

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 2, 2011

11 11:25 a.m.

12
13
14 REGULAR SESSION

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17
18 SENATOR JOSEPH A. GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask all present to please rise
5 and join with me as we recite the Pledge of
6 Allegiance to our Flag.

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

10 ACTING PRESIDENT GRIFFO: In
11 the absence of clergy, today I ask all of us
12 to bow our heads in a moment of silent
13 reflection.

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

16 ACTING PRESIDENT GRIFFO: The
17 reading of the Journal.

18 THE SECRETARY: In Senate,
19 Wednesday, June 1st, the Senate met pursuant
20 to adjournment. The Journal of Tuesday,
21 May 31st, was read and approved. On motion,
22 Senate adjourned.

23 ACTING PRESIDENT GRIFFO:
24 Without objection, the Journal stands
25 approved as read.

1 Presentation of petitions.

2 Messages from the Assembly.

3 The Secretary will read.

4 THE SECRETARY: On page 18,
5 Senator Saland moves to discharge, from the
6 Committee on Insurance, Assembly Bill Number
7 1219 and substitute it for the identical
8 Senate Bill Number 1430, Third Reading
9 Calendar 238.

10 ACTING PRESIDENT GRIFFO:

11 Substitution so ordered.

12 THE SECRETARY: On page 50,
13 Senator Bonacic moves to discharge, from the
14 Committee on Judiciary, Assembly Bill Number
15 6837 and substitute it for the identical
16 Senate Bill Number 4584, Third Reading
17 Calendar 742.

18 ACTING PRESIDENT GRIFFO: The
19 substitution is so ordered.

20 THE SECRETARY: On page 52,
21 Senator Dilan moves to discharge, from the
22 Committee on Corporations, Authorities and
23 Commissions, Assembly Bill Number 2440 and
24 substitute it for the identical Senate Bill
25 Number 3339, Third Reading Calendar 767.

1 ACTING PRESIDENT GRIFFO:

2 Substitution so ordered.

3 THE SECRETARY: And on page 54,
4 Senator Diaz moves to discharge, from the
5 Committee on Aging, Assembly Bill Number 3882A
6 and substitute it for the identical Senate Bill
7 Number 5375, Third Reading Calendar 795.

8 ACTING PRESIDENT GRIFFO:

9 Substitution so ordered.

10 Messages from the Governor.

11 Reports of standing committees.

12 Reports of select committees.

13 Communications and reports from
14 state officers.

15 Motions and resolutions.

16 Senator Libous.

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

19 On behalf of Senator Marcellino,
20 Mr. President, on page 38 I offer the following
21 amendments to Calendar Number 604, Senate Print
22 4272, and ask that said bill retain its place on
23 the Third Reading Calendar.

24 ACTING PRESIDENT GRIFFO: The
25 amendments are received, and the bill will retain

1 its place on third reading.

2 SENATOR LIBOUS: And once again on
3 behalf of Senator Marcellino, Mr. President, on
4 page 59 I offer the following amendments to
5 Calendar Number 841, Senate Print 5261, and ask
6 that said bill retain its place on the Third
7 Reading Calendar.

8 ACTING PRESIDENT GRIFFO: The
9 amendments are received, and the bill will retain
10 its place on third reading.

11 SENATOR LIBOUS: Mr. President, at
12 this time may we please adopt the Resolution
13 Calendar, with the exception of Resolution 2100.

14 ACTING PRESIDENT GRIFFO: All in
15 favor of adopting the Resolution Calendar, with
16 the exception of Resolution 2100, signify by
17 saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: The
22 Resolution Calendar, as presented, is adopted.

23 Senator Libous.

24 SENATOR LIBOUS: Thank you,
25 Mr. President.

1 I believe there is a resolution at
2 the desk by Senator Bonacic. The resolution was
3 previously adopted. We would like at this time
4 for it to be read in its entirety, and then
5 please call on Senator Bonacic for some comments.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 2062, by Senator Bonacic,
10 commending the Valedictorians, Salutatorians and
11 Honored Students from the 42nd Senate District,
12 in recognition of their outstanding
13 accomplishments, at a celebration to be held at
14 the State Capitol on June 2, 2011.

