NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:49 p.m.

REGULAR SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT STEWART-COUSINS: The Senate will please come to order.

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

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

ACTING PRESIDENT STEWART-COUSINS: In the absence of clergy, may all we bow our heads in a moment of silence.

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

ACTING PRESIDENT STEWART-COUSINS: And while we are in this moment of silence, this is the one-year anniversary of the late Senator Marchi's death.

(Whereupon, the assemblage continued to respect a moment of silence.)

ACTING PRESIDENT STEWART-COUSINS: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Monday, April 26, the Senate met pursuant to adjournment. The Journal of Sunday, April 25,

was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT STEWART-COUSINS: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a report of the Finance Committee at the desk. I ask that it be read at this time.

ACTING PRESIDENT STEWART-COUSINS: There is a report of the Finance Committee at the desk.

The Secretary will read.

THE SECRETARY: Senator C. Kruger reports, from the Committee on Finance, the following nominations.

As chair of the State Athletic Commission, Melvina Lathan, of Ardsley.

ACTING PRESIDENT STEWART-COUSINS: Senator Kruger.

SENATOR CARL KRUGER: Yes, thank you, Madam President. Will you please move the nomination.

ACTING PRESIDENT STEWART-COUSINS: Are there any other Senators who wish to be heard on the nominee?

The question is on the motion to confirm the nomination of Melvina Lathan, of Ardsley, as the chair of the State Athletic Commission. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The motion carries. The nomination is confirmed.

Congratulations.

(Applause.)

ACTING PRESIDENT STEWART-COUSINS: The Secretary will continue to read.

THE SECRETARY: As a commissioner of the State Athletic Commission, Tommaso Santino, of Douglaston.

ACTING PRESIDENT STEWART-COUSINS: Senator Kruger.

SENATOR CARL KRUGER: Thank you, Madam President. Will we please move that nomination.

ACTING PRESIDENT STEWART-COUSINS: Are there any other Senators who wish to be heard on the nominee?

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I would like to simply state that the two nominees by Governor Paterson to the State Athletic Commission are extremely well qualified. They were well equipped to answer questions that were taken before the committee.

And as the ranking member on the Finance Committee they also, especially Melvina Lathan, answered some very difficult questions, gave her honest opinions and indicated strongly where she stood on various issues, and I think that was extremely important to be so forthright before the committee.

Great appointments. I'm very happy

to vote yes on both of them. Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator DeFrancisco.

Senator Padavan.

SENATOR PADAVAN: Thank you very much, Madam President.

I stand, along with others, to endorse the confirmation of Mr. Santino, whose service to the City of New York and the New York City Police Department has been exemplary, his leadership in the community, his service to everyone who is concerned about the quality of life in the city we live in. He's an outstanding citizen.

And if you look at his resume, you will also see that he has experience in the boxing world that makes him even more qualified to be in this position.

He also has the benefit of being married to an outstanding woman, an anchor, Mary McNally, and they have a wonderful young man as a son who will soon be entering high school.

So I stand here with all of you and strongly recommend that this individual, this

fine outstanding citizen, be confirmed.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Squadron.

SENATOR SQUADRON: Thank you very much, Madam President.

In the last few days there hasn't been a great deal of agreement on both sides of the aisle. There is today. I want to join Senators DeFrancisco and Padavan in thanking the Governor for the appointment of Tommaso Santino and congratulate Mr. Santino.

His career has shown an incredible ability to balance athletics, dedication to the community, and extraordinary public service in 20 years in the New York City Police Department. It's an extraordinary legacy that he's already built, and I'm sure that the state will be better off with his service.

I had the pleasure early on in my not-too-long career to work with him side by side, day on day, hour on hour. And I can tell you from up close, there is no one who I

would rather have in this position or doing the service of the state.

So to Mr. Santino and to his family, congratulations. To the Governor to the Governor, thank you for an extraordinary appointment.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Duane.

SENATOR DUANE: Thank you very much, Madam President.

I too just want to thank the Governor for making this outstanding appointment. And I am enthusiastically going to vote in the affirmative. And I am confident that everyone here will.

And for a whole host of reasons, this is just a really a terrific appointment. So I'm going to be proudly and happily voting in the affirmative, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

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

Hearing none, the question is on the motion to confirm the nomination of Tommaso Santino as commissioner of the State Athletic Commission. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The motion carries. The nomination is confirmed.

Congratulations, Mr. Santino.

(Applause.)

ACTING PRESIDENT STEWART-COUSINS: The Secretary will continue to read.

THE SECRETARY: As trustee of the Power Authority of the State of New York, Mark O'Luck, of New York City.

As chair of the Dormitory Authority, Alfonso Linwood Carney, Jr., of New York City.

As a member of the Correction Medical Review Board, Scott S. Coyne, M.D., of Huntington.

As chairman of the State Board for Historic Preservation, Robert MacKay, of Cold Springs Harbor.

And as a member of the Saratoga-Capital District State Park, Recreation and Historic Preservation Commission, Barbara Linell Glaser, of Saratoga Springs.

ACTING PRESIDENT STEWART-COUSINS: Senator Kruger.

SENATOR CARL KRUGER: Thank you, Madam President. Can we please move those nominations.

SENATOR LIBOUS: Excuse me, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator.

SENATOR LIBOUS: Is there a reason why we're doing them en masse and we're not doing them one at a time when we have people appearing?

I believe Mr. O'Luck is here, no?

ACTING PRESIDENT STEWART-COUSINS: Senator Libous, Mr. O'Luck is not appearing. He is not appearing, no.

SENATOR LIBOUS: All right. Madam President, I believe that on these nominations, then, I'd like to ask for a show of hands. If you choose to do them as a mass, then we'll do them as a mass. But I think people have individual feelings about each nomination, and they want to express those feelings. And doing them all together is really not fair.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous, is there a particular nominee that you'd like to set aside?

SENATOR LIBOUS: Yes. We'd like to set Mr. O'Luck aside, please.

ACTING PRESIDENT STEWART-COUSINS: Under those circumstances, then, the question is then on the notion to confirm Mark O'Luck as trustee of the Power Authority.

SENATOR LIBOUS: We are on that motion?

ACTING PRESIDENT STEWART-COUSINS: We are on that motion, and the other three will be taken collectively.

SENATOR LIBOUS: Thank you very much, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Senator DeFrancisco, why do you rise?

SENATOR DeFRANCISCO: I'd like to speak on the nomination before there's a vote, if I could.

ACTING PRESIDENT STEWART-COUSINS: Please.

SENATOR DeFRANCISCO: I'm not going to repeat the discussion in the Finance Committee. I'm only going to explain my vote why I don't believe Mark O'Luck should be confirmed and why I'm voting no.

I think one of the points in any confirmation is not only the background of an individual but also, in my mind, the credibility and the trustworthiness of an individual who you're going to confirm. I think we've got to be able to have faith in the individual that's going to be appointed, especially to such an important authority as the Power Authority.

I just felt that Mr. O'Luck did not give straightforward answers. He couldn't answer whether or not he wrote a response to a an editorial, the contents of which weren't

nearly as important as whether or not he would admit that he wrote it. And I believe he danced around the issue and not to my satisfaction, anyway, did not convince me that he was being totally forthright.

And as a result, I don't have the trust in this nominee, and I would vote no today at this session. Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator DeFrancisco.

Senator Smith.

SENATOR SMITH: Yes, Madam President, just very briefly.

I have known Mr. O'Luck for close to 15 years. And he has always been a forthright individual who, even when times were such that he had to take a position that was contrary to his beliefs, he would justify it by virtue of defining his reasoning and his rationale for it.

He has been a stellar businessperson, someone who I know, I know the Governor knows, many of my colleagues here know as well, and has always represented his interests, especially in the minority business

community, which is so important to the state in terms of diversification of the people in this state.

