

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 10, 2010

11 12:01 p.m.

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13
14 REGULAR SESSION

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19 SENATOR DAVID J. VALESKY, Acting President

20 ANGELO J. APONTE, Secretary

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

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

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

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

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

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

14 ACTING PRESIDENT VALESKY: The
15 reading of the Journal.

16 The Secretary will read.

17 THE SECRETARY: In Senate,
18 Wednesday, June 9, the Senate met pursuant to
19 adjournment. The Journal of Tuesday, June 8,
20 was read and approved. On motion, Senate
21 adjourned.

22 ACTING PRESIDENT VALESKY:
23 Without objection, the Journal stands approved
24 as read.

25 Presentation of petitions.

1 Messages from the Assembly.
2 Messages from the Governor.
3 Reports of standing committees.
4 Reports of select committees.
5 Communications and reports from
6 state officers.
7 Motions and resolutions.
8 Senator Klein.
9 SENATOR KLEIN: Thank you,
10 Mr. President.
11 First, on behalf of Senator Parker,
12 on page number 40 I offer the following
13 amendments to Calendar Number 518, Senate
14 Print Number 4291A, and ask that said bill
15 retain its place on Third Reading Calendar.
16 ACTING PRESIDENT VALESKY: The
17 amendments are received.
18 SENATOR KLEIN: On behalf of
19 Senator Craig Johnson, on page 38 I offer the
20 following amendments to Calendar Number 481,
21 Senate Print Number 6309A, and ask that said
22 bill retain its place on Third Reading
23 Calendar.
24 ACTING PRESIDENT VALESKY:
25 Amendments received.

1 SENATOR KLEIN: Mr. President, on
2 behalf of Senator Craig Johnson, I wish to
3 call up Print Number 7366, recalled from the
4 Assembly, which is now at the desk.

5 ACTING PRESIDENT VALESKY: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 421, by Senator C. Johnson, Senate Print 7366,
9 an act to amend the Real Property Tax Law.

10 ACTING PRESIDENT VALESKY:
11 Senator Klein.

12 SENATOR KLEIN: Mr. President, I
13 now move to reconsider the vote by which this
14 bill was passed.

15 ACTING PRESIDENT VALESKY: The
16 Secretary will call the roll on
17 reconsideration.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 52.

20 SENATOR KLEIN: I now offer the
21 following amendments.

22 ACTING PRESIDENT VALESKY: The
23 amendments are received.

24 SENATOR KLEIN: Mr. President, on
25 behalf of Senator Huntley, I wish to call up

1 Print Number 3119B, recalled from the
2 Assembly, which is now at the desk.

3 ACTING PRESIDENT VALESKY: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 329, by Senator Huntley, Senate Print 3119B,
7 an act to amend the Vehicle and Traffic Law.

8 ACTING PRESIDENT VALESKY:
9 Senator Klein.

10 SENATOR KLEIN: Mr. President, I
11 now move to reconsider the vote by which this
12 bill was passed.

13 ACTING PRESIDENT VALESKY: The
14 Secretary will call the roll on
15 reconsideration.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 52.

18 ACTING PRESIDENT VALESKY:
19 Senator Klein.

20 SENATOR KLEIN: Mr. President, I
21 now offer the following amendments.

22 ACTING PRESIDENT VALESKY: The
23 amendments are received.

24 Senator Klein.

25 SENATOR KLEIN: Mr. President, I

1 believe there are substitutions at the desk.
2 I ask that we make the substitutions at this
3 time.

4 ACTING PRESIDENT VALESKY: There
5 are substitutions at the desk.

6 The Secretary will read.

7 THE SECRETARY: On page 36,
8 Senator Valesky moves to discharge, from the
9 Committee on Codes, Assembly Bill Number 2257B
10 and substitute it for the identical Senate
11 Bill Number 1606B, Third Reading Calendar 414.

12 On page 54, Senator Onorato moves
13 to discharge, from the Committee on Labor,
14 Assembly Bill Number 10126 and substitute it
15 for the identical Senate Bill Number 7808,
16 Third Reading Calendar 744.

17 And on page 54, Senator Sampson
18 moves to discharge, from the Committee on
19 Insurance, Assembly Bill Number 4916 and
20 substitute it for the identical Senate Bill
21 Number 4651, Third Reading Calendar 748.

22 ACTING PRESIDENT VALESKY:
23 Substitutions ordered.

24 Senator Klein.

25 SENATOR KLEIN: Mr. President, I

1 believe Senator Sampson has a resolution at
2 the desk. I ask that the title of the
3 resolution be read and move for its immediate
4 adoption.

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

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

11 ACTING PRESIDENT VALESKY: The
12 Secretary will read.

13 THE SECRETARY: By Senator
14 Sampson, legislative resolution memorializing
15 Governor David A. Paterson to proclaim June 13
16 through 20, 2010, as Men's Health Awareness
17 Week in the State of New York.

18 ACTING PRESIDENT VALESKY: The
19 question is on the resolution. All in favor
20 signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT VALESKY:
23 Opposed, nay.

24 (No response.)

25 ACTING PRESIDENT VALESKY: The

1 resolution is adopted.

2 Senator Sampson has asked that it
3 be open for cosponsorship. Any Senator
4 wishing not to cosponsor the resolution should
5 notify the desk.

6 Senator Klein.

7 SENATOR KLEIN: Mr. President, I
8 believe Senator Breslin has a resolution at
9 the desk. I ask that the resolution be read
10 in its entirety and move for its immediate
11 adoption.