15 "WHEREAS, It is the sense of this
16 Legislative Body to act, in accord with its
17 long-standing traditions, to honor the youth of
18 today -- the leaders of tomorrow -- whose
19 character and achievements exemplify the ideals
20 and values cherished by this great State and
21 Nation; and

22 "WHEREAS, This Legislative Body is
23 justly proud to recognize and commend the high
24 achievements of these dedicated students in the
25 42nd Senate District on the occasion of a special

1 celebratory visit to the State Capitol in Albany,
2 New York, on Thursday, June 2, 2011. At this
3 time the Valedictorians, Salutatorians and
4 Honored Students who have been selected by their
5 school leadership for outstanding community
6 service will receive special recognition from the
7 Senate in the Senate chamber. Lunch will be
8 served on the Third-Floor Terrace of the
9 Legislative Office Building, followed by a tour
10 of the State Capitol; and

11 "WHEREAS, These Valedictorians,
12 Salutatorians and Honored Students represent the
13 best of developed potential inherent in our most
14 precious resource, our youth. Their achievements
15 have brought enduring honor to their families and
16 communities and should be recognized and saluted;
17 and

18 "WHEREAS, The Valedictorians who are
19 being commended today for their outstanding
20 academic performances and exemplary achievements
21 include: Gina Tait, Nicole Starr, Sean Kline,
22 Joel Shaver, Savannah Lust, Benjamin Altshuler,
23 Brody Wiles, Brittany Beach, Jessica Wadeson,
24 Samantha Batista, Paulina Kleinberger, Graig
25 Godlewski, Olivia Todd, Rodrigo Hernandez, Jared

1 Claypoole, Rachel Ehrmen, Julie Apuzzo, Isabel
2 Yannatos, Melissa Bright, Ryan Fitzgerald,
3 Catherine Greenthal, Meghan Wallace, Kacey
4 Gardner, Anne Pysnik, Nicole Lennon, Andrew Gage,
5 Justin Zaccari, Jesse Miller, Brendan Lee and
6 Andrew Davis; and

7 "WHEREAS, The Salutatorians who are
8 being commended today for their outstanding
9 academic performances and exemplary achievements
10 include: Cameron Roberts, Lucas Haight,
11 Elizabeth Moon, Kacie Walley, Tyler Worzel,
12 Victoria Zlotnikova, Jonathan Schlosser, Lily
13 Stalter, Emily Appley, Tiss Doci, Jessica
14 Dunnigan, Alexandria Mead, Caitlin Kohn, Shivani
15 Sharma, Marissa Guzzardo, Caitlin Bonnaci, Brian
16 Busby, H. Andrew Wilsey, Kirsten Blancato,
17 Angelica Cullo, Adam Hendrix, Tarah DiBenedetto,
18 Brooke Littlefield, Kathleen Innes, Nicole
19 Holdridge, Madeline Wenner, Lynnette Lacek, Emily
20 Higgins, Daniel Markisello and Chyna Ly; and

21 "WHEREAS, The Honored Students who
22 are being commended today and who have been
23 selected by their school leadership for
24 outstanding school or community service include:
25 Carly Gundlach, Mary Hetterich, Katarina Mercado,

1 Caden Otunu, Ryan King, Jeremy Bedenham,
2 Stephanie Caucci, Conor Siegel, Brandon Smith,
3 Daniel Berk, Taylor Reardon, Antonio Stephens,
4 Jordan Kortright, Paige Clancy, Jacob Liberatore,
5 Andrew Jabs, Joseph Colasuonno, Sommer Johansen,
6 John Vandermark, Bridgette Fletcher and Kasey
7 Stelter; and

8 "WHEREAS, These Valedictorians,
9 Salutatorians and Honored Students may now stand
10 with pride as they assess their achievements,
11 experience the satisfaction of their labors and
12 the joy of their accomplishments, eager to face
13 the new experiences of a challenging world; now,
14 therefore, be it

15 "RESOLVED, That this Legislative
16 Body pause in its deliberations to commend the
17 Valedictorians, Salutatorians and Honored
18 Students of the 42nd Senate District, in
19 recognition of their outstanding accomplishments,
20 at a celebration to be held at the State Capitol
21 on June 2, 2011; and be it further

22 "RESOLVED, That copies of this
23 resolution, suitably engrossed, be transmitted to
24 the aforementioned Valedictorians, Salutatorians
25 and Honored Students."

1 ACTING PRESIDENT GRIFFO: Senator
2 Bonacic.

3 SENATOR BONACIC: Thank you,
4 Mr. President.

5 This is a special day for me and I
6 think a special day for all of my colleagues.
7 Look up in the galleries on both sides, and let
8 me embellish the introduction that was said in
9 the reading of the resolution.

10 You know, many of us bring athletes
11 here when they win championships. Today, these
12 are our academic champions from our Senate
13 district who have achieved very high in the 30
14 school districts that I represent.

15 This morning we were treated by a
16 presentation by the Honorable Jonathan Lippman,
17 our Chief Judge of the Court of Appeals, and Ken
18 Adams, that spoke to some of our bright leaders
19 of tomorrow. And I want to thank them for their
20 words of wisdom. I thought they were terrific.