So I just stand to appreciate my colleague's description of what he thought Mr. O'Luck might have been like. But as someone who has known him for quite some time, I just wanted to correct the record.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Parker.

SENATOR PARKER: On the nomination, Madam Chair.

I've known -- I'm here to speak in favor and ask my colleagues to vote for Mr. O'Luck to be a member of the Power Authority board.

As both the former chair of the Energy and Telecommunications Committee and somebody who's known Mr. O'Luck in a business capacity -- not quite as long as Malcolm, but for a very long time -- he has a unique gift of seeing both the specifics of projects and things that need to be done, but also

understanding how those specific things go into a larger context.

And especially something as important as the power industry, as we look to the future and look at some of the economic problems the state is having, look at the jobs crisis, if you look at where the opportunities for us to grow our economy are going to exist, they're going to exist in the energy industry.

And certainly as we change not just from an energy industry but an alternative energy industry, Mark O'Luck is the kind of person that we need on the Power Authority board to help bring an understanding of those things. And not just in terms of serving customers, which I think he will understand, but, more importantly, how do we in fact grow the industry and create jobs and at the same time provide for customers in a way that's both a low-cost and reliable service. And so I stand here in favor of his nomination.

But then I know there are questions, and I know there are some concerns. But what people should do is be honest about why there are concerns. And I'm not clear

about what everybody's motives are. But let me say that this was a man that when there were questions amongst people in -- members of the Senate in the Energy Committee, he called every single member and met with the chair and called the chair several times to have conversation and dialogue, and so he could start to understand that perspective.

When even when Senator DeFrancisco insisted that he come up and be available at the Finance Committee, he appeared, came up a day early, met with Senator DeFrancisco, you know, for some period of time, discussed all of the issues, was upfront, forthright, and outreached to people.

This is at least what you ask from people. That we don't always agree, we don't always have the same perspective, but at minimum what you're looking for are people who are willing to work with you, who are willing to partner with you, who are willing to share your perspective and understand it and incorporate it in their decision-making.

That's the kind of person and the kind of character that Mark O'Luck has, and

which is why I'm supporting him in his nomination and I'm asking my colleagues to do as well.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam Chair.

I also stand in support of this nominee, as someone who over the last 10 years that I had the opportunity to work with very closely in terms of how do we articulate the language of MWBEs for the State of New York and how to ensure that we get maximum participation.

I am deeply concerned at some of the questions that may be raised about positions that Mr. O'Luck has chosen to take in his life. But I do not believe that any of those should have any bearing on his eligibility and his ability to do the job that we're going to ask him to do.

So therefore, I'm asking my colleagues to support me in this nomination for an authority as a person who will be a

tremendous asset to that board.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Huntley.

SENATOR HUNTLEY: Yes, Madam President. I would just like to stand to basically support what my colleague just said in terms of Mark O'Luck. I've known him for a number of years, even though he doesn't live in my area, but he's about and around a lot of communities. He's done a lot of positive things.

And he's just a fine gentleman. I can't seem to understand what he's done, why we're going through all this. Normally we never do. But that's a whole other story.

But I just want you to know I support him and I think he should be appointed. Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Adams.

SENATOR ADAMS: Thank you, Madam Chair.

One of my pet peeves that I have when individuals come through my committee for nomination is that they have the audacity to be nominated but they don't want to show up. They don't want to be questioned. They don't want to interact.

And I think at the minimum we can disagree without being disagreeable. But when people show a lack of respect and disdain for this body that they can't come before the committees and interact or to call and speak with the members or the committee or the chair of the committee, I believe that, if anything, those individuals should not be permitted to be put in any position of authority.

That didn't happen here. As Senator Parker just stated, Mark O'Luck -- who I know personally -- he actually came before the committee and was willing to answer questions from the committee. And then I just learned from Senator Parker that he spoke with members of the committee to find out what are their concerns. That is what we expect of individuals we nominate.

I've seen this body vote in favor

of nominees who have refused to answer questions in front of this body. So to now have selective amnesia and don't realize that if we're going to set a standard, that standard should be, at a minimum, individuals who expect to sit on boards or positions of authority in this state should at a minimum come before us. You don't have to agree with our questions, you don't believe to believe our questions are right, but you should be willing to be asked the question and you should be expected to answer the question. And I believe that's Mr. O'Luck did.

Lastly, we are a failure on MWBEs in the State of New York. We are a failure. For whatever reason, when it comes down to finding creativity of preventing people of color and women and other minority groups of seeking the countless number of opportunities in this state, New York State fails.

Mr. O'Luck is bringing a history of knowing how to not only open doors but to provide opportunities for men, women and other minority groups so they can participate in the prosperity of this state and the millions and

billions of dollars of opportunities. That is what he brings to the table.

So to deny that type of diversity, to deny that type of ability is the wrong thing to do. If anything, we need to look at the countless number of boards throughout this state that are all one type, one mindset and one philosophy, and it should be diversified. This is a diversified state, and the bodies that make the decisions in this state should be diversified. And Mr. O'Luck clearly is a signal of that.

I stand in support of this nominee, and I'm asking my colleagues to do the same.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Madam President.

Certainly I was in the meeting this morning when the committee voted for the nominee, Mr. O'Luck. And it was the first time that I'd had a full opportunity to hear him. He made a fairly extensive statement about his experiences, his concerns, what he

thought he could bring to this appointment.

And as a person who has had the experience himself, very personally -- he himself is an African-American man, but he also has been a businessperson, understands the difficulties on both of those angles, both as an African-American person as well as a small businessperson as well as a minority businessperson.

He has an in-depth understanding and sensitivity and expressed to us this morning that he indeed intends to draw upon all of his experiences, in every way that he has had them, to bring a new perspective to the work that he intends to do as a member of that authority.

So I'm very happy that he will be there. I believe this is the first person of color, to my knowledge, that we've had an opportunity to vote on for his position.

And he also said something extremely important, and that was that he is going to focus on ways in which that authority can be translated, its mission can be translated to the benefit of young people in

urban centers around the state. I've never heard any commissioner express that interest, that concern, and that intent.

So it is really -- this is an opportunity for us to do something that is going to be of great benefit both to the authority as well as to the communities across the state that will depend upon the work of that particular authority to bring both energy as well as employment, jobs and economic development.

So I applaud the Governor for this appointment, and I certainly support him and think that this is really an opportunity for us today to bring diversity and quality and a new perspective to the authority.

Thank you, Madam President. I vote yes.

ACTING PRESIDENT STEWART-COUSINS: Senator Thompson.

SENATOR THOMPSON: Thank you, Madam President, for recognizing me.

First let me just say that I'm happy to support the candidacy and nomination of Mark O'Luck today. I think he's a very

respectable gentleman, a very professional gentleman. And I do agree that he brings some unique talents and skill sets to the board.

But I also know that it was -- not only do I support his candidacy and nomination, but I was also concerned that his nomination moved before one of my -- some of the folks in Niagara County. We have been working to address that issue. And I think we move his nomination today and hopefully the next nomination will be someone from Niagara Falls and Niagara County.

As many of you know, I represent the City of Niagara Falls, and we're very concerned. And if I didn't believe that Mr. O'Luck was going to do a good job, I would not be supporting his nomination.

I think the next step is we move forward with finally getting someone from the City of Niagara Falls or someone from Niagara County where so much of the Power Authority's resources come from. So I think that's our next challenge.

I know that Senator Maziarz and Senator Aubertine and Senator Stachowski and

Senator Valesky have heard my pleas about this particular issue. We need to make sure that the next nomination is someone that comes from the City of Niagara Falls or someone that comes from Niagara County.

But Mark O'Luck is a great guy. I'm sure he'll bring great leadership and great vision to this board and to this authority.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Duane.

SENATOR DUANE: Thank you, Madam President.