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

16 SENATOR KLEIN: Yes,
17 Mr. President.

18 ACTING PRESIDENT VALESKY: The
19 Secretary will read.

20 THE SECRETARY: By Senator
21 Breslin, legislative resolution commemorating
22 the 20th anniversary of the enactment of the
23 Americans with Disabilities Act of 1990.

24 "WHEREAS, Upon adoption of the
25 Americans with Disabilities Act of 1990, over

1 54 million Americans living with disabilities
2 were afforded broad protection against
3 discrimination; and

4 "WHEREAS, Before such time,
5 Americans living with disabilities faced
6 overwhelming barriers to employment,
7 transportation, public accommodations, public
8 services, and equal rights under the law; and

9 "WHEREAS, Such barriers to the
10 freedom of full participation in society
11 imposed staggering economic and social costs
12 on American society and undermined both our
13 efforts to educate, rehabilitate, and employ
14 individuals with disabilities, as well as
15 America's bedrock principles of fairness and
16 justice; and

17 "WHEREAS, In the face of such
18 injustice, we honored our fundamental moral
19 obligation to support and defend the most
20 vulnerable to discrimination and mistreatment;
21 and

22 "WHEREAS, The Americans with
23 Disabilities Act represented a giant leap
24 forward in empowering America's disabled
25 population to more fully participate in

1 society on equal footing and expanded freedom
2 of opportunity to all Americans bravely living
3 with disabilities; and

4 "WHEREAS, The Americans with
5 Disabilities Act established firm protections
6 in the workplace, prohibiting discrimination
7 in all employment practices, including job
8 application procedures, hiring, firing,
9 advancement, compensation, training and other
10 terms, conditions and privileges of
11 employment; and

12 "WHEREAS, The Americans with
13 Disabilities Act ensured that no individual
14 may be discriminated against on the basis of
15 disability with regards to the full and equal
16 enjoyment of the goods, services, facilities
17 or accommodations of any place of public
18 accommodation, including lodging, recreation,
19 transportation, education and dining
20 establishments; and

21 "WHEREAS, By affording such
22 protections, we enabled society to benefit
23 from the skills and talents of individuals
24 with disabilities and have made progress to
25 fuller, more productive lives for all

1 Americans; now, therefore, be it

2 "RESOLVED, That this legislative
3 body pause in its deliberations to commemorate
4 the 20th anniversary of the enactment of the
5 Americans with Disabilities Act of 1990; and
6 be it further

7 "RESOLVED, That our commitment to
8 New York's brave and enduring disabled
9 population is reaffirmed and strengthened in
10 the face of all that remains to be done to
11 more fully realize the goals of equal
12 opportunity, full participation, independent
13 living, and economic self-sufficiency for
14 those living with disabilities."

15 ACTING PRESIDENT VALESKY:
16 Senator Breslin.

17 SENATOR BRESLIN: Thank you,
18 Mr. President.

19 Today we celebrate the anniversary,
20 the 20th anniversary of the Americans with
21 Disabilities Act. It's hard to believe that
22 twenty years have passed. But it's probably
23 the most important piece of nondiscrimination
24 legislation other than the Civil Rights Act in
25 the last 70 years.

1 As the resolution points out, it
2 protects against discrimination in employment,
3 public services, transportation,
4 telecommunications, and on and on and on. But
5 it's a living document. And compliance with
6 the ADA is never, ever complete. There's
7 still many, many obstacles, including but not
8 limited to areas of employment, wages.
9 Education gaps also still exist.

10 And it's up to the Legislature to
11 recognize that compliance with the ADA is
12 never complete. And it is hoped with this
13 package of bills today that these bills will
14 help improve the quality of life for those
15 2.1 million New Yorkers who suffer with
16 disabilities, and that this package will be an
17 important component in making their lives
18 better.

19 Thank you, Mr. President.

20 ACTING PRESIDENT VALESKY: Thank
21 you, Senator Breslin.

22 Senator Libous, on the resolution.

23 SENATOR LIBOUS: Thank you,
24 Mr. President. I want to join my colleague
25 Senator Breslin on this resolution.

1 As this chamber knows, I have
2 dedicated a number of years of my career in
3 this chamber, along with my colleagues, in
4 promoting many major pieces of legislation to
5 help people with intellectual and physical
6 disabilities.

7 And certainly the Americans with
8 Disabilities Act, when it was passed, was just
9 a huge step forward for people in this country
10 and certainly this state that have
11 intellectual and physical disabilities.

12 We in this chamber have been
13 extremely progressive and been very proud,
14 every one of my colleagues, over the course of
15 the last several years in promoting those
16 issues that help people with intellectual and
17 physical disabilities.

18 And today is a good day that we can
19 stand here, Senator Breslin, and talk on this
20 resolution on a very, very important movement
21 that took place in this country. But as
22 Senator Breslin said, every day we must
23 continue, not only in this house but in our
24 own districts, promoting the welfare and
25 helping those people with intellectual and

1 physical disabilities.

2 So, Mr. President, I'm extremely
3 proud to stand here with all of my
4 colleagues -- Senator Breslin in particular,
5 as the sponsor -- and promoting or at least
6 talking about what this country and this state
7 has promoted for people with disabilities.

8 ACTING PRESIDENT VALESKY: Thank
9 you, Senator Libous.

10 The question is on the resolution.
11 All in favor signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT VALESKY:
14 Opposed, nay.

15 (No response.)

