NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 3, 2010

10:44 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, Wednesday, June 2, 2010, the Senate met pursuant to adjournment. The Journal of Tuesday, June 1, 2010, 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.

Senator Klein.

SENATOR KLEIN: Mr. President, I believe there's a report of the Finance Committee at the desk.

ACTING PRESIDENT VALESKY: 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 a member of the Ogdensburg Bridge and Port Authority, Donald J. Hooper, of Ogdensburg.

As a member of the Administrative Review Board for Professional Medical Conduct, Linda Prescott Wilson, of Laurelton.

As a member of the Small Business Advisory Board, Jim Alesi, of East Rochester.

As a member of the Board of Trustees of the State University of New York, Joseph Warren Belluck, of New York City.

As a member of the City University Construction Fund, Noel N. Hankin, of New York City.

As a member of the Long Island State Park, Recreation and Historic Preservation Commission, David Bender, of Middle Island.

As a member of the Stewart Airport Commission, F. Edward Devitt, of Montgomery.

As a member of the Public Health Council, Jodumutt Ganesh Bhat, M.D., of Malba.

As members of the State Council on the Arts, Carol Enseki, of Brooklyn, and Rita Paniagua, of Syracuse.

As commissioners of the State Insurance Fund, Theodore K. Cheng, of New York City; H. Sidney Holmes, III, of New York City; and Kenneth R. Theobalds, of New Rochelle.

As a member of the Board of Visitors of the Broome Developmental Disabilities Services Office, Margherita Anne Rossi, of Binghamton.

As members of the Board of Visitors of the Capital District Developmental Disabilities Services Office, Susan P.

O'Connor, of Delmar, and Kathe R. Sheehan, of Scotia.

ACTING PRESIDENT VALESKY: Senator Kruger.

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

ACTING PRESIDENT VALESKY: Are there any other Senators wishing to be heard on the motion to confirm the nominations?

Senator Alesi.

SENATOR ALESI: Thank you, Mr. President.

I respectfully request to abstain on voting for the member of the Small Business Advisory Board.

ACTING PRESIDENT VALESKY: The record shall so reflect.

The question is on the motion to confirm the nominations. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The motion carries. The nominees are hereby confirmed.

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

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

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

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Sampson, legislative resolution commending Barry Addison upon the occasion of receiving

the Men of Distinction Award on June 10, 2010.

ACTING PRESIDENT VALESKY: All those in favor of adopting the resolution please 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, I believe Senator Sampson has another resolution at the desk. I ask that the title of the resolution be read and move for its immediate adoption.

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator

Sampson, legislative resolution commending Eddie Egidio DiBenedetto upon the occasion of receiving the Men of Distinction Award on June 10, 2010.

ACTING PRESIDENT VALESKY: 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, I believe there's a resolution at the desk by Senator Peralta. I ask that the title of the resolution be read and move for its immediate adoption.

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Peralta, legislative resolution commemorating the 2010 FIFA World Cup South Africa, taking place June 11 through July 11, 2010.

ACTING PRESIDENT VALESKY: 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 Peralta has indicated that he would like to open the resolution for cosponsorship to the entire house. Any Senator wishing not to cosponsor the resolution should notify the desk.

Senator Klein.

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

adoption.

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Oppenheimer, legislative resolution honoring Edson Buddle and Benny Feilhaber, members of the U.S. National Men's Soccer Team, competing in the 2010 World Cup South Africa, taking place June 11 through July 11, 2010.

ACTING PRESIDENT VALESKY: 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, I believe there's a resolution at the desk by Senator Breslin and Senator Parker. I ask that the title of the resolution be read and move for its immediate adoption.

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senators Breslin and Parker, legislative resolution commending In Our Own Voices upon the occasion of hosting Say It Loud! 2010, to be celebrated June 4 through 6, 2010.

ACTING PRESIDENT VALESKY: 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.

Senators Breslin and Parker have indicated they would like to open this resolution for cosponsorship. Any Senator wishing not to cosponsor the resolution should notify the desk.

Senator Klein.