I regret that I was not present when Mr. O'Luck appeared before the committee, as I was preparing for a Health Committee meeting. However, there have been a couple of different issues that have been raised that I think are important to put out there.

The first is that Mr. O'Luck has obviously been vetted across a whole cross-section, a continuum of different places, and his nomination has moved forward.

And so his qualifications, it would seem, are fine.

And I have been here for a while, and I've actually seen nominations that probably did not equal that in past years. And from what I can tell from the vetting of Mr. O'Luck, excellent candidate.

I also think that --

ACTING PRESIDENT STEWART-COUSINS: Excuse me, Senator Duane.

Can I ask for order in the chamber, please.

SENATOR DUANE: -- that one of the things that we've discovered is that there are many similarities between the needs across many spectrums of urban dwellers and businesspeople and rural dwellers and businesspeople, that they share many of the same concerns.

And so I think it's actually an enrichment to bring a point of view that might be, shall we say, out of the box. One might say that we could use more of that here, one might say. Might someone? It shouldn't always be me.

And the other thing is that I think that maybe even I fall into this trap sometimes, that we think that the wealth of experience or the amount of -- or wealth is a limited amount. But in fact we enrich our society by bringing different voices and expertises across the spectrum, voices that may not have been heard in the usual places and thoughts that are not put on the table from the usual places.

And so I would say whether it's from the urban/rural connection or -- one of the reasons I stood up is because people mentioned MWBE. And I think it makes the pie bigger and stronger and more enriched. It's not a limited amount. And we should do everything we can to expand it.

And there are so many things in our state which I -- you probably have heard me say this, Madam Chair, where I say, when someone is saying "This is the way it's always been done, and so this is the way we're doing it," and I always say: "And how's that working?" And we need only look at the experiences of the past year. How is that

working?

Let's everybody really celebrate that there are different voices that have been brought to the table in a more powerful way here, and maybe a little less, you know, what -- my mother would say, "Tom, you're being obstreperous." My recently deceased mother would say, "Tom, you're" -- a little bit less being obstreperous and a little bit more on opening up to new ideas and new thoughts on how to do things, we might be better off.

And I think that maybe Mr. O'Luck would fit right into that category. So I am definitely voting yes, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I just wanted to comment there seemed to be a lot of discussion in the debate here about diversity, different points of view, minority and women business organizations, and we have to be inclusive and all that.

I did meet with Mr. O'Luck

yesterday. He did not originally appear before the committee; I asked for him to appear. So he wasn't going to appear until I asked him to appear, asked that he appear.

Number two, I asked him yesterday about an article, a response that had "Mark O'Luck" as the writer of the response. I asked him, "Did you write this?" "I don't know."

Did you -- "Do people normally write your name?" "Well, it might have been somebody from my company." "Well, let me show it to you. Do you remember this?" "I don't remember this." "Well, did you write it?" "Well, I believe in those things. I don't know if I wrote it."

I asked him -- I gave him those questions yesterday. He either wrote it or he didn't, he recognized it or he didn't.

So at the committee, since he didn't answer the question yesterday, I asked him again. And he went into a whole discussion concerning women and minority businesses, et cetera, et cetera, and how he felt.

I said, "All I wanted to know, did you write it?" "Well, I can't deny that I didn't" -- or "I can't deny that I did."

Now, that has nothing to do with diversity. It has nothing to do with the color of somebody's skin or whether they're for one program or not. It's just incomprehensible to me that if an article came out and there was a response by someone with your name, an unusual name, that you wouldn't recognize it or indicate that you signed that letter or that was your position.

To me, it boils down to simply that. That is simply something that I don't believe was forthright, and that's not the type of person I would want on the Power Authority board. That's the reason. That's the simple reason. And all of these other comments really have no bearing on my reason for voting no.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

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

Hearing none, the question is on the motion to confirm Mark O'Luck, of New York City, as a trustee of the New York State Power Authority. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT STEWART-COUSINS: The nomination is confirmed.

(Applause.)

ACTING PRESIDENT STEWART-COUSINS: We will return to the other nominees.

As chair of the Dormitory Authority, Alfonso Linwood Carney, Jr., of New York City.

As a member of the Correction Medical Review Board, Scott S. Coyne, M.D., of Huntington.

As chairman of the State Board for Historic Preservation, Robert MacKay, of Cold Springs Harbor.

And as a member of the Saratoga-Capital District State Park,

Recreation and Historic Preservation Commission, Barbara Linell Glaser, of Saratoga Springs.

Are there any Senators wishing to speak on these nominees?

Hearing none, the question is on the motion to confirm the nominations. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The motion carries. The nominees are confirmed.

Senator McDonald.

SENATOR McDONALD: Yes, I would just like to congratulate Barbara Glaser, a wonderful outstanding citizen from my community in Saratoga, to be appointed to the Capital District-Saratoga State Park System board.

She's got a long history of caring a great deal about our community, and I think she'll be a wonderful board member.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

The motion carries, and the nominations are confirmed.

Returning to the order of business, reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there are substitutions at the desk. I ask that we make the substitutions at this time.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: On page 22, Senator Valesky moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9562 and substitute it for the identical Senate Bill Number 6461, Third Reading Calendar 394.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a resolution at the desk by Senator Serrano. I ask that the resolution be read in its entirety and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Madam President.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Serrano, legislative resolution honoring American novelist Harper Lee upon the occasion of her designation for special recognition to be celebrated April 28, 2010.

"WHEREAS, It is the sense of this Legislative Body to recognize and pay tribute to those exceptional journalists of this great Empire State who have distinguished themselves in their profession by entertaining us and enriching our lives with their creative

talents; and

"WHEREAS, Attendant to such concerns, and in full accord with its long-standing traditions, this Legislative Body is justly proud to honor American novelist Nelle Harper Lee upon the occasion of her designation for special recognition, and to wish her to a very happy 84th birthday on April 28, 2010; and

"WHEREAS, Born April 28, 1926, in Monroeville, Alabama, Nelle Harper Lee was the youngest of four children of Frances Cunningham Finch and Amasa Coleman Lee, a lawyer who served in the Alabama State Legislature for 12 years. Both of her parents played important roles in the creation of Harper Lee's American classic To Kill A Mockingbird; and

"WHEREAS, After attending the University of Alabama, Harper Lee moved to New York City in 1950 and worked as a reservations clerk with Eastern Airlines and BOAC. After writing several long stories, Harper located an agent; and

"WHEREAS, For Christmas in 1956,

Harper Lee's friends gave her the gift of a year's wages to take leave from her job, allowing her to write full-time. Within a year, she had the first draft of To Kill A Mockingbird. Subsequently, it was completed by the summer of 1959, and published in 1960; and

"WHEREAS, To Kill A Mockingbird was an immediate bestseller, and today there are more than 30 million copies in print. In 1961, Harper Lee received the Pulitzer Prize for Fiction. And in 1999, the Library Journal voted To Kill A Mockingbird as the 'Best Novel of the Century.' Harper Lee did not continue her career as a writer; and

"WHEREAS, After completing To Kill A Mockingbird, Harper Lee accompanied her friend Truman Capote to Kansas, assisting him in what became another classic, In Cold Blood. Harper Lee continues to split her time between New York City and her sister's home in Alabama; and

"WHEREAS, in 1962, the screen adaptation of To Kill A Mockingbird, starring Gregory Peck as Atticus Finch, won an Academy

Award. In 1966, Harper Lee was named by then-President Lyndon B. Johnson, to the National Council on the Arts. In 2007, she was presented with the Presidential Medal of Freedom, the country's highest civilian award. She has also received many honorary degrees; and

"WHEREAS, It is with due cause and proper resolve that this Legislative Body, representing the people of the State of New York, pays just tribute to Pulitzer-Prize-winning novelist Harper Lee; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Harper Lee upon the occasion of her designation for special recognition, lauding her contribution to American literature, and to express its heartfelt wishes for a very happy 84th birthday; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Harper Lee."