16 ACTING PRESIDENT VALESKY: The
17 resolution is adopted.

18 Senator Breslin has asked that it
19 be open for cosponsorship. Any Senator
20 wishing not to cosponsor the resolution should
21 notify the desk.

22 Senator Klein.

23 SENATOR KLEIN: Mr. President, I
24 believe Senator Andrea Stewart-Cousins has a
25 resolution at the desk. I ask that the title

1 of the resolution be read and move for its
2 immediate adoption.

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

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

9 ACTING PRESIDENT VALESKY: The
10 Secretary will read.

11 THE SECRETARY: By Senator
12 Stewart-Cousins, legislative resolution
13 celebrating the hard work and achievement of
14 the independent living movement over the past
15 several decades.

16 ACTING PRESIDENT VALESKY:
17 Senator Stewart-Cousins, on the resolution.

18 SENATOR STEWART-COUSINS: Thank
19 you, Mr. President.

20 I rise and join with my colleagues
21 in celebrating this day where we are
22 acknowledging the progress not only in the
23 country, but within the state, of legislatures
24 who understand the unique challenges that are
25 faced by those with disabilities.

1 The Independent Living Centers,
2 however, is an extension of that. We talk
3 about what we do, but we know that as
4 government we're limited. We know that we
5 can't do everything. In New York State, we
6 decided to fund Independent Living Centers in
7 1982. And what has happened is that which we
8 wish to get done has been part and parcel of
9 what Independent Living Centers do for those
10 who are disabled. They offer peer counseling,
11 they offer help in employment, in housing, in
12 ways to live integrated in the community for
13 those who otherwise might have to be
14 institutionalized.

15 It gives the -- Mr. President, can
16 I ask for some order? Thank you. I
17 appreciate that. I think this is too
18 important really not to give our full
19 attention to.

20 Again, the Independent Living
21 Centers in New York -- and there's 36 of
22 them -- have helped thousands to stay in their
23 homes, to be integrated in our society, to be
24 able to contribute as all of us want to
25 contribute to making our places a better place

1 to be.

2 So today, as we pass our disability
3 package, as we move forward in our commitment
4 to making sure there is access, there are
5 opportunities for our disabled community --
6 realizing that in any given day, any one of us
7 could be part of that which is called the
8 largest minority, and realizing our
9 responsibility and our partnership with
10 Independent Living Centers.

11 So I certainly thank you for your
12 attention.

13 ACTING PRESIDENT VALESKY: Thank
14 you, Senator Stewart-Cousins.

15 The question is on the resolution.
16 All in favor signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT VALESKY:
19 Opposed, nay.

20 (No response.)

21 ACTING PRESIDENT VALESKY: The
22 resolution is adopted.

23 Senator Stewart-Cousins has asked
24 that it be open for cosponsorship. Any
25 Senator wishing not to cosponsor the

1 resolution should notify the desk.

2 Senator Klein.

3 SENATOR KLEIN: Mr. President, I
4 believe Senator Hassell-Thompson has a
5 resolution at the desk. I ask that the title
6 of the resolution be read and move for its
7 immediate adoption.

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

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

14 ACTING PRESIDENT VALESKY: The
15 Secretary will read.

16 THE SECRETARY: By Senator
17 Hassell-Thompson, legislative resolution
18 commending Evelyn Ruth Walker Copeland upon
19 the occasion of receiving the Humanitarian
20 Award from the Women's Welfare Club of
21 Mt. Vernon.

22 ACTING PRESIDENT VALESKY:
23 Senator Hassell-Thompson, on the resolution.

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

1 Several weeks ago this
2 extraordinary lady's child was being honored
3 in this chamber, and apples don't fall far
4 from the tree. She's a deacon. She's one of
5 the few women within the Baptist Church who
6 has been ordained as a full deacon, not a
7 deaconess.

8 The work that she does for her
9 entire community is so well felt and so well
10 sweeping that suddenly she is the subject of
11 awards all over the place. It gives me great
12 honor to join with them as they celebrate her
13 tonight, and others who have done
14 extraordinary community work.

15 It's very interesting that those
16 who seem to have so little feel so obligated
17 to do so much. She's not famous and doesn't
18 wish to be, and yet she's very famous for the
19 work and the care that she provides to people
20 in her own city, the many years that she has
21 served on the Daycare Council in Westchester,
22 for those children whose parents had to work
23 and to ensure that the environment in which
24 those children reside, in the absence of being
25 at home, that they're safe, that the quality

1 of the service that is given to those children
2 is tremendous.

3 And the teaching that she is
4 responsible for for assisting those who have
5 home daycare licenses to ensure that not only
6 are the homes safe, that the environment meets
7 the standards of licensure, but she helps to
8 elevate the level of training that these
9 providers receive and works with families to
10 ensure that they don't just dump their
11 children but that they have expectations that
12 are realistic and participatory by parents.

13 And so for a variety of acts of
14 kindness, as well as her vocation, I am
15 pleased to ask my colleagues to join me in
16 this resolution on behalf of a very worthy
17 woman.

18 I thank you, Mr. President.

19 ACTING PRESIDENT VALESKY: Thank
20 you, Senator Hassell-Thompson.

21 The question is on the resolution.
22 All in favor signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT VALESKY:
25 Opposed, nay.

1 (No response.)

2 ACTING PRESIDENT VALESKY: The
3 resolution is adopted.

4 Senator Klein.

5 SENATOR KLEIN: Mr. President, I
6 believe Senator Hassell-Thompson has another
7 resolution at the desk. I ask that the title
8 of the resolution be read and move for its
9 immediate adoption.

