertine to continue to yield?

SENATOR YOUNG: Yes, Mr. President. Will the sponsor yield?

ACTING PRESIDENT BRESLIN: Senator Aubertine, do you continue to yield?

SENATOR AUBERTINE: I do.

I believe that's on page 3, line 53.

SENATOR YOUNG: Page 2 or page 3?

SENATOR AUBERTINE: I'm sorry, page 3.

SENATOR YOUNG: Okay. Thank you.

Now, again, so this is through the UDC. But is there a specific account within the UDC that this is coming from?

ACTING PRESIDENT BRESLIN: Senator Aubertine, do you continue to yield?

SENATOR AUBERTINE: Yes, I do continue to yield.

And yes, the Ag Economic Development Fund would be obligated to fund this out of that account.

SENATOR YOUNG: Okay. So this is what was previously -- through you, Mr. President, will you continue to yield?

SENATOR AUBERTINE: Yes.

ACTING PRESIDENT BRESLIN: Senator Aubertine continues to yield.

SENATOR YOUNG: So this is the $40 million fund that was an initiative of the

Senate Republicans a couple of years ago that was entitled the Upstate Agriculture Economic Development Fund. Now you are redirecting those monies into urban projects?

ACTING PRESIDENT BRESLIN: Senator Aubertine.

SENATOR AUBERTINE: Yes, we could use that or other appropriations as well.

SENATOR YOUNG: Okay. But you're taking the upstate money --

ACTING PRESIDENT BRESLIN: Senator Young, please, through the chair.

SENATOR YOUNG: I'm just trying to clarify, Mr. President.

ACTING PRESIDENT BRESLIN: Through the chair.

SENATOR YOUNG: Through you, Mr. President. So what basically you're doing is taking money from the Upstate Agriculture Economic Development Fund and redirecting it to urban projects?

SENATOR AUBERTINE: No, not necessarily, Mr. President. What this bill essentially does, Senator, is it creates the

fund.

SENATOR YOUNG: But the name -- through you, Mr. President.

ACTING PRESIDENT BRESLIN: Would you continue to yield, Senator Aubertine?

SENATOR AUBERTINE: Yes.

SENATOR YOUNG: But the name that you're now giving it is the urban and regional farmers' market facilities. So basically what you're doing is taking it from the Upstate Agriculture Economic Development Fund and redirecting it, is that the case?

SENATOR AUBERTINE: No. I think one of the reasons we were -- had to change the name is we struck the language that had the phrase "green markets," because that was a service mark for the Council on the Environment of New York City. And we renamed the regional-based urban and regional farm market facilities.

SENATOR YOUNG: Thank you.

So through you, Mr. President, if the sponsor would yield.

ACTING PRESIDENT BRESLIN: Do you

continue to yield, Senator Aubertine?

SENATOR AUBERTINE: Yes.

SENATOR YOUNG: I'm just trying to clarify. Because is this the $40 million fund?

SENATOR AUBERTINE: No. This creates the program that would allow us to fund that. But it's not limited to that, Senator. Farmers themselves could choose to fund that if they wished. This creates the program.

SENATOR YOUNG: Through you, Mr. President.

ACTING PRESIDENT BRESLIN: Senator Aubertine, will you continue to yield?

SENATOR AUBERTINE: Yes.

ACTING PRESIDENT BRESLIN: You may proceed, Senator Young.

SENATOR YOUNG: Again, so this is through the UDC. But there's not money appropriated for this particular project, it's my understanding, based on this legislation.

SENATOR AUBERTINE: Yes. In other words, Senator, this bill has not

changed, other than the name. It's the same bill that you voted on and supported in committee.

SENATOR YOUNG: Okay. So I was wondering which -- through you, Mr. President.

ACTING PRESIDENT BRESLIN: Do you continue to yield, Senator Aubertine?

SENATOR AUBERTINE: Yes.

SENATOR YOUNG: I was wondering which projects you have in mind, which urban farmers' market facilities you have in mind through this legislation. Obviously you have something that you thought of ahead of time in order to want to have this bill passed.

SENATOR AUBERTINE: This bill -- through you, Mr. President, this bill could include any market in New York State. It could be in my backyard in Watertown or in Ogdensburg or in Fulton or Oswego or, Senator, in your backyard.

SENATOR YOUNG: Okay. Would this money -- through you, Mr. President, would he continue to yield?

ACTING PRESIDENT BRESLIN: Would

you continue to yield, Senator Aubertine?

SENATOR AUBERTINE: Yes, Mr. President.

SENATOR YOUNG: Would this money, of this $40 million, would this be used for the Hunts Point facility in the Bronx?

SENATOR AUBERTINE: Senator, this bill doesn't address the $40 million. This simply creates the program.