ACTING PRESIDENT STEWART-COUSINS: Senator Serrano.

SENATOR SERRANO: Thank you, Madam President.

Very briefly, it's with great honor that I, as chair of the Committee on Cultural Affairs, speak about the life and legacy in honoring a great novelist from New York, Harper Lee. We all know her book To Kill A Mockingbird. We all read it in grammar school. And it's really no mystery why it is considered to be the greatest novel of the 20th century.

And it was a very telling novel that spoke about the very real harshness of racial inequality in the South at that time. And I think it was something that the country appreciated and needed to read.

But I am also very excited about future generations of novelists who will be inspired by the work of Harper Lee that will bring forth the next wave of artists and novelists who, through their work, raise social awareness, raise the collective social conscience.

And we should feel very proud here in the State of New York to have such a wealth

of talent, such a wealth of artistic talent. And that's why, as chair of Cultural Affairs and as a lover of the arts, I feel it's very important that all of us promote and protect the cultural venues, the cultural institutions and organizations, art in education, so that we can continue to foster and allow to thrive the imaginative minds of our future artists and novelists.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

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

Senator Oppenheimer.

SENATOR OPPENHEIMER: Yes, I just wanted to make one correction on my esteemed colleague's statement. And Senator Serrano said that we read it in elementary school. And I can say, interestingly enough, I have reread it for the fifth time about a month and a half ago.

So I think it's something that continues to inspire and certainly has inspired me in the direction, the thinking

that was privy to her at that time.

And my only regret is that she never went on to write another novel, because she had such brilliance. But maybe she summed it all up in that one novel. And I would just tell everybody listening that it is something that will inspire you even at age whatever.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

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

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Serrano has indicated that he'd like to open up the resolution for cosponsorship by the entire house. Any Senator not wishing to be on the resolution

please notify the desk.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a resolution at the desk by Senator Ruth Hassell-Thompson. I ask that the resolution be read in its entirety, move for its immediate adoption, and would you please call on Senator Hassell-Thompson.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Madam President.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Hassell-Thompson, legislative resolution mourning the death of Dorothy Irene Height, a leader of the African-American and women's civil rights movements.

"WHEREAS, On Tuesday, April 20, 2010, Dorothy Irene Height, a champion of women and minorities and president emerita of the National Council of Negro women, died at

the age of 98; and

"WHEREAS, Ms. Height had a career in civil rights that spanned nearly 80 years, from anti-lynching protests in the early 1930s to being an honored witness at the inauguration of President Barack Obama in 2009. He called her 'the godmother of the civil rights movement and hero to so many Americans'; and

"WHEREAS, Ms. Height regularly worked on projects of national significance alongside the 'Big Six' male civil rights leaders. In 1963, she sat next to Dr. Martin Luther King, Jr., during his epochal 'I Have A Dream' speech at the March on Washington. A prize-winning orator and one of the march's chief organizers, Ms. Height was not asked to speak that day, although many other leaders -- all men -- addressed that day's crowd; and

"WHEREAS, A star scholar, Dorothy Height was accepted at Barnard College in 1929, only to be told by the dean that she could not enroll that year because the quota for Negro students had already been met. She earned a bachelor's degree in education and a

master's in psychology from New York University. Seventy-five years after being turned away from Barnard, the college awarded Ms. Height its highest honor, the Barnard Medal of Distinction; and

"WHEREAS, After serving as a caseworker with the New York City Welfare Department, Dorothy Height became assistant executive director of the Harlem YWCA in the late 1930s, catching the attention of the international news media by speaking out against the 'slave markets' exploiting black women working as domestic day workers; and

"WHEREAS, At the age of 25, Ms. Height became a member of the National Council of Negro Women and served as its president from 1957 to 1997, overseeing programs ranging from voting rights to poverty and AIDS; and

"WHEREAS, In 1946, Dorothy Height oversaw the desegregation of the YWCA nationwide. In 1965, she founded the Y's Center for Racial Justice, which she led until 1977; and

"WHEREAS, From 1946 to 1957,

Ms. Height was the president of Delta Sigma Theta sorority, an international sorority of black women. And, along with Gloria Steinem, Shirley Chisholm, Betty Friedan and others, Ms. Height founded the National Women's Political Caucus in 1971; and

"WHEREAS, In 1994, President Bill Clinton awarded Dorothy Height the Presidential Medal of Freedom. In 2004, she was presented with the Congressional Gold Medal by President George W. Bush; and

"WHEREAS, Armed with a humanistic spirit, imbued with a sense of compassion, and comforted by a loving family, Dorothy Height leaves behind a legacy which will long endure the passage of time and will remain as a comforting memory to all she served and befriended; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to remember Dorothy Height as past president of the National Council of Negro Women, a founder of the National Women's Political Caucus, civil rights grande dame, presidential advisor and champion of the rights of women; and be it

further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the National Council of Negro Women and to Dorothy Irene Height's sister, Anthanette Aldridge of New York City."

ACTING PRESIDENT STEWART-COUSINS: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President. I appreciate the opportunity to speak on this resolution to Dorothy Height, who for all 98 years of her life was a leader.

Last September, at the Black Congressional Caucus, during that weekend she was celebrated by some of the top leaders across this country for her many years of service.

Besides the forty years that she served as president of the National Council of Negro Women, her years as founder and first leadership in the political process for women was outstanding. She believed that there was nothing that women could not do. And through her life's work, she demonstrated that fact.

But also, not only did she lead by example, but she opened doors and continued to ensure that whatever it was that women wanted to do, they could do.

You've heard in this resolution how she sat at the side of Dr. King during his speech and was a part of the planning committee that made that speech possible in Washington, D.C. But also, I remember when she was able to acquire a facility in Washington, D.C., for the National Council of Negro Women, making it one of the first permanent residences for an organization, a civic organization of its type.

Her leadership will go down in not only the history of this chamber, but across this country women will be remembering the kind of stature that she represented. And she had such an indomitable spirit, because at age 97 she sat in her wheelchair as straight as her body would allow. And her mind was still -- even though her body was weak and failed her, her mind continued to function and her mind continued to be in the process of what is the next step that we must do.

And so she carried a lot of us on her shoulders. And I am so pleased that we have paused today in this assemblage to give honor to a woman who gave so much of her life to others and to thank her for opening the doors for women like me and others who choose to dare.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Parker.

SENATOR PARKER: Thank you, Madam President. On the resolution.

I really am just rising to add my voice to those who are remembering the life and legacy of Dorothy Irene Height. There's really not, you know, enough time to really eulogize her in the way that she really ought to be.

Referred to oftentimes as the "godmother of the civil rights movement," to give 98 years of your life to other people is really a remarkable thing. And particularly with the National Council of Negro Women, which was kind of the organization that she's

really most known for. And even though she didn't found it, she really was the person who steered it for the vast majority of its existence.

I don't think many of us sitting in this chamber right now have an understanding of what it really meant, in the time that she was fighting not just for the rights of people of African descent but for women, to be doing that kind of work.

We stand here and very cavalierly -- and I look up at the African-American woman who is the Temporary President of the Senate, and knowing that that work and your presence is made possible by the work of people like Ms. Height. And at a time when people were not really even talking about women's rights as much, let alone, you know, the rights of African-Americans. And for her to bring black women to the fore the way that she did really has been a testament for the entire society.

Her work also, particularly with Delta Sigma Theta Sorority, where she was the president for a time -- also very critical,

because that was an organization that really provided a training ground for future generations of African-Americans, in particular women.

And I say African-Americans in general, because African women have always been the backbone and the stabilizing force in black families. And so, you know, they say that, you know, an African proverb that the hand that rocks the cradle rules the nation. And in that way, her work with Delta Sigma Theta and training those hands that were rocking cradles was really critical for all of us.