21 And to the parents that are here,
22 the superintendents and the teachers that
23 accompanied them today, I say thank you for their
24 support.

25 And to our young leaders of

1 tomorrow, I would hope that you would think about
2 working in the State of New York after you finish
3 your education. I hope you will be living here,
4 raising your children here for a very long time.

5 I want to say in conclusion that,
6 you know, we hear many scenarios in the global
7 economy about China and India and Asia and places
8 in Europe that are going to emerge as the
9 strongest nation in the world. But the strongest
10 nation in the world in the future will be the
11 intelligence of our people.

12 And when you look around this
13 chamber, you will see our best. America is in
14 good hands. Our future is in good hands. I
15 congratulate all of you.

16 Thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Bonacic.

19 (Applause.)

20 ACTING PRESIDENT GRIFFO: Senator
21 DeFrancisco.

22 SENATOR DEFRANCISCO: Yes. Senator
23 Bonacic should be commended for bringing all of
24 these bright young people to Albany. It's a
25 wonderful program. And I know my wife observed

1 the program earlier today, and it's a wonderful
2 thing that he's doing for all of you.

3 It's even a more wonderful thing
4 that you're doing for yourselves and for the rest
5 of your communities: doing the best you can
6 possibly do, being the best you can possibly be.
7 It isn't easy to study when everyone else is out
8 having a good time. It isn't easy to take that
9 harder course while others are taking the easy
10 way out. It's a lot easier to be mediocre, like
11 most of society is today, and not reaching your
12 highest potential.

13 And I know how difficult it is to
14 have become a valedictorian or a salutatorian. I
15 never quite made it that far. I know how
16 difficult it is and what an accomplishment it is.

17 So congratulations to all of you.
18 You have done the right thing. You have taken
19 the hard course to be the best you could possibly
20 be. And this is just the start -- the best is
21 yet to come. Thank you all for everything that
22 you've done and what you're going to do in the
23 future.

24 ACTING PRESIDENT GRIFFO: The
25 resolution was adopted by the Senate on

1 May 25th.

2 We want to extend our
3 congratulations and our best wishes to the
4 valedictorians and the salutatorians from the
5 42nd Senate District. From the members of the
6 Senate, we now thank you and congratulate you.

7 Members?

8 (Standing ovation.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Libous.

11 SENATOR LIBOUS: Thank you,
12 Mr. President.

13 At this time I believe there is a
14 resolution at the desk by Senator Ball. Can we
15 have its title read and move for its immediate
16 adoption.

17 ACTING PRESIDENT GRIFFO: The
18 Secretary will read.

19 THE SECRETARY: Legislative
20 Resolution Number 2167, by Senator Ball,
21 memorializing Governor Andrew M. Cuomo to declare
22 June 1, 2011, as Animal Advocacy Day in the State
23 of New York.

24 ACTING PRESIDENT GRIFFO: The
25 question is on the resolution. All in favor

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT GRIFFO: Opposed?

4 (No response.)

5 ACTING PRESIDENT GRIFFO: The
6 resolution is adopted.

7 Senator Libous.

8 SENATOR LIBOUS: Mr. President,
9 could we open the resolution for cosponsorship.
10 As our policy is, if someone wishes not to be on
11 the resolution, to let the desk know.

12 ACTING PRESIDENT GRIFFO: So
13 ordered. The resolution is open for
14 cosponsorship. If you choose not to be a
15 cosponsor, please indicate by stopping by the
16 desk.

17 SENATOR LIBOUS: Mr. President, at
18 this time Senator Parker has a resolution at the
19 desk. Could we have its title read and move for
20 its immediate adoption, please.

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read.

23 THE SECRETARY: Legislative
24 Resolution Number 2100, by Senator Parker, paying
25 just tribute and remembering the 134 tornado

1 victims of Joplin, Missouri, and expressing the
2 deepest condolences of the people from the State
3 of New York.

4 ACTING PRESIDENT GRIFFO: The
5 question is on the resolution. All in favor
6 signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (No response.)

10 ACTING PRESIDENT GRIFFO: The
11 resolution is adopted.

12 Senator Libous, at the request of
13 the sponsor, without objection, that resolution
14 will also be open to cosponsorship.

15 SENATOR LIBOUS: Thank you,
16 Mr. President.

17 ACTING PRESIDENT GRIFFO: So anyone
18 who wishes to not be a cosponsor, please signify
19 by stopping by the desk.

20 SENATOR LIBOUS: Mr. President, at
21 this time I want to just alert the members that
22 we will do the reading of the noncontroversial
23 calendar, which it is my belief will go
24 relatively quickly, and then there will be a
25 number of committee meetings that I will call so

1 that members can then go to those committee
2 meetings and proceed with the business of the
3 day.