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

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

16 ACTING PRESIDENT VALESKY: The
17 Secretary will read.

18 THE SECRETARY: By Senator
19 Hassell-Thompson, legislative resolution
20 commending Keith Collins upon the occasion of
21 receiving the Business Award from the Women's
22 Welfare Club of Mt. Vernon.

23 ACTING PRESIDENT VALESKY:
24 Senator Hassell-Thompson, on the resolution.

25 SENATOR HASSELL-THOMPSON: So

1 that I don't spend an inordinate amount of
2 time and prolong this, but to give due to
3 those who deserve to be recognized, I would
4 also like to ask my colleagues to support me
5 in placing this resolution before this body
6 commending Keith Collins, who is an
7 extraordinary young man who's lived his life
8 in the Bronx and, upon graduating from high
9 school, has done military service with the
10 United States Marines.

11 But besides his service to his
12 country, his service to his church and to his
13 community is outstanding. And so therefore,
14 it gives me great pleasure to also resolve
15 today in the name of Keith Collins.

16 Thank you, Mr. President.

17 ACTING PRESIDENT VALESKY: Thank
18 you, Senator Hassell-Thompson.

19 The question is on the resolution.
20 All in favor signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT VALESKY:
23 Opposed, nay.

24 (No response.)

25 ACTING PRESIDENT VALESKY: The

1 resolution is adopted.

2 Senator Klein.

3 SENATOR KLEIN: Mr. President, I
4 believe Senator Nozzolio has a privileged
5 resolution at the desk. I ask that the title
6 of the resolution be read and move for its
7 immediate adoption.

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

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

14 ACTING PRESIDENT VALESKY: The
15 Secretary will read.

16 THE SECRETARY: By Senator
17 Nozzolio, legislative resolution
18 congratulating Maxwell J. Skolnick upon the
19 occasion of receiving the distinguished rank
20 of Eagle Scout, the most prestigious of
21 Scouting honors.

22 ACTING PRESIDENT VALESKY: The
23 question is on the resolution. All in favor
24 signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT VALESKY:

2 Opposed, nay.

3 (No response.)

4 ACTING PRESIDENT VALESKY: The
5 resolution is adopted.

6 Senator Klein.

7 SENATOR KLEIN: Mr. President, I
8 believe there's another resolution by Senator
9 Ruth Hassell-Thompson at the desk. I ask that
10 the title of the resolution be read and move
11 for its immediate adoption.

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

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

18 ACTING PRESIDENT VALESKY: The
19 Secretary will read.

20 THE SECRETARY: By Senator
21 Hassell-Thompson, legislative resolution
22 commending Robert J. Heyward upon the occasion
23 of receiving the Community Service Award from
24 the Women's Welfare Club of Mt. Vernon.

25 ACTING PRESIDENT VALESKY:

1 Senator Hassell-Thompson, on the resolution.

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

4 I again rise to give honor to
5 Mr. Robert J. Heyward, as a long-time resident
6 of New York State, who was born and raised in
7 Harlem and educated in New York's Catholic
8 schools, for his many years of service in the
9 New York Police Department. And who, as part
10 of the New York Narcotics Division on the
11 United States Office of Drug Abuse and Law
12 Enforcement, has done some extraordinary work
13 since his retirement. And he pursues and is
14 about to receive his juris doctorate from
15 New York Law School.

16 What he proves is that no matter
17 what you do in life, it's never too late to
18 learn, to advance yourself and to develop
19 yourself. But the wonderful thing is that
20 with each advancement, he uses his new skills
21 and talent and those things that he learns and
22 the gifts that he has to make the world a
23 better place.

24 And so I thank you, Mr. President,
25 for the opportunity to recommend to this body

1 for consideration Mr. Robert J. Heyward.

2 ACTING PRESIDENT VALESKY: Thank
3 you, Senator Hassell-Thompson.

4 The question is on the resolution.
5 All in favor signify by saying aye.

6 (Response of "Aye.")

7 ACTING PRESIDENT VALESKY:
8 Opposed, nay.

9 (No response.)

10 ACTING PRESIDENT VALESKY: The
11 resolution is adopted.

12 Senator Klein.

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

16 ACTING PRESIDENT VALESKY: The
17 Secretary will proceed with the reading of the
18 calendar.

19 THE SECRETARY: Calendar Number
20 211, by Member of the Assembly Weinstein,
21 Assembly Print Number 5707A, an act to amend
22 the Election Law.

23 ACTING PRESIDENT VALESKY: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of December
2 next succeeding.

3 ACTING PRESIDENT VALESKY: Call
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 57.

7 ACTING PRESIDENT VALESKY: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 231, by Senator Oppenheimer, Senate Print
11 6776B, an act to amend the Education Law.

12 ACTING PRESIDENT VALESKY: Read
13 the last section.

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

16 ACTING PRESIDENT VALESKY: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 57.

20 ACTING PRESIDENT VALESKY: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 266, by Senator Dilan, Senate Print 5175B, an
24 act to amend the Vehicle and Traffic Law.

25 ACTING PRESIDENT VALESKY: Read

1 the last section.

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

4 ACTING PRESIDENT VALESKY: Call
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 57.

8 ACTING PRESIDENT VALESKY: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 364, by Senator C. Johnson, Senate Print 713A,
12 an act to amend the General Business Law.