Her work was around anti-lynching, around labor market discrimination, around anti-racism, around anti-misogyny, anti-sexism. And again, I stand here, as I said last week, when we remembered the life of Benjamin Hooks, that all you can do is remember what they've done and rededicate your life to the kind of work, continue to pass the baton to the kind of work that they've done to make my presence here possible.

That so much we don't recognize all

of the things that are going on in terms of providing for our communities. And so when we talk about here in the state a $136 billion budget, and you talk about upwards of $30 billion that is contracted out annually by the State of New York, and when you look at less than 2 percent of all of that money that is contracted out -- everything from toilet paper to lost construction projects in this state -- less than 2 percent goes to minorities and women, there's a lot of work that still needs to be done.

And so that we remember Dorothy Height not because of everything that she's done, but all the things that we must do to start to live up to her life and her legacy. That when we look at how hard it is just to get an African-American for the first time on the Power Authority board, we know that there's a lot of work to do.

But we know that even as people make excuses for justifiable reasons why, you know, we're holding up nominations, that we understand why it's happening. Because there's billions of dollars in the Power

Authority, and we operate off of a context in which we think there's a fixed pie. But the reality is there's more than enough, both in America and in the State of New York -- even in a recession -- for everyone.

And so everybody, as Dorothy Height would say, should be a part of that table. And I'm here to remember her legacy and to make sure that we have a place setting for everyone.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Parker.

Senator Montgomery.

SENATOR MONTGOMERY: Yes, Madam President. I just rise to, one, thank my colleague Senator Hassell-Thompson for introducing this resolution in honor of Ms. Dorothy Height.

And I think we would be remiss not to recognize the two great organizations of women that have carried on her legacy, and that is the National Council of Negro Women in America and Delta Sigma Theta in America. And I name those two organizations because it

means that Dorothy Height's spirit and what she represented to people in America will never die.

And just as recently as two weekends ago, I celebrated, with the Brooklyn Chapter of the National Council of Negro Women, their celebration of Harambee. And it is an annual, for the last 25 years an annual event where they come together, put their funding, their funds together and honor, celebrate a group of young people and provide scholarships to help them with their education. This is the tradition that she has left in Brooklyn and in cities across the country.

And so on behalf of all of those women and to all of those women, we join you in celebrating the spirit and the life and legacy of Dorothy Height. And certainly I'm a member of the NCNW, the Brooklyn chapter, proudly. I'm not a member of Delta Sigma Theta, but I have friends who are. And I know that these are women who also carry out what Dorothy Height would want us to do, and that is to be responsible for the ongoing success

and progress of young people, especially young people of color, in America.

So I honor her, and I wish all of us an opportunity to get to know more about her and to also assume the responsibility that she left for us.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Montgomery.

Are there any other Senators wishing to speak on the resolution?

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Hassell-Thompson has indicated that she would like to open up the resolution to cosponsorship by the entire house. Any Senator not wishing to be on the resolution please notify the desk.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a resolution at the desk by Senator Libous. I ask that the title of the resolution be read and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Madam President.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Libous, legislative resolution commending Frank Berrish upon the occasion of his designation as recipient of the 2010 Baden-Powell Council Boy Scouts of America Distinguished Citizen of the Year Award.

ACTING PRESIDENT STEWART-COUSINS: The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS:

Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Klein.

SENATOR KLEIN: Madam President, I believe there's a resolution at the desk by Senator Alesi. I ask that the title of the resolution be read and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Madam President.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Alesi, legislative resolution commending Murph Shapiro upon the occasion of his retirement after 41 years of distinguished service as Athletic Director, Head Coach and educator at Monroe Community College.

ACTING PRESIDENT STEWART-COUSINS:

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Klein.

SENATOR KLEIN: Madam President, at this time I move to adopt the Resolution Calendar in its entirety, with the exception of Senate Resolutions 4813, 4834, and 4906.

ACTING PRESIDENT STEWART-COUSINS: All those in favor of adopting the Resolution Calendar in its entirety, with the exception of Senate Resolutions 4813, 4834, and 4906, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The Resolution Calendar is adopted.

Senator Klein.

SENATOR KLEIN: Madam President, at this time I move to take up Senate Resolution Number 4813, by Senator Parker. I ask that the resolution be read in its entirety and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Parker, Legislative Resolution Number 4813, memorializing Governor David A. Paterson to proclaim May 2010 as Celiac Disease Awareness Month in the State of New York.

"WHEREAS, It is the sense of this Legislative Body to memorialize Governor David A. Paterson to proclaim May 2010 as Celiac Disease Awareness Month in the State of New York; and

"WHEREAS, Celiac disease affects approximately one in every 130 people in the United States, for a total of 3 million people, including nearly 130,000 in New York State. The majority of people with celiac disease have yet to be diagnosed; and

"WHEREAS, Celiac disease is an inherited autoimmune disease in which the

lining of the small intestine is damaged from eating gluten and other proteins found in wheat, barley, rye and possibly oats. This particular condition results in overall malnutrition; and

"WHEREAS, Celiac disease is co-morbid with many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, Type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjogren's syndrome; and

"WHEREAS, The exact cause of celiac disease is unknown. The intestines contain projections called villi which absorb nutrients, and in undiagnosed or untreated cases these villi become flattened, which affects the ability to absorb nutrients properly. The disease can develop at any point in life, from infancy to late adulthood; and

"WHEREAS, For treatment, a lifelong gluten-free diet must be attained. Foods, beverages, and medications that contain wheat, barley, rye and possibly oats must be eliminated in order for the intestinal villi

to heal; and

"WHEREAS, When untreated, celiac disease can cause life-threatening complications. Ninety-seven percent of cases remain undiagnosed, and the average cost of an undiagnosed case is between $5,000 and $12,000 per person. Based on these estimates, undiagnosed celiac disease is conservatively costing New York State residents more than $725 million annually in unnecessary medical bills; and

"WHEREAS, delaying diagnosis or not following the diet puts one at risk for related conditions such as autoimmune disorders, certain types of intestinal cancer, fractures, infertility, miscarriage and osteoporosis; and

"WHEREAS, Through public awareness, this Legislative Body seeks to minimize the devastating affects of celiac disease among all the citizens of the State of New York; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize Governor David A. Paterson to proclaim

May 2010 as Celiac Disease Awareness Month in the State of New York; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the Honorable David A. Paterson, Governor of the State of New York, the Greater New York City Celiac Support Group, NYCeliac, the New York Restaurant Association, the Celiac Disease Center at Columbia University, Sherry Lynn's Gluten Free Restaurant, Wheatfield's Restaurant, and the Celiac Disease Foundation."

ACTING PRESIDENT STEWART-COUSINS: Senator Parker.

SENATOR PARKER: Thank you, Madam President.

This resolution shall declare May 2010 as Celiac Disease Awareness Month in the State of New York. And really what I'm trying to do is seek to raise awareness around the devastating effects of celiac's disease. Celiac's disease is an autoimmune disease that affects those genetically predisposed of all ages, from infancy onward. In the United States, one out of 130 people are affected by

this disease.

In New York State, there are nearly 130,000 diagnosed cases of celiac's disease, yet many cases continue to go undiagnosed. According to NYCeliac, for people with celiac's disease, the immune system behaves abnormally when gluten is eaten. Celiac's disease will cause nutritional deficiencies unless all gluten is eliminated from the diet and the digestive process damage is restored.

The indigestion of gluten can cause irreversible damage to the intestinal tract. Ninety-seven percent of the cases continue, again, to remain undiagnosed.

The average cost of the undiagnosed case is between $5,000 and $12,000 per case. So for the State of New York, celiac's disease is conservatively costing us approximately $725 million annually in medical expenses. So there's really an economic impact, particularly now, on us not being aware of the disease.