SENATOR YOUNG: Through you, Mr. President.

ACTING PRESIDENT BRESLIN: Will you continue to yield, Senator Aubertine?

SENATOR AUBERTINE: Yes.

SENATOR YOUNG: Let me rephrase my question so that you answer it. Would this program benefit the Hunts Point facility in the Bronx?

SENATOR AUBERTINE: Senator, yes, it could, to the extent that the Hunts Point market or any market in New York State could access, as we talked about earlier, the $50,000.

SENATOR YOUNG: Thank you. So

with that being said -- through you, Mr. President.

ACTING PRESIDENT BRESLIN: Are you asking if the Senator will continue to yield, Senator Young?

SENATOR YOUNG: If you're looking to --

ACTING PRESIDENT BRESLIN: Senator Young.

SENATOR YOUNG: He said yes, he would yield, right?

ACTING PRESIDENT BRESLIN: Are you asking Senator Aubertine to continue to --

SENATOR YOUNG: I did once, but I'll ask again. Will the sponsor continue to yield?

ACTING PRESIDENT BRESLIN: I can't -- Senator Young, would you direct your questions through the chair, please.

SENATOR YOUNG: Mr. President, through you. If this money is to go towards the Hunts Point facility in the Bronx, how much was the sponsor thinking should go toward that project?

ACTING PRESIDENT BRESLIN: Senator Aubertine.

SENATOR AUBERTINE: Thank you, Mr. President.

As we said earlier, the Hunts Point market could access, through this program, up to $50,000.

SENATOR YOUNG: Okay, thank you.

On the bill.

ACTING PRESIDENT BRESLIN: Senator Young, on the bill.

SENATOR YOUNG: I have some concerns -- I'm going to support this bill, but I have some concerns because it really isn't outlined sufficiently as to where this funding would actually come from. And so for that reason, I wanted to ask a few questions.

I certainly hope that this isn't money that is supposed to be through the Agriculture Upstate Economic Development Fund that's being redirected out of upstate. And for that reason, again, I think that we should continue to ask questions about this legislation. And I will be following it very

closely as this fund is established.

Thank you.

ACTING PRESIDENT BRESLIN: Thank you, Senator Young.

Senator Robach.

SENATOR ROBACH: Yes, would Senator Aubertine just yield for a question? Now I'm actually a little bit confused.

ACTING PRESIDENT BRESLIN: Senator Robach --

SENATOR ROBACH: Through you, Mr. President, would Senator Aubertine yield for a question?

ACTING PRESIDENT BRESLIN: Senator Aubertine, will you yield to a question from Senator Robach?

SENATOR AUBERTINE: Yes.

ACTING PRESIDENT BRESLIN: You may proceed, Senator Robach.

SENATOR ROBACH: Is this money for existing -- like in Rochester, for example, let me just ask hypothetically, we have a regional market, we have a public market.

So if I understand this correctly, is this to create new -- or would existing programs, if they wanted to improve or expand, be able to tap into this funding?

SENATOR AUBERTINE: This would be for improvements in economically distressed areas, as the bill clearly outlines.

And for anywhere in the state, for farmers to sell their products, for example, at the -- as they do, in the Rochester market.

SENATOR ROBACH: So what would -- just for my information -- through you, Mr. President -- what would constitute a distressed area?

SENATOR AUBERTINE: Again, it's -- I can give you the definition here.

Senator, I'm told that it's part of a formula that dates back to 1968. It's something that's evidently routinely used to determine what a distressed area is.

SENATOR ROBACH: So I just wanted to make sure -- I'm planning on supporting this --

ACTING PRESIDENT BRESLIN:

Senator Robach --

SENATOR ROBACH: Through you, Mr. President.

ACTING PRESIDENT BRESLIN: Would you continue to yield to Senator Robach, Senator Aubertine?

SENATOR AUBERTINE: Yes.

SENATOR ROBACH: I don't know if -- would Rochester be eligible under this 1968 current formula?

SENATOR AUBERTINE: Again, through you, Mr. President, I don't have the formula right in front of me. But it would be a determination made by the UDC.

SENATOR ROBACH: Yeah. Okay, thank you, you've answered my questions.

On the bill, Mr. President Breslin.

ACTING PRESIDENT BRESLIN: Senator Robach, on the bill.

SENATOR ROBACH: I'm going to vote for this, though I do think this could have been, again, done a little bit more substantially so we know exactly where we're at.

I'm going to take your word for it, but I don't know if Rochester wouldn't be considered a distressed city, unfortunately, with some of the demographics of children living in poverty, a concentration of violence. I don't know what would. And I'm not an expert on this bill, and I'm not on the Agriculture Committee. But I legitimately would like to have a little bit more certainty. And I certainly hope those places will be in there.