13 ACTING PRESIDENT VALESKY: Read
14 the last section.

15 THE SECRETARY: Section 6. This
16 act shall take effect on the 60th day.

17 ACTING PRESIDENT VALESKY: Call
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 58.

21 ACTING PRESIDENT VALESKY: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 403, by Member of the Assembly DelMonte,
25 Assembly Print Number 8181, an act to amend

1 the Racing, Pari-Mutuel Wagering and Breeding
2 Law.

3 ACTING PRESIDENT VALESKY: Read
4 the last section.

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

7 ACTING PRESIDENT VALESKY: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT VALESKY:
11 Announce the results.

12 THE SECRETARY: Those recorded in
13 the negative on Calendar Number 403 are
14 Senators Golden, Larkin, Marcellino, Maziarz,
15 and Ranzenhofer. Also Senator Saland.

16 Ayes, 52. Nays, 6.

17 ACTING PRESIDENT VALESKY: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 414, substituted earlier today by Member of
21 the Assembly Stirpe, Assembly Print Number
22 2257B, an act to amend the Penal Law.

23 ACTING PRESIDENT VALESKY: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of
2 November.

3 ACTING PRESIDENT VALESKY: Call
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 57. Nays,
7 1. Senator Golden recorded in the negative.

8 ACTING PRESIDENT VALESKY: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 426, by Senator Huntley, Senate Print 6844A,
12 an act to amend the General Municipal Law.

13 ACTING PRESIDENT VALESKY: Read
14 the last section.

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

17 ACTING PRESIDENT VALESKY: Call
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 58.

21 ACTING PRESIDENT VALESKY: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 437, by Member of the Assembly Gottfried,
25 Assembly Print Number 8498A, an act to amend

1 the Public Health Law.

2 ACTING PRESIDENT VALESKY: Read
3 the last section.

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

6 ACTING PRESIDENT VALESKY: Call
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 58.

10 ACTING PRESIDENT VALESKY: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 440, by Member of the Assembly Paulin,
14 Assembly Print Number 629, an act to amend the
15 General Business Law.

16 ACTING PRESIDENT VALESKY: Read
17 the last section.

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

20 ACTING PRESIDENT VALESKY: Call
21 the roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 58.

24 ACTING PRESIDENT VALESKY: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 452, by Member of the Assembly Cusick,
3 Assembly Print Number 10771, an act to amend
4 the Executive Law.

5 ACTING PRESIDENT VALESKY: Read
6 the last section.

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

9 ACTING PRESIDENT VALESKY: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT VALESKY: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 505, by Senator C. Johnson, Senate Print
17 4031A, an act in relation to authorizing the
18 County of Nassau.

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

21 Read the last section.

22 THE SECRETARY: Section 13. This
23 act shall take effect immediately.

24 ACTING PRESIDENT VALESKY: Call
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58.

3 ACTING PRESIDENT VALESKY: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 618, by Senator C. Johnson, Senate Print
7 7448A, an act to amend the Penal Law.

8 ACTING PRESIDENT VALESKY: Read
9 the last section.

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

12 ACTING PRESIDENT VALESKY: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT VALESKY:
16 Announce the results.

17 THE SECRETARY: Those recorded in
18 the negative on Calendar Number 618 are
19 Senators LaValle, Marcellino and Ranzenhofer.

20 Ayes, 55. Nays, 3.

21 ACTING PRESIDENT VALESKY: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 623, by Senator Savino, Senate Print 5633A, an
25 act to amend the Retirement and Social

1 Security Law.

2 ACTING PRESIDENT VALESKY: Read
3 the last section.

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

6 ACTING PRESIDENT VALESKY: Call
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 58.

10 ACTING PRESIDENT VALESKY: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 624, by Senator Montgomery, Senate Print --

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

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

18 THE SECRETARY: Calendar Number
19 625, by Senator Montgomery, Senate Print
20 6713 --

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

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

25 THE SECRETARY: Calendar Number

1 632, by Senator Espada, Senate Print 7225, an
2 act to amend the Private Housing Finance Law.

3 ACTING PRESIDENT VALESKY: Read
4 the last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect --

7 SENATOR LaVALLE: Lay it aside,
8 please.

9 ACTING PRESIDENT VALESKY: The
10 bill is laid aside.

11 THE SECRETARY: Calendar Number
12 643, by Senator Klein, Senate Print --

13 SENATOR LaVALLE: Lay it aside.

14 ACTING PRESIDENT VALESKY: The
15 bill is laid aside.

16 THE SECRETARY: Calendar Number
17 644, by Member of the Assembly Nolan, Assembly
18 Print Number 10507A, an act to amend the
19 Education Law.

20 ACTING PRESIDENT VALESKY: Read
21 the last section.

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

24 ACTING PRESIDENT VALESKY: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT VALESKY:

3 Announce the results.

4 THE SECRETARY: Those recorded in
5 the negative on Calendar Number 644 are
6 Senators Griffo, Larkin, LaValle, Marcellino,
7 and Young. Also Senator Nozzolio. Also
8 Senator Ranzenhofer.

9 Ayes, 51. Nays 7.

10 ACTING PRESIDENT VALESKY: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 645, by Senator Oppenheimer --

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

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

18 THE SECRETARY: Calendar Number
19 647, by Member of the Assembly Paulin,
20 Assembly Print Number 10676, an act to amend
21 the Executive Law.