I want to take a moment to read from a New York Times article dated August 15, 2009, by Lesley Alderman. And it's called

"The Expense of Eating with Celiac Disease."

"You would think that after Kelly Oram broke more than 10 bones and experienced chronic stomach problems for most of his life, someone might have wondered (a nurse? a doctor?) if something fundamental was wrong with his health. But it wasn't until Mr. Oram was in his early 40s that a doctor who was treating him for a neck injury became suspicious and ordered tests, including a bone scan.

"It turned out that Mr. Oram, a music teacher who lives in White Plains, had celiac disease, an undiagnosed immune disorder set off by eating foods containing gluten, a protein found in wheat, rye and barley.

"Celiac disease damages the lining of the small intestine, making it difficult for the body to absorb nutrients. Victims may suffer from mild to serious malnutrition and a host of health problems, including anemia, low bone density and infertility. ...

"Seven years after receiving his diagnosis, Mr. Oram, who is married and has one daughter, is symptom-free, but the cost of

staying that way is high ... The treatment is to avoid eating products containing gluten. And gluten-free versions of products like bread, pizza and crackers are nearly three time as expensive as regular products, according to a study conducted by the Celiac Disease Center at Columbia University.

"Unfortunately for celiac patients, the extra cost of a special diet is not reimbursed by health care plans. Nor do most policies pay for trips to a dieticians to receive nutritional guidance. ...

"Some doctors blame drug makers, in part, for the lack of awareness and the lack of support. ... 'And since drug makers are responsible for so much of the education that doctors receive, the medical community is largely unaware of the disease.'"

Managing the disease is a hassle, but untreated celiac's disease can wreak havoc with your health. A study published in the July issue of the Journal of Gastroenterology found that subjects who had undiagnosed celiac disease were nearly four times as likely to have died over a 45-year period than subjects

who were celiac-free.

So in conclusion, I really just want to make the point to my colleagues that we have an obligation to raise the public awareness around celiac's disease. The effects of this devastating diagnosis often go undiagnosed, and we must work together to ensure that sufficient attention is paid to render support to those afflicted by this condition.

We can work collectively to improve the lives of those affected by celiac's disease not just here in the State of New York, but globally. And I want to suggest that I'd like members of this body to become cosponsors of two pieces of legislation I have, one of which would require all of the cafeterias that are part of the State of New York to offer gluten-free menus, such that, you know, members of our staffs and people who work for the state who have celiac's disease wouldn't continue to be burdened.

The second would be a larger bill that would provide information to medical

schools and others around celiac's disease to, again, make sure that we're aware, and, more importantly, to make sure that people aren't going undiagnosed from this debilitating disease.

Thank you very much.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Parker.

Senator Breslin.

SENATOR BRESLIN: Thank you, Madam President.

I commend Senator Parker for raising the awareness of celiac disease.

And I'd also like to just point out that with us today in the gallery is Sherry Lynn Birch, her husband, Howie, and their three children, Jordan, Dallas, and Dylan, who run Sherry Lynn's Gluten Free Bakery in Latham, New York.

So they've gotten the message. They're helping out in the fight against celiac disease. And I hope many more realize the importance of fighting celiac disease in the future.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Breslin.

The question is on the adoption of the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Parker has indicated that he would like to open the resolution up for cosponsorship by the entire house. Any Senator wishing not to be on the resolution should please come to the desk.

Senator Klein.

SENATOR KLEIN: Madam President, at this time can we take up Senate Resolution Number 4834, by Senator Owen Johnson. I ask that the resolution be read in its entirety and move for its immediate adoption and allow Senator Johnson to speak on his resolution.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator O. Johnson, Legislative Resolution Number 4834, commemorating the formation of the Cuban Giants, the first professional black baseball team, on April 18, 2010.

"WHEREAS, It is with noble admiration and pride that this Legislative Body joyfully pays just recognition to those respected athletes whose bravery, skill and quiescent dignity brought extraordinary humanity to both the game of baseball and society, contributing to the integration of that sport; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to commemorate the formation of the Cuban Giants, the first professional black baseball team in the nation, which called Babylon Village, New York, its home; and

"WHEREAS, On Sunday, April 18, 2010, the Babylon Village Historical and Preservation Society is holding a ceremony to recognize the Cuban Giants, one of the most

important and significant baseball teams in history. A plaque will be placed in their honor on the grounds where the team first played at the Argyle Hotel in 1885; and

"WHEREAS, The Argyle Hotel once stood at the northwest corner of Argyle Lake, Babylon, and it was here that Frank P. Thompson worked as headwaiter and realized the interest local folks and resort-goers had in baseball; and

"WHEREAS, Assisted with financial backers, Frank P. Thompson recruited players from amateur teams based on their talent and ability and organized the first professional black baseball team, the Cuban Giants; and

"WHEREAS, By the fall of 1885, the club roster was filled, games were scheduled, and, just as Frank P. Thompson hoped, the Cuban Giants quickly established themselves by winning almost all of their reported games, mainly against either all-black or mixed-race clubs; and

"WHEREAS, In the fall, the Cuban Giants embarked on a road trip in the Northeast, peppering their schedule with games

against white major leaguers when they took on the New York Metropolitans and the Philadelphia Athletics of the American Association. They lost both games in close battles, and the American Association was considered a stronger league than the newly formed National League; and

"WHEREAS, Undeterred, the Cuban Giants ended their tour victorious over the white Bridgeport club, a team that would win the Eastern League Championship that year. That winter they headed south to a warmer climate, playing baseball along the way; and

"WHEREAS, In 1886, Frank P. Thompson sold the team to Walter I. Cook, a successful businessman. Under his esteemed leadership, the team enjoyed great achievement not only on the field but also off the field with an owner who elevated the dignity of the black athlete with not only decent salaries but benefits for those who suffered an illness or injury, something that was unheard of at that time; and

"WHEREAS, In 1887, the team was purchased by J.M. Bright, and it joined the

Middle States League in 1889. Six years later, the Cuban Giants were purchased by E.B. Lamar, Jr., who renamed them the Cuban-X Giants. For the next decade, they were one of the top black baseball teams in the country; and

"WHEREAS, It is the sense of this Legislative Body to commend those events and individuals of historical significance who have contributed to the richness and ethnic diversity of the history of New York State and our nation; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the formation of the Cuban Giants, the first professional black baseball team; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the Babylon Village Historical and Preservation Society."

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson.

SENATOR OWEN JOHNSON: Thank you, Madam President.

In 1997, I introduced a resolution referring to Jackie Robinson as being the first black baseball player in the major leagues. And I thought that was the beginning of the black baseball players, until the Babylon Village Historical Society dug up some references from 125 years ago where we had a black, all-black baseball team in the town of Babylon, in the village of Babylon.

In those years, Babylon was a resort for rich city people, and there were large hotels along the lakefront of Argyle Lake. And many of the people working there used to go play ball in the local fields. And some entrepreneur said, "Hey, these guys are good. You know, we put them together, we'll have a team."

They weren't Cuban, but the first game they played was in Cuba, so they referred to them as the Cuban Giants. They were all black Americans. And they went all around the country playing ball and kicking a lot of butt along the way and making a great record for themselves.

Well, I just thought it was

appropriate, since the Village of Babylon Historical Society decided to put a monument up for them about 10 days ago, on the site of the original hotel where they played, and we had a big ceremony in the village commemorating that occasion, I thought I'd like to let the rest of the people in the State of New York know about it.

So I'm very proud and happy to introduce this resolution.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Johnson.

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

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Johnson has indicated that

he would like to open the resolution up for cosponsorship by the entire house. Any Senator wishing to not be on the resolution please notify the desk.

Senator Klein.

SENATOR KLEIN: Madam President, we're going to continue with the Resolution Calendar while the Minority conferences.