4 But we will do the reading at this
5 time of the noncontroversial calendar, and then
6 I'll lay out where the committee meetings are
7 going to be.

8 ACTING PRESIDENT GRIFFO: So
9 noted.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number 60,
12 by Senator Addabbo, Senate Print 1242, an act to
13 amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the first of November.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 54.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 238, substituted earlier today by Member of the

1 Assembly Bing, Assembly Print 1219, an act to
2 amend the Insurance Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator
11 Saland, to explain his vote.

12 SENATOR SALAND: Thank you,
13 Mr. President.

14 Mr. President, this is a very
15 important piece of legislation, important to many
16 people, particularly important to the seniors'
17 community. There are a number of memos in
18 support, including one from the AARP strongly
19 supporting this legislation.

20 What this bill does is it -- and
21 it's a bill which we passed last year, I believe
22 unanimously. This year the Assembly has passed
23 the bill. It will work its way to the Governor
24 shortly.

25 What it does is basically says if

1 you are a person who is required to use eye drops
2 and those eye drops are used up before the
3 expiration of the period for which they have been
4 prescribed, you have the ability to go and get a
5 refill.

6 Why is this important? Because
7 people, and I happen to be one of those people,
8 who have eye diseases -- in my case, it's
9 glaucoma -- are greatly at risk if they don't
10 have the ability to continue to take their eye
11 drops on a daily basis.

12 Under the existing law, once that
13 prescription goes dry and you have a number of
14 days and sometimes weeks left, you cannot get a
15 refill. So if you're a glaucoma patient, and
16 there are other degenerative eye diseases, your
17 sight is literally at risk.

18 The importance of this bill is that
19 a patient will now be able to get those
20 desperately needed eye drops and preserve their
21 sight.

22 The Governor of Maryland has signed
23 a very similar if not identical bill no more than
24 some two weeks ago.

25 This bill will be an enormous relief

1 to, again, particularly the seniors' community,
2 but anybody who has a problem in getting drops in
3 their eyes -- and certainly the frail elderly
4 have a greater problem than most -- will benefit
5 from this bill.

6 Thank you, Mr. President. Quite
7 clearly, I support this legislation.

8 ACTING PRESIDENT GRIFFO: Senator
9 Saland to be recorded in the affirmative.

10 Announce the results.

11 THE SECRETARY: Ayes, 55.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 351, by Senator Gallivan, Senate Print 4052, an
16 act to amend the Criminal Procedure Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 55.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 441, by Senator Bonacic, Senate Print 4577A, an
4 act to amend the Civil Practice Law and Rules.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 55.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 443, by Senator Bonacic, Senate Print 4581, an
17 act to amend the Civil Practice Law and Rules.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect on the first of January.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 552, by Senator Breslin, Senate Print 3665, an
5 act to amend the Insurance Law.

6 SENATOR SQUADRON: Lay it aside for
7 the day.

8 ACTING PRESIDENT GRIFFO: Lay it
9 aside for the day.

10 THE SECRETARY: Calendar Number
11 631, by Senator Johnson, Senate Print 4012, an
12 act to authorize Breast Cancer Help, Inc.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 631, Senator Bonacic recorded in
24 the negative.

25 Ayes, 54. Nays, 1.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 649, by Senator Maziarz, Senate Print 148A, an
5 act to amend the Education Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 55.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 662, by Senator Johnson, Senate Print 2734, an
18 act to amend Chapter 635 of the Laws of 1987.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 662, those recorded in the
5 negative are Senators Dilan and Hassell-Thompson.

6 Ayes, 53. Nays, 2.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 676, by Senator Avella, Senate Print 4838, an act
11 to amend Chapter 709 of the Laws of 2005.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator Squadron, why do you rise?

23 SENATOR SQUADRON: Thank you,
24 Mr. President.

25 I rise to take a moment to recognize

1 Senator Avella. This is his first bill passing
2 in this chamber. So congratulations.

3 (Applause.)

4 ACTING PRESIDENT GRIFFO:

5 Congratulations, Senator Avella.

6 The Secretary will continue to read.

7 THE SECRETARY: Calendar Number
8 722, by Senator Golden, Senate Print 1751, an act
9 to amend the Civil Rights Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 6. This
13 act shall take effect immediately.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 55.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 723, by Senator Lanza, Senate Print 2950, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 30th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 742, substituted earlier today by