NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 29, 2009

11:23 a.m.

REGULAR SESSION

SENATOR DAVID J. VALESKY, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT VALESKY: The Senate will please come to order.

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

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

ACTING PRESIDENT VALESKY: In the absence of clergy, may we bow our heads in a moment of silence.

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

ACTING PRESIDENT VALESKY: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Tuesday, April 28, the Senate met pursuant to adjournment. The Journal of Monday, April 27, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT VALESKY: 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 have two motions.

First, on behalf of Senator Aubertine, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Bill 4741.

ACTING PRESIDENT VALESKY: So ordered.

Senator Klein.

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

Senate Bill 1381.

ACTING PRESIDENT VALESKY: So ordered.

Senator Klein.

SENATOR KLEIN: Also, Mr. President, I believe Senator Huntley has a resolution at the desk.

I ask that the title be read and give Senator Huntley the opportunity to speak on her resolution.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Huntley, Legislative Resolution Number 1628, memorializing Governor David A. Paterson to proclaim May 4, 2009, as Your Story Matters Day in the State of New York.

ACTING PRESIDENT VALESKY: Senator Huntley, on the resolution.

SENATOR HUNTLEY: Yes, Mr. President.

The resolution to me was fitting because a number of people who have had issues with drugs, people who are fighting their way

back to society, I think they all deserve a chance to do that.

I think this resolution gives them what they need in order to become good citizens, in order to maintain decent employment, and to know that people care about their issues. And as long as we do, perhaps they will all come back into the American dream kind of concept and move on to have better lives.

So based on that, I would like to just wish them well. And I think we all should, because we talk about maintaining good citizens in this country, people who are viable, people who maintain good employment. And all it does is make the country better. And I commend them for their fight.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Huntley.

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

Seeing none, the question is on the resolution. All in favor signify by saying

aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The resolution is adopted.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time can we move to a reading of Senate Calendar Number 40.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the reading of Senate Calendar Number 40.

THE SECRETARY: Calendar Number 143, by Senator Savino, Senate Print 3445A, an act to amend the Labor Law and the General Business Law, in relation to the prompt payment.

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, can we lay Senator Savino's bill aside for the day.

ACTING PRESIDENT VALESKY: The bill is laid aside for the day.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 156, by Senator Aubertine, Senate Print 3575, an act to amend the Agriculture and Markets Law, in relation to producer security.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 157, by Senator Aubertine, Senate Print 3576, an act to amend the Agriculture and Markets Law, in relation to notice of stated grape prices.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 176, by Member of the Assembly Wright, Assembly Print Number 1511, an act to amend Chapter 912 of the Laws of 1920, relating to allowing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 177, by Senator Breslin, Senate Print 3628, an act to amend the Insurance Law, in relation to permitting.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 187, by Senator L. Krueger, Senate Print 1664, an act to amend the Administrative Code of the City of New York, in relation to adding civil penalties.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect six months after it shall have become a law.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 199, by Member of the Assembly Morelle, Assembly Print Number 4692, an act to amend the State Law, in relation to a state slogan.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Serrano, to explain his vote.

SENATOR SERRANO: Thank you, Mr. President.

I just want to thank my colleagues for supporting this bill. I think many of you figured that "I Love New York" already was the

official state slogan, but it actually wasn't.

So I think this bill is important because it will codify the slogan "I Love New York." It has no fiscal impact. But I think the benefit of further branding "I Love New York" is that it helps in our tourism efforts, it helps on other issues that involve having a state slogan. For instance, when we had our state quarter, we didn't have a slogan to put on it because we didn't have an official state slogan.

But anyhow, I think that this is a wonderful tourism tool, and I thank my colleagues for supporting this legislation.

ACTING PRESIDENT VALESKY: Senator Serrano to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 56. Nays, 0.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Klein, that completes the reading of Senate Calendar Number 40.

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

ACTING PRESIDENT VALESKY: There is none.

SENATOR KLEIN: There being none, I move we adjourn until Monday, May 4th, at 5:00 p.m., intervening days being legislative days.

ACTING PRESIDENT VALESKY: On a motion by Senator Klein, the Senate stands adjourned until Monday, May 4th, at 5:00 p.m., intervening days being legislative days.

(Whereupon, at 11:30 a.m., the Senate adjourned.)