Can you please recognize Senator Libous.

ACTING PRESIDENT STEWART-COUSINS: Senator Libous.

SENATOR LIBOUS: Thank you, Madam President.

There will be an immediate Republican conference, an immediate Republican conference.

ACTING PRESIDENT STEWART-COUSINS: There will be an immediate Republican conference.

SENATOR LIBOUS: Thank you.

ACTING PRESIDENT STEWART-COUSINS: Senator Klein.

SENATOR KLEIN: Madam President, at this time I move to take up Senate

Resolution 4906, by Senator Nozzolio. I ask that the title of the resolution be read and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Nozzolio, Legislative Resolution Number 4906, honoring former United States Congressman and New York State Assemblyman Gary A. Lee upon the occasion of his designation as recipient of the prestigious Soaring Eagle Award on May 11, 2010.

ACTING PRESIDENT STEWART-COUSINS: Are there any Senators that wish to be heard on the resolution?

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(No response.)

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Nozzolio has indicated that

he would like to open the resolution up for cosponsorship by the entire house. Any Senator wishing to not be on the resolution please notify the desk.

Senator Klein.

SENATOR KLEIN: Madam President, at this time I move to recall Senate Resolution Number 4680, by Senator Valesky, which was unanimously adopted by this house on April 20th. I ask that the resolution be read in its entirety and allow Senator Valesky to the opportunity to speak on his resolution.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: By Senator Valesky, Legislative Resolution 4680, mourning the death of IBEW Local 43 Business Manager William C. Towsley of Syracuse, New York.

"WHEREAS, It is the custom this Legislative Body to pay tribute to citizens of the State of New York who distinguished themselves in service to the cause of working men and women; and

"WHEREAS, International Brotherhood of Electrical Workers Local 43 Business

Manager William C. 'Bill' Towsley of Syracuse, who died on Wednesday, March 10, 2010, at age 66, was such a man; and

"WHEREAS, William C. Towsley was born in Syracuse, the son of Kenneth and Mary Towsley. He was a graduate of Most Holy Rosary School and served in the U.S. Navy from 1964 to 1968; and

"WHEREAS, The son of a pipefitter who worked on the Geddes Reservoir, William C. Towsley came to the labor movement naturally. He was an electrician and a member of the IBEW for 41 years; and

"WHEREAS, He had also served many years as president of the Central and Northern New York Building and Construction Trades Council, which currently represents 16,000 workers and retirees; and

"WHEREAS, A passionate Central New York labor leader, William C. Towsley was a man of vision who had a genuine concern for workers and the Central New York community. He fought for minimum wage increases, for low-income housing stock in the area, and for many other things which might not directly

affect his membership but which he knew were good for the community; and

"WHEREAS, Known and admired as a man of integrity and dignity, William C. Towsley understood the needs of employers as well and worked effectively with business owners and leaders, earning their respect as well as that of his union members; and

"WHEREAS, William C. Towsley, in addition, worked tirelessly, generously sharing his time and vast expertise and experience on behalf of numerous community and charitable organizations. He was a valued member of several boards, including those of the Hospice Foundation of Central New York, the Onondaga County Industrial Development Agency, the Central New York Building Trades Association, Onondaga Community College, and the Community General Hospital Foundation; and

"WHEREAS, William C. Towsley was predeceased by his wife, Noreen (Mullen) Towsley, and his two brothers, John and Thomas Towsley. He is survived by his sons, Kenneth (Jennifer) and William of Syracuse; his daughters, Tracy (Nathaniel) Walker of

Syracuse and Jennifer (Jeremy) Mettler of Rochester; his grandchildren, Donovan, Colin, Patrick, Bella, and Andrew; several nieces and nephews, and a legion of friends; and

"WHEREAS, William C. Towsley contributed greatly to the cause of working men and women in Syracuse, Central New York, and throughout New York State, and leaves an inspiring legacy for others to follow; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to celebrate the life and accomplishments of William C. Towsley, recognizing his distinguished service to his profession and his community and expressing its deepest condolences to his family; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the family of William C. Towsley."

ACTING PRESIDENT STEWART-COUSINS: Senator Valesky.

SENATOR VALESKY: Thank you, Madam President.

Madam President, each of us in our

lives and duties as elected officials have an opportunity to work very closely with many members of our communities and our district. And as part of that experience, we have the opportunity to work sometimes with some extraordinary men and women who really go above and beyond the call of duty, who truly make a difference in the lives of so many individuals.

I have had the chance over the last several years to work with one such individual. Bill Towsley, who Syracuse and Central New York lost on March 10, 2010, was truly an extraordinary individual.

We are joined today in the gallery by four of his children -- his daughters, Tracy and Jennifer, his sons, Ken and Bill -- and also by many members and friends of the International Brotherhood of Electrical Workers. And each and every one of them know in their own personal way what a special person Bill Towsley was.

You heard in the resolution that was read that Bill dedicated some 41 years of his professional career to advancing the

causes and concerns and issues important to working men and women in Central New York, where he served as the business manager and later the president of the Central and Northern New York Building and Construction Trades Council.

We also heard of his selfless and tireless service on so many boards that did so much in Syracuse and Central New York, from the Hospice Foundation to the Onondaga County Industrial Development Agency to Onondaga Community College to the Community General Hospital Foundation. And he gave of his himself and of his time and of his talents in so many other ways and through so many other organizations.

He was always one who stood for what he believed, stood up for what he believed in, and fought each and every day for the values that he held so dear and for which he taught you, I'm sure.

Sometimes we also learn an awful lot about a person in how they handle various struggles in their life. And there are those who are called upon to go through a great

degree of struggle in their end of life. Bill was asked to do that. And Bill, each and every time I had the opportunity to see him or speak with him, showed the courage with which he carried himself through a very, very difficult period in his life.

I can remember one of the last times I saw him, in his office, he was telling me how he was in his office at 5:30 in the morning that morning, despite all of the treatments and everything else that he was enduring.

He was always someone who kept an incredible spirit about him through those challenges that he was asked to bear. And we, each and every one of us, are a better person for having known and having worked with Bill Towsley.

Last week this Senate unanimously approved a resolution on behalf of the 19.5 million New Yorkers that we represent, the 62 Senators here represent, expressing our sincere condolences on the loss of an extraordinary individual. And today, please allow me to extend my personal condolences to

each and every one of you -- his sons, his daughters, his friends, his colleagues -- and know that your dad's life was one that touched so many individuals.

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator DeFrancisco.

SENATOR DeFRANCISCO: First, I want to thank Senator Valesky for bringing to the floor this resolution last week.

I've known Bill for many, many years, through my political career. And Dave Valesky is right; you meet few people that really are genuine people, people who are dedicated to a cause, dedicated to his or her family, and do what's right throughout their life.

In the resolution, it was mentioned that Bill was a person of integrity and dignity. And that truly, truly sums up the type of man Bill was.

Another trademark that I particularly liked about Bill is that he said it like it was. You rarely left a discussion

with Bill by wondering where he stood on an issue.

Sometimes we went head to head. I remember one time there was this major construction project that was started about eight or nine years ago -- it's still going on -- that he chided me about my opposition and my concerns about that project.

Over the many years, we got closer on that issue. And we, at the end of that issue -- well, it's never-ending -- but we saw eye to eye. Always a person with an open mind, tell it like it is.

And, you know, I want to tell especially his children -- and I know his brothers in labor are here -- that the highest compliment I can give to a person is that he was a good man. And that is truly the case with Bill Towsley. And I was very honored to be able to work with him during the many years that he served the public.

And I extend my condolences as well. He was a great man. And I'm sure each of you are going to follow in his footprints with those same qualities that he gave

throughout his life.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

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

The resolution was previously adopted, but we certainly extend our heartfelt condolences to this very, very great man and his family.