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

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

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Griffo, legislative resolution congratulating Father Gaetano Thomas Baccaro upon the occasion of celebrating the 25th anniversary

of his ordination to the priesthood.

ACTING PRESIDENT VALESKY: 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, I move that we adopt the Resolution Calendar in its entirety.

ACTING PRESIDENT VALESKY: All those in favor of adopting the Resolution Calendar in its entirety signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The Resolution Calendar is adopted.

Senator Klein.

SENATOR KLEIN: Mr. President, there will be an immediate meeting of the Veterans, Homeland Security and Military Affairs Committee, followed by a meeting of the Rules Committee in the Majority Conference Room.

Pending the return of those two committees, may we please stand at ease.

ACTING PRESIDENT VALESKY: An immediate meeting of the Senate Veterans Committee, followed by the Rules Committee, in Room 332 of the Capitol.

The Senate will stand at ease pending the return of those two committees.

(Whereupon, the Senate stood at ease at 10:52 a.m.)

(Whereupon, the Senate reconvened at 11:32 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come back into order.

Senator Klein.

SENATOR KLEIN: Mr. President, I believe there's a report of the Rules Committee at the desk. I move that we adopt the report at this time.

ACTING PRESIDENT VALESKY: There is a report of the Rules Committee at the desk.

The Secretary will read.

THE SECRETARY: Senator Smith, from the Committee on Rules, reports the following bill direct to third reading:

Senate Print 8017, by Senator Oppenheimer, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: All those in favor of adopting the Rules Committee report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The report of the Rules Committee is adopted.

Senator Klein.

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

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 418, by Senator Duane, Senate Print 5000B, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 30th day after it shall have become law.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

SENATOR LIBOUS: Lay it aside, please.

ACTING PRESIDENT VALESKY: The roll call is withdrawn and the bill is laid aside.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 480, by Senator Breslin, Senate Print 6270A, an act to amend the Insurance Law.

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: In relation to Calendar Number 480, Senator Ranzenhofer to be recorded in the negative.

Ayes, 58. Nays, 1.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 532, by Member of the Assembly Brodsky --

SENATOR KLEIN: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 543, by Senator Stavisky, Senate Print 6958A, an act to amend the Education Law.

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, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 546, by Senator Savino, Senate Print 7454, an act to amend the Real Property Tax Law.

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: In relation to Calendar Number 546: Ayes, 58. Nays, 1. Senator Padavan to be recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 562, by Member of the Assembly Scarborough, Assembly Print Number 8827A, an act to amend the Social Services Law.

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: Announce the results.

THE SECRETARY: In relation to Calendar Number 562, recorded in the negative: Senators Flanagan, Golden, O. Johnson, Lanza, Larkin, Marcellino, Nozzolio, Ranzenhofer, Saland and Volker.

Ayes, 49. Nays, 10.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 567, by Senator Oppenheimer, Senate Print 6875A, an act to amend the State Finance Law.

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, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 577, by Senator --

SENATOR KLEIN: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 579, by Senator Klein, Senate Print 1897A, an act to amend the Penal Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of November next succeeding.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

SENATOR KLEIN: Thank you, Mr. President.

One of the problems that still

exists in our communities throughout the State of New York is high insurance rates. And sometimes those rates are exacerbated by the forgery of certificates of insurance and other insurance documents. This legislation would enhance the penalty to a felony for anyone engaged in the forgery of insurance ID cards.

So I think this is going to go a long way towards making sure that our rates are reasonable and also that individuals aren't driving in New York without valid insurance.

I vote yes, of course, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 587, by Senator Valesky, Senate Print 7542A, an act --

SENATOR KLEIN: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 596, by Senator Foley, Senate Print 4987A, an act to amend the Volunteer Firefighters Benefit Law.

SENATOR KLEIN: Lay the bill aside for the day, please.

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

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

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

ACTING PRESIDENT VALESKY: The Secretary will ring the bells.

Senators are asked to proceed to the chamber for a reading of the controversial calendar.

The Secretary will place Calendar Number 418 before the house. The Secretary will read.