22 ACTING PRESIDENT VALESKY: Read
23 the last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 120th day.

1 ACTING PRESIDENT VALESKY: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT VALESKY:
5 Announce the results.

6 THE SECRETARY: Those recorded in
7 the negative on Calendar Number 647 are
8 Senators Bonacic, DeFrancisco, Farley,
9 Fuschillo, Golden, Griffio, O. Johnson, Lanza,
10 Larkin, LaValle, Little, Maziarz, McDonald,
11 Ranzenhofer, Skelos and Young. Also Senator
12 Flanagan. Also Senator Leibell. Also Senator
13 Saland. Also Senator Nozzolio.

14 Ayes, 38. Nays, 20.

15 ACTING PRESIDENT VALESKY: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 678, by Senator Smith, Senate Print 7898, an
19 act to amend the Public Housing Law.

20 ACTING PRESIDENT VALESKY: Read
21 the last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the 30th day.

24 ACTING PRESIDENT VALESKY: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT VALESKY:

3 Senator Smith, to explain his vote.

4 SENATOR SMITH: Thank you very
5 much, Mr. President.

6 Let me first thank Senator Breslin
7 for his resolution on the 20th anniversary of
8 our Disabilities Act of 1990.

9 In that spirit, this particular
10 bill says to individuals who are subject to
11 wheelchairs or disabilities in public
12 developments that we recognize the challenges
13 that they face.

14 About a year ago in Far Rockaway,
15 Queens, there was a fire where a young lady's
16 life was taken away. The daughter, who was in
17 a wheelchair, was severely burned. And we
18 vowed then that we would take some action and
19 respond as a state body. Today we are doing
20 that, during this Disabilities Act
21 celebration.

22 This particular bill will allow for
23 anyone who disabled in public developments to
24 have preference to be on the first floor of
25 that public development should they choose to,

1 if in fact a particular apartment becomes
2 available.

3 This bill provides recognition to
4 those who are disabled that we recognize that
5 the challenges that they face are challenges
6 that we must respond to. And so with that,
7 Mr. President, I am proud to vote yes for this
8 bill.

9 Thank you very much.

10 ACTING PRESIDENT VALESKY:
11 Senator Smith to be recorded in the
12 affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 60. Nays,
15 0.

16 ACTING PRESIDENT VALESKY: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 725, by Member of the Assembly Bing, Assembly
20 Print Number --

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

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

25 THE SECRETARY: Calendar Number

1 743, by Member of the Assembly Destito,
2 Assembly --

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

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

7 THE SECRETARY: Calendar Number
8 890, by Senator Duane, Senate Print 2933, an
9 act to amend the Transportation Law and the
10 Public Authorities Law.

11 ACTING PRESIDENT VALESKY: Read
12 the last section.

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

15 ACTING PRESIDENT VALESKY: Call
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT VALESKY: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 891, by Senator Foley, Senate Print 6819, an
23 act to amend the Executive Law.

24 ACTING PRESIDENT VALESKY: Read
25 the last section.

1 THE SECRETARY: Section 3. This
2 act shall take effect January 1, 2011.

3 ACTING PRESIDENT VALESKY: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT VALESKY:
7 Senator Hannon, to explain his vote.

8 SENATOR HANNON: Yes, thank you,
9 Mr. President.

10 While the goal of this bill is
11 laudatory, I'm not so sure that the process by
12 which it's implemented can be defended. I
13 have asked whether there were hearings on this
14 bill, hearings on this concept, whether
15 there's reports. It is unclear the extent of
16 which a local municipality zoning code would
17 be overridden.

18 And for that reason and that doubt,
19 I would vote in the negative.

20 ACTING PRESIDENT VALESKY:
21 Senator Hannon to be recorded in the negative.

22 Announce the results.

23 THE SECRETARY: Those recorded in
24 the negative on Calendar Number 891 are
25 Senators Bonacic, DeFrancisco, Griffo, Hannon,

1 O. Johnson, Larkin, LaValle, Leibell, Libous,
2 Little, Marcellino, Nozzolio, Padavan,
3 Ranzenhofer, Saland, Seward and Young. Also
4 Senator Flanagan.

5 Ayes, 41. Nays, 18.

6 ACTING PRESIDENT VALESKY: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 938, by Member of the Assembly Schroeder,
10 Assembly Print Number 10853B, an act to amend
11 the Executive Law.

12 ACTING PRESIDENT VALESKY: Read
13 the last section.

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

16 ACTING PRESIDENT VALESKY: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT VALESKY: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 939, by Member of the Assembly Bing, Assembly
24 Print Number 9757, an act to amend the Public
25 Housing Law.

1 ACTING PRESIDENT VALESKY: Read
2 the last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 120th day.

5 ACTING PRESIDENT VALESKY: Call
6 the roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT VALESKY: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 940, by Member of the Assembly Cahill,
13 Assembly Print Number 10946, an act to amend
14 the Election Law.

15 ACTING PRESIDENT VALESKY: Read
16 the last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the 15th of December.

19 ACTING PRESIDENT VALESKY: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT VALESKY:
23 Announce the results.

24 THE SECRETARY: Those recorded in
25 the negative on Calendar Number 940 are

1 Senators --

2 SENATOR FARLEY: Mr. President,
3 just to explain my vote.

4 ACTING PRESIDENT VALESKY:
5 Senator Farley, to explain his vote.

6 SENATOR FARLEY: Just to explain
7 my vote.

8 You know, this bill is on its face
9 is a good bill, and one that we'd like to
10 support, but in particular, in some of the
11 rural areas, it makes it very, very difficult.
12 They'd have to not vote in a place where
13 they've been voting for years because they
14 can't make it handicapped-accessible and so
15 forth.