And I also hope, even though I can't find it exactly in this bill, that places that have already started an initiative on their own will also be eligible to tap into that money, not just those creating new or first-time programs.

Because I think there's two parts to this. We want to help the farmer, but certainly I know in my city people also want access to organic and fresh-grown things too. And I hope that will be both pieces of it.

But I will vote in the affirmative.

Thank you, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Robach.

Senator Liz Krueger.

SENATOR LIZ KRUEGER: Thank you, Mr. President. On the bill.

ACTING PRESIDENT BRESLIN: Senator Krueger, on the bill.

SENATOR LIZ KRUEGER: Thank you.

So I come from New York City, so why would I be standing and speaking about a bill that my colleague Senator Aubertine from upstate New York brought us?

Well, I will tell you that I have six farmers' markets in my own district. And I have demand for more farmers' markets. And we have the fantastic Union Square Market that overlaps Tom Duane's and my district.

And I go to farmers' markets regularly, where I get to meet upstate farmers and talk to them about their need to figure out how to do more distribution of their products in the City of New York.

And I talk to organizations who work on food and nutrition issues, because

that's a background issue in my life, and they talk about wanting to move a greater amount of local produce and New York State products to consumers in New York City.

And I speak to people who have worked in Hunts Point and people who work in farmers' markets throughout the city and even a new fruit-and-vegetable-cart model we have to bring New York State produce into the inner city. And I will tell you that people have endless good ideas that are extremely cost-efficient about how they can help upstate agriculture by bringing their products directly to consumers and to markets and through wholesale and retail systems throughout the state.

And so I'm delighted to support Senator Aubertine's bill. And as I read it, I see that there is a broad arena of possible uses for the money and that there is going to be a formal process for applying, and that there will be grants and even revolving loan funds to come up with support for creative ways to better assure that upstate farmers and

Long Island farmers can in fact bring their products to urban centers, which will be a win for all of upstate and Long Island agriculture and will be a win for urban New York State wherever you live.

And I think it is a terrific model, and I hope that it takes off and that you will come back at some point to the Legislature and say this has been so successful we need to do the next five things beyond what this bill was going to allow us to do.

So I'm very glad to support this bill, Mr. President. Thank you very much. I vote aye.

ACTING PRESIDENT BRESLIN: Thank you, Senator Krueger.

Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

Just briefly, I too want to lend some praise to Senator Aubertine for this very important bill.

As someone who represents part of Bronx County but not the Hunts Point Market,

whenever I go on a tour there, unfortunately the largest food market in the country -- maybe even in the world -- doesn't have very much New York State produce. Even though of course, as you know, we're an agricultural capital.

So anything that will encourage the connection between upstate and downstate as far as the produce we eat downstate makes an awful lot of sense.

One of the things that always bothers me is when you go into a supermarket downstate, you can't always get New York produce. It's usually from Jersey or Pennsylvania.

So Senator Aubertine's bill will encourage that all of us in New York State eat the fine New York produce that's grown right here.

So again, I vote yes on this bill.

ACTING PRESIDENT BRESLIN: Thank you, Senator Klein.

Senator Diaz.

SENATOR DIAZ: Thank you,

Mr. President.

Mr. President, would Senator Aubertine take a question or two from me, please?

ACTING PRESIDENT BRESLIN: Senator Aubertine, would you yield to a question from Senator Diaz?

SENATOR AUBERTINE: Yes.

SENATOR DIAZ: Senator Aubertine, I'm reading, I am reading in some of your remarks saying it is desirable to bring the products of farmers and craft businesses into the city to allow them to sell directly to the customers.

Would you explain that to me, please?

ACTING PRESIDENT BRESLIN: Senator Aubertine.

SENATOR AUBERTINE: Through you, Mr. President. Well, Senator, that's exactly what these markets are for, is to make that link between producers and consumers and to make sure that consumers here in New York State have the finest products grown and

produced. And that's precisely what this bill would help to promote.

SENATOR DIAZ: Mr. President, through you, will Senator Aubertine continue to yield?

ACTING PRESIDENT BRESLIN: Senator Aubertine, would you continue to yield for another question from Senator Diaz?

SENATOR AUBERTINE: Yes.

SENATOR DIAZ: So Senator Aubertine, you are telling me that this bill, if it passes, will help my people, the poor people in the South Bronx, to buy directly from the farmers?

SENATOR AUBERTINE: Absolutely.

SENATOR DIAZ: Will Senator Aubertine --

ACTING PRESIDENT BRESLIN: Senator Aubertine, will you continue to yield to Senator Diaz?

SENATOR AUBERTINE: Yes.