Thank you. Could we rise for a moment -- we will rise for a moment of silence in memory of Mr. William Towsley.

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

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Klein.

SENATOR KLEIN: Madam President, while we await the return of the Minority, can we please stand at ease. But please, only 10 minutes, so everyone stay near the chamber.

ACTING PRESIDENT STEWART-COUSINS: The Senate will stand at ease for 10 minutes.

(Whereupon, the Senate stood at

ease at 5:18 p.m.)

(Whereupon, the Senate reconvened at 5:30 p.m.)

ACTING PRESIDENT STEWART-COUSINS: Senator Klein.

SENATOR KLEIN: Madam President, at this time can we please go to a reading of the calendar.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Klein.

The Secretary will read.

THE SECRETARY: Calendar Number 78, by Assemblymember Glick, Assembly Bill Number 2565, an act to amend the Social Services Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

SENATOR PADAVAN: Madam President, what calendar number is this?

ACTING PRESIDENT STEWART-COUSINS: This is Calendar Number 78.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Those recorded in the negative are Senators DeFrancisco, Flanagan, Golden, Griffo, Larkin, Leibell, Libous, Little, Nozzolio, Padavan, Ranzenhofer, Seward, Skelos, Volker, Young. Also Senator Hannon. Also Senator Saland. Also Senator Winner. Also Senator Bonacic.

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 42. Nays, 19.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

(Applause from the gallery.)

ACTING PRESIDENT STEWART-COUSINS: The Secretary will continue to read.

THE SECRETARY: Calendar Number 173, by Senator Squadron, Senate Print 5992, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT STEWART-COUSINS:

Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become law.

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Those recorded in the negative are Senators DeFrancisco, Farley, Flanagan, Golden, Griffo, Hannon, Lanza, Larkin, LaValle, Little, Maziarz, Nozzolio, Ranzenhofer, Seward, Skelos, Winner and Young. Also Senator Bonacic. Also Senator Libous. Also Senator Saland. Also Senator Leibell. Also Senator O. Johnson.

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 39. Nays, 22.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 308, by Senator Thompson, Senate Print 3782A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Those recorded in the negative: Senator Lanza.

Ayes, 60. Nays, 1.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 333, by Member of the Assembly Peralta, Assembly Bill Number 8613, an act to amend the Correction Law.

ACTING PRESIDENT STEWART-COUSINS:

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: To be recorded in the negative: Senator DeFrancisco.

Ayes, 60. Nays, 1.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 359, by Senator C. Johnson, Senate Print 6231C, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT STEWART-COUSINS:

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Senator Johnson, to explain his vote.

SENATOR CRAIG JOHNSON: Thank you very much, Madam President. To explain my vote, very quickly.

This bill will finally create a temporary retail permit when it comes to liquor licenses. It really will help promote economic growth in New York State. For far too long, the SLA has been dealing with a backlog. And while there has been improvement, at the same time it just takes way too long for a lot of entrepreneurs who are looking to start a restaurant or a bar or any type of industry where liquor is involved, to get the necessary permit.

This will create a temporary permit that will allow them to get into business while working on the long-term licensing process.

First I want to thank the co-prime sponsors of this bill, Senator Betty Little and Senator Dave Valesky, the three of us

working together in a bipartisan way to make sure that this bill gets passed.

Senator Little has been working on this issue for a long time, and I thank you, Senator Little, for your guidance in this effort.

It's a good piece of legislation. It will really help small businesses all across New York State. I'll be voting yes.

Thank you very much, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Little.

SENATOR LITTLE: Thank you, Madam President.

And thank you, Senator Johnson, although I do have to say that I still think it would have been better as a Little-Johnson, but it's Johnson-Little, so -- and Johnson-Little-Valesky.

And this is something that I've worked on for a long time. And this actual bill, its genesis was a meeting that we had the new commissioner, the new chairman of the

State Alcohol Board, Dennis Rosen, who has made a substantial difference in the licensing process that takes place.

We all know how important small business is to us, to our areas, to New York State. And these restaurants and bars, taverns, facilities, delis, whatever, they are small business. And by giving them this opportunity to apply for a temporary license while their license is under review is going to be very important and allows them to get into business a lot faster than they had been.

Although Chairman Rosen has done a great job in reducing the backlog, this will make it part of the State Liquor Authority law so that we will never have that kind of a backlog, we will always be able to help these small businesses get in operation much, much faster than they were able to in the past.

So thank you for your efforts on this, and thank you to everyone for your support of this bill.

And this bill does not affect New York City. It's outside of New York City.

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Senator Robach.

SENATOR ROBACH: Yes, very quickly to explain my vote.

I would applaud everyone that worked on this historically.

The amount of frustration that I've had working on behalf constituents with the Liquor Authority has been monumental. It's the only place I know left in New York where you're guilty till proven innocent. I've had people waiting up to a year to get a liquor license, and the reason was because they didn't have any experience in the field.

To me, being able to get a temporary license -- or I would even go one step further and say, let's give them a license unless they have three violations or anything major and take it away -- makes all the sense in the world. And this will impact in a positive way economic development. It is very much needed.

Oftentimes in my city, Rochester, people buy the property because they have to, for timing, or take the business from another

individual and then have to wait for the Liquor Authority. So you can imagine if you are paying rent on a building for upwards of seven, eight months with no income coming in. Pretty devastating.

So this is a good thing. It will help businesses. And we should keep going in that regard. Happy to vote yes.

ACTING PRESIDENT STEWART-COUSINS: Senator Farley.

SENATOR FARLEY: Yeah, I rise to support this bill.

I thank Senator Little, Senator Johnson for bringing this forward, particularly those of us that have an area that is in a resort area that has a short window.

These people buy an establishment, desperately hoping for a license. They've invested all of their money. They can't do any business. And it really makes it possible for them to be able to survive.

And again, it's so very, very important. And I know that I've had scores of occasions since I've been a Senator where

people have been frustrated by not being able to get a temporary license. This is a good piece of legislation.

ACTING PRESIDENT STEWART-COUSINS: Are there any other Senators wishing to explain their vote?

Announce the results.

THE SECRETARY: To be recorded in the negative: Senators Diaz, Duane, and Padavan.

Ayes, 58. Nays, 3.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 363, by Senator C. Johnson, Senate Print 7314, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 385, by Senator Savino, Senate Print 7075, an act to amend the Civil Service Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 394, substituted earlier --

SENATOR KLEIN: Lay the bill aside for the day.

ACTING PRESIDENT STEWART-COUSINS: The bill is laid aside for the day.

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

Senator Klein.

SENATOR KLEIN: Madam President, can you please recognize Senator Ruth Hassell-Thompson for a brief announcement.

ACTING PRESIDENT STEWART-COUSINS: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President.

Immediately following session there will be a meeting of the Senate Majority in Room 332.

ACTING PRESIDENT STEWART-COUSINS: There will an immediate meeting of the Senate Majority in Room 332 following session.

Senator Klein.

SENATOR KLEIN: Madam President, I would like to remind my colleagues that

tomorrow is our annual celebration of West Point Day, and that in order to accommodate a very full and tight schedule, we'll begin tomorrow's session promptly at 11:00 a.m. Thank you.

ACTING PRESIDENT STEWART-COUSINS: Tomorrow is West Point Day, and we will be proceeding promptly at 11:00 a.m.

Senator Klein.

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

ACTING PRESIDENT STEWART-COUSINS: Senator Klein, the desk is clear.

SENATOR KLEIN: There being no further business, Madam President, I move that we adjourn until Wednesday, April 28th, at 11:00 a.m.

ACTING PRESIDENT STEWART-COUSINS: On motion, the Senate stands adjourned until Wednesday, April 28th, at 11:00 a.m.

(Whereupon, at 5:47 p.m., the Senate adjourned.)