THE SECRETARY: Calendar Number 418, by Senator Duane, Senate Print 5000B, an act to amend the Public Health Law and the Insurance Law.

ACTING PRESIDENT VALESKY: Senator Hannon.

SENATOR HANNON: On the bill, Mr. President.

ACTING PRESIDENT VALESKY: Senator Hannon, on the bill.

SENATOR HANNON: Mr. President, this is a proposal which would purport to limit commercial health insurance plans from creating tiers, extra tiers for prescription drug formularies. And it would do so with language that says you can't create tiers that have higher cost-sharing or deductibles or co-insurance than now exist.

And while I frankly agree with that goal, one of the readings of this, in my mind, is that an insurance company not required to cover any specific drug -- because we don't have a formulary that's universal in this state -- might instead of be limited in what type of cost-sharing it imposes upon a holder

of the plan by simply dropping the drug altogether, thereby frustrating what we would hope to do, which is better the lot of the consumer.

And so while I'll support the goal of this, I am troubled by the way it's presented. And thank you for your chance to explain my vote.

ACTING PRESIDENT VALESKY: Thank you, Senator Hannon.

Senator Liz Krueger, on the bill.

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

I just wanted to say, in supporting and cosponsoring the bill, I have heard from so many New Yorkers who suffer from long-term, chronic, tragic, tragic diseases about their inability to pay for drugs, their fear that if their insurance companies are able to skyrocket the rates, are able to put limits on their ability to get these drugs, that they will literally be left home-bound, unable to continue their lives, even at risk of death -- again, at risk of death -- because of inability to pay for the drugs they need.

The United States government recently moved forward with an attempt to ensure a national healthcare system and access for everyone to healthcare and health insurance. It doesn't kick in completely for several years, and even then I don't think anyone in this room thinks it's the end-all, be-all, magic pill solution to the problems of access to healthcare in our country.

But this bill that we're going to pass today, I hope with everyone's support, is at least an attempt to ensure that people with chronic and severe illness -- where, thank you, the pharmaceutical industry has been able to come up with solutions -- that no one who needs these drugs will be prevented from having access to these drugs because of lack of affordable.

And again, why do you have health insurance? So that it's there for you when you need it, when you are the person who ends up sick, when you are the person who ends up needing the medical care, when you need those prescription drugs that are completely unaffordable to you as an individual.

We have to make this the law of New York State. So thank you, Senator Duane, for sponsoring it. And of course I'll be voting yes.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Krueger.

Are there any other Senators who wish to be heard?

Seeing none, the debate is closed.

The Secretary will ring the bells. Senators are asked to proceed to the chamber so that we may take up the roll call as expeditiously as possible.

The Secretary will read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 30th day after it shall have become law.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

SENATOR SEWARD: Yes, thank you,

Mr. President, very briefly.

I must reluctantly vote in the negative on this bill because, as I look at it, I view it as a legislative solution looking for a problem which just currently does not exist in New York State because of the fact that our State Insurance Department, by regulation -- Regulation 62 specifically prohibits coverage limitations which are based on a type of condition or treatment, and does avoid here in New York some of the abuses and problems that admittedly have occurred in other states.

So we are already protecting some of the individuals that this legislation seeks to protection through the regulation of the Insurance Department.

We have no higher tiers in New York. There is no Tier 4. The department has not approved any additional tiers, which speaks to the good regulation that we have in New York.

So I reluctantly vote no. Obviously, this regulation would prohibit, going forward, some innovative solutions to

dealing with the problem of the high cost of prescription drugs in New York State for those that need them. And particularly in light of the federal healthcare and health insurance reforms that we've seen, when we will very much need some of those innovative solutions going forward.

So I reluctantly vote in the negative.

ACTING PRESIDENT VALESKY: Senator Seward to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 418, Senator Seward voting in the negative.

Absent from voting: Senators Diaz, Sampson and Winner.

Ayes, 55. Nays, 1.

ACTING PRESIDENT VALESKY: The bill is passed.

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

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

ACTING PRESIDENT VALESKY: The Secretary will proceed with a reading of the supplemental calendar.