SENATOR DIAZ: Senator Aubertine, by having my district in Hunts Point, Hispanic and black, the poor people in that district

buy directly from the farmers, will that help the farmers or hurt the farmers?

SENATOR AUBERTINE: Through you, Mr. President. It would be extremely helpful.

SENATOR DIAZ: To whom?

SENATOR AUBERTINE: To farmers and to consumers.

ACTING PRESIDENT BRESLIN: Through the chair. Senator Diaz, would you like Senator Aubertine to continue to yield?

SENATOR DIAZ: Yes, Mr. President.

ACTING PRESIDENT BRESLIN: You may proceed.

SENATOR DIAZ: So you are telling me that this bill -- you as a representative of a farming area, you're telling me that this will help so much the farmers, and not only the farmers, but also will help people of the state to buy directly from the farmers, and that will increase the farmers' production?

SENATOR AUBERTINE: Through you, Mr. President. I believe, Senator, what this will do is it will, to consumers in urban

areas and all across the state, it will deliver to them the finest and freshest foods available.

And in return, farmers here in this state will access new markets and make that connection between consumers in a direct way.

ACTING PRESIDENT BRESLIN: Senator Diaz.

SENATOR DIAZ: On the bill.

ACTING PRESIDENT BRESLIN: Senator Diaz, on the bill.

SENATOR DIAZ: Mr. President and ladies and gentlemen, I am from the Bronx, representing senior citizens, bodegueros, taxi drivers.

(Laughter.)

SENATOR DIAZ: And to see an upstater, a person like Senator Aubertine, so dedicated to the area that he represents, and to see how farmers in the State of New York have someone to represent them so well as Senator Aubertine is doing here today, that will improve their business -- and not only that, to see, Mr. President and ladies and

gentlemen, the people in my district, in the South Bronx, the Hunts Point Market, they will be able to benefit from what the farmers upstate are producing -- I have to say, Mr. President, that I am so, so excited to support something like this bill.

And I am so glad that the farmers, the farmers in the State of New York have a champion like Senator Aubertine. And if I were a Senator representing one of those areas where the farmers are, I would go, head down, to support this, because this is something good.

And I'm a Senator from the South Bronx, knowing how my people are going to -- I'll repeat myself again -- how my people are going to benefit from this. Senator Aubertine, thank you.

Thank you, Senator Aubertine, for such a piece of legislation and for being so concerned with the farmers in the State of New York that have been forgotten for so many years. And they could say today that they have a champion in your person here in the

Senate. Thank you.

Ladies and gentlemen, we all have to support this.

SENATOR LIBOUS: Read the last section.

(Laughter.)

SENATOR DIAZ: Thank you, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Diaz.

Are there any other Senators wishing to be heard on the bill?

Hearing none, debate is closed. The Secretary will please ring the bells.

Read the last section.

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

ACTING PRESIDENT BRESLIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BRESLIN: Senator Oppenheimer, to explain her vote.

SENATOR OPPENHEIMER: I just want to very briefly say I'm thrilled to see this,

because we do have several farmers' markets, about six or seven, maybe eight, in my Senate district. But what we're finding is a lot of the farmers are coming from the Poconos and from the Hershey, Pennsylvania, area.

And if we can get more New York farmers, I would be delighted to see that. And we have some inner city areas that could benefit.

So it's good for you, it's good for me, it's good for our people. Thanks.

I'm voting yes.

ACTING PRESIDENT BRESLIN: Senator Oppenheimer will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62. Nays, 0.

ACTING PRESIDENT BRESLIN: The bill is passed.

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

SENATOR KLEIN: Mr. President, would you please recognize Senator

Hassell-Thompson for a brief announcement.

ACTING PRESIDENT BRESLIN: Senator Hassell-Thompson.

SENATOR KLEIN: And then, afterwards, Senator Libous for his announcement.

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

I would just like to announce that there will be an immediate meeting of the Majority Conference in the Majority Conference Room, Room 332, following session today.

ACTING PRESIDENT BRESLIN: There will be a meeting of the Majority Conference in the Majority Conference Room immediately following session today, in Room 332.

Senator Libous.

SENATOR LIBOUS: Mr. President, there will be an immediate Republican conference in Room 315.

ACTING PRESIDENT BRESLIN: There will be an immediate Republican conference in Room 315 after session.

Senator Klein.

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

ACTING PRESIDENT BRESLIN: Senator Klein, there is no further business at the desk. The desk is clear.

SENATOR KLEIN: There being none, I move that we adjourn until Tuesday, April 21st, at 3:00 p.m.

ACTING PRESIDENT BRESLIN: There being no further business to come before the Senate, on motion, the Senate stands adjourned until Tuesday, April 21st, at 3:00 p.m.

(Whereupon, at 3:50 p.m., the Senate adjourned.)