16 I'm going to vote no, but to
17 protect -- I have a lot of rural areas where
18 this could be quite difficult for them to
19 rehabilitate the voting places.

20 ACTING PRESIDENT VALESKY:
21 Senator Farley to be recorded in the negative.

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 940, those Senators recorded
25 in the negative are Farley, Flanagan,

1 O. Johnson, Little, Ranzenhofer and Seward.

2 Ayes, 54. Nays, 6.

3 ACTING PRESIDENT VALESKY: The
4 bill is passed.

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

7 Senator Seward, why do you rise?

8 SENATOR SEWARD: Mr. President, I
9 apologize for the interruption, but I was
10 unavoidably out of the chamber when Calendar
11 Number 364 passed, and I wish to be recorded
12 in the negative, if that's possible.

13 ACTING PRESIDENT VALESKY:
14 Calendar Number 364, that was?

15 SENATOR SEWARD: Yes. Thank you.

16 ACTING PRESIDENT VALESKY: With
17 unanimous consent, Senator Seward to be
18 recorded in the negative on Calendar Number
19 364.

20 Senator Klein.

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

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

1 controversial calendar.

2 The Secretary will ring the bells.
3 Senators are asked to proceed to the chamber
4 for the controversial calendar.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number
7 632, by Senator Espada, Senate Print 7225, an
8 act to amend the Private Housing Finance Law.

9 ACTING PRESIDENT VALESKY:
10 Senator Hannon.

11 SENATOR HANNON: Yes, I wonder if
12 the sponsor would yield.

13 ACTING PRESIDENT VALESKY:
14 Senator Espada, Senator Hannon has asked you
15 to yield to a question.

16 SENATOR ESPADA: Well, of course.
17 Of course.

18 ACTING PRESIDENT VALESKY: The
19 sponsor will yield.

20 SENATOR HANNON: Senator Espada,
21 earlier today when I reviewed this I had asked
22 if there was a memo from the City of New York,
23 and at that point there was none available. I
24 now have one, and it's dated today. But the
25 memo itself simply repeats what's in your

1 sponsor's memo, so it doesn't add any more
2 information.

3 So that's all by way of
4 preliminary. But since we're adding one-plus
5 billion dollars of borrowing authority, I just
6 wondered if there was more detail as to which
7 of the programs this bonding authority would
8 be used for and which of the programs that are
9 referred to in the memo, but not specified,
10 that are the other initiatives might be the
11 ones that would add to this borrowing
12 authority.

13 SENATOR ESPADA: Well, of course,
14 Senator Hannon.

15 The programs are basically three
16 programs run by HDC. These programs are the
17 Low-Income Affordable Marketplace Program, the
18 New Hope New Housing Opportunities Program and
19 the Mitchell-Lama program.

20 And I hasten to add that while this
21 is nothing new, as of 2005 we continued to
22 build tens of thousands of units of affordable
23 housing, in this climate that we're in, the
24 exponential impact is all positive in that
25 there's also economic development and jobs

1 included. And there's a huge pipeline of
2 projects that await this financing.

3 SENATOR HANNON: Could the door
4 be closed behind Senator Espada? Because
5 there's people coming in, and there's a lot of
6 noise.

7 ACTING PRESIDENT VALESKY: Will
8 the sergeants please close the doors behind
9 Senator Espada so it's easier for all of us to
10 hear.

11 Senator Hannon.

12 SENATOR HANNON: No, I have no --

13 SENATOR ESPADA: That's my
14 explanation. That's my answer.

15 SENATOR HANNON: Thank you very
16 much. Appreciate it. Thank you, Senator.

17 SENATOR ESPADA: Thank you,
18 Senator Hannon.

19 ACTING PRESIDENT VALESKY: Are
20 there any other Senators wishing to speak?

21 Seeing none, the debate is closed.
22 The Secretary will ring the bells. Senators
23 are asked to proceed to the chamber for the
24 roll call.

25 Read the last section.

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

3 ACTING PRESIDENT VALESKY: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT VALESKY:
7 Announce the results.

8 THE SECRETARY: Those recorded in
9 the negative on Calendar Number 632 are
10 Senators DeFrancisco, Flanagan, Griffio,
11 O. Johnson, Larkin, LaValle, Libous,
12 Marcellino, Ranzenhofer, Robach, Seward and
13 Skelos.

14 Absent from voting: Senators Diaz,
15 Dilan, Perkins, Schneiderman, Volker and
16 Winner.

17 Ayes, 43. Nays, 12.

18 ACTING PRESIDENT VALESKY: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 643, by Senator Klein, Senate Print 1884A, an
22 act to amend the Education Law.

23 ACTING PRESIDENT VALESKY:
24 Senator Padavan.

25 SENATOR PADAVAN: I just want to

1 ask a question.

2 ACTING PRESIDENT VALESKY:

3 Senator Klein, do you yield to a question?

4 SENATOR KLEIN: Yes,

5 Mr. President.

6 ACTING PRESIDENT VALESKY: The
7 sponsor yields.

8 SENATOR PADAVAN: Let me preface
9 my question, Senator Klein, by saying I well
10 understand the laudable goal of your bill, to
11 ensure that our youngsters have outdoor
12 recreational facilities and that that should
13 not be taken away from them in any
14 irresponsible manner.