THE SECRETARY: Calendar Number 730, by Senator Oppenheimer, Senate Print 8017, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2010.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Klein, that completes the reading of the Senate supplemental calendar.

SENATOR KLEIN: Mr. President, at this time can we please go to a reading of the supplemental active list.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the reading of the

Senate supplemental active list.

THE SECRETARY: Calendar Number 373, by Member of the Assembly Abbate, Assembly Print Number 7203C, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Senator Saland, why do you rise?

SENATOR SALAND: Mr. President, I thought we were on the supplemental active list. I did not realize we were on the supplemental calendar.

And I wish to be recorded, if I could ask to do so, in the negative on the bill on that calendar.

ACTING PRESIDENT VALESKY: Senator Saland, with unanimous consent, you will be recorded in the negative on Calendar Number 730.

SENATOR SALAND: Thank you.

ACTING PRESIDENT VALESKY: The Secretary will read the last section on Calendar Number 373, the first bill on the supplemental active list.

THE SECRETARY: Section 3. This act shall take effect on the first of January

next succeeding.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 443, by Senator Seward, Senate Print 5775A, an act to authorize the City of Oneonta.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 597, by Member of the Assembly Rabbitt, Assembly Print Number 7753A, an act to authorize the Town of Ramapo.

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: In relation to Calendar Number 597, Senator Bonacic to be recorded in the negative. Also Senator Larkin.

Ayes, 57. Nays, 2.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 601, by Member of the Assembly Rabbitt, Assembly Print Number 7776A, an act to authorize the Town of Ramapo.

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: In relation to Calendar Number 601, Senators Bonacic and Larkin to be recorded in the negative.

Ayes, 57. Nays, 2.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 653, by Senator Libous, Senate Print 7700A, an act to amend the Highway Law.

ACTING PRESIDENT VALESKY: Senator Libous.

SENATOR LIBOUS: Mr. President, could I just speak on the bill for a moment? Explain my vote, I guess.

ACTING PRESIDENT VALESKY: Okay. Let us call the roll first.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

SENATOR LIBOUS: Thank you,

Mr. President.

This is a sad bill for me to have to stand up and talk about. This is a bill that designates a portion of state highway in the Village of Port Dickinson in honor of Police Officer Aldo Rossi, Jr.

Mr. Rossi was a very well respected citizen and police officer in the Village of Port Dickinson. And one night he was on duty and had pulled someone over and was hit by a drunken driver and killed at 2 a.m. in the morning.

In proper respect for Mr. Rossi and certainly his family, a number of citizens who had great love and affection for Officer Rossi felt that it would be appropriate for us to memorialize him by dedicating this portion of state highway.

So I'm very honored to stand here on behalf of my constituents who promoted this idea, and to the rest of the Rossi family for the great loss, but in the line of duty in protecting all of the citizens of the Village of Port Dickinson in Broome County, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Klein, that completes the reading of the noncontroversial supplemental active list.

SENATOR KLEIN: Mr. President, can we just briefly return to motions and resolutions. I have two floor motions.

ACTING PRESIDENT VALESKY: Proceeding to motions and resolutions.

Senator Klein.

SENATOR KLEIN: First, Mr. President, on behalf of Senator Ruth Hassell-Thompson, on page number 32 I offer the following amendments to Calendar Number 575, Senate Print Number 7740, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT VALESKY: The amendments are received.

SENATOR KLEIN: Mr. President, on behalf of Senator Craig Johnson, on page number 35 I offer the following amendments to Calendar Number 618, senate Print Number 7448, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT VALESKY: The amendments are received.

Senator Klein.

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

ACTING PRESIDENT VALESKY: The desk is clear.

SENATOR KLEIN: There being no further business, Mr. President, I move that we adjourn at the call of the Temporary President, intervening days to be legislative days.

ACTING PRESIDENT VALESKY: On motion, the Senate stands adjourned subject to the call of the Temporary President, intervening days being legislative days.

(Whereupon, at 11:58 a.m., the Senate adjourned.)