15 However, as you know, the City of
16 New York has been going through and is well
17 along the way in a \$13 billion capital
18 improvement program. Schools all over the
19 City of New York are either being
20 modernized -- some new schools being built,
21 obviously, but many are being modernized,
22 upgraded, additions, all kinds of things going
23 on. If you travel around the city you see
24 scaffolding on just about every other school
25 you run by.

1 Now, there are occasions and
2 places -- and I had one just two blocks from
3 my office where they were doing a major
4 renovation and there had to be a place where
5 the contractors must store their equipment and
6 material used in that renovation. There is no
7 other playground in the area unless they put
8 them on a bus and took them to the park. And
9 for that period of time, a significant portion
10 of the playground was not available to the
11 children.

12 Now, the way I read your bill, even
13 those circumstances would be precluded, if
14 that's the way I read it. If I read it
15 correctly, you'll tell me that. But if I've
16 read it correctly, how do you deal with the
17 real-life issue that I've just described?

18 SENATOR KLEIN: Through you,
19 Mr. President, Senator Padavan raises a good
20 point.

21 In my discussions with the city, if
22 you notice on line 6 of the legislation,
23 existing playgrounds shall not be sold,
24 leased, or transferred or permanently
25 authorized for other uses.

1 The example Senator Padavan gave of
2 having a certain area with construction or
3 construction debris wouldn't be permanent. So
4 they would not, under my legislation, have to
5 come up with a plan.

6 SENATOR PADAVAN: All right. So
7 to clarify your answer, if I may, Senator.

8 If there's construction of some
9 limited period of time -- obviously, they are
10 limited -- then your bill would not come into
11 effect.

12 SENATOR KLEIN: Correct.

13 SENATOR PADAVAN: Thank you,
14 Senator.

15 SENATOR KLEIN: On the bill,
16 Mr. President.

17 ACTING PRESIDENT VALESKY:
18 Senator Klein, on the bill.

19 SENATOR KLEIN: This is an
20 important piece of legislation which came out
21 of two studies that my office conducted around
22 the City of New York which showed
23 unfortunately, in many cases, especially in
24 minority communities, the lack of adequate
25 playground space.

1 In many cases they're used by
2 temporary classrooms. Even worse cases,
3 they're used as parking lots, denying our
4 young people the ability to exercise.

5 You know, there's a lot of talk
6 about soda taxes and other fat taxes to reduce
7 childhood obesity, which presently in the
8 New York City area, 35 percent of our young
9 people are obese or overweight.

10 I personally believe that the way
11 to reduce childhood obesity is making sure
12 that young people have adequate playground
13 space and meaningful physical activity when
14 they're at school.

15 So I am hopeful that when this
16 legislation is passed into law, we can make
17 sure that happens.

18 And I don't think it's too much to
19 ask the Department of Education to make sure
20 that if indeed they have a permanent usage
21 which prevents kids from using their
22 playground, that they make alternative
23 arrangements, like taking the kids to a nearby
24 park, maybe closing off the street for a
25 couple of hours to traffic, to make sure, once

1 again, that our young people have meaningful
2 outdoor physical activity.

3 So of course I support this
4 legislation, Mr. President.

5 ACTING PRESIDENT VALESKY: Thank
6 you, Senator Klein.

7 Are there any other Senators who
8 wish to be heard?

9 Seeing none, the debate is closed.
10 The Secretary will ring the bells.

11 Read the last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect July 1, 2011.

14 ACTING PRESIDENT VALESKY: Call
15 the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 55. Nays,
18 0.

19 Absent from voting: Senators Diaz,
20 Dilan, Perkins, Schneiderman, Volker and
21 Winner.

22 ACTING PRESIDENT VALESKY: The
23 bill is passed.

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

1 SENATOR KLEIN: Mr. President,
2 can we please go to a reading of the
3 supplemental active list.

4 ACTING PRESIDENT VALESKY: The
5 Secretary will proceed with the reading of the
6 supplemental active list.

7 THE SECRETARY: Calendar Number
8 369, by Senator Young, Senate Print 3417, an
9 act to amend the Highway Law.

10 ACTING PRESIDENT VALESKY: Read
11 the last section.

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

14 ACTING PRESIDENT VALESKY: Call
15 the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT VALESKY: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 508, by Senator Young, Senate Print 2437, an
22 act to amend the Agriculture and Markets Law.

23 ACTING PRESIDENT VALESKY: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT VALESKY: Call
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT VALESKY: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 602, by Member of the Assembly Rabbitt,
10 Assembly Print Number 7774A, an act to
11 authorize the Town of Ramapo.

12 ACTING PRESIDENT VALESKY: Read
13 the last section.

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

16 ACTING PRESIDENT VALESKY: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar Number 602: Ayes, 58. Nays, 2.
21 Senators Bonacic and Larkin recorded in the
22 negative.

23 ACTING PRESIDENT VALESKY: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 881, by Senator Leibell, Senate Print 7620, an
2 act to authorize the Town of Kent.

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

5 Read the last section.

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

8 ACTING PRESIDENT VALESKY: Call
9 the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT VALESKY: The
13 bill is passed.

14 Senator Klein, that completes the
15 read of the supplemental active list.

16 SENATOR KLEIN: Mr. President, I
17 just want to announce to the members that
18 there will be a meeting of the Social Services
19 Committee immediately following session.

20 ACTING PRESIDENT VALESKY: A
21 meeting of the Social Services Committee
22 immediately following session.

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

25 ACTING PRESIDENT VALESKY: The

1 desk is clear.

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

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

11 (Whereupon, at 1:05 p.m., the
12 Senate adjourned.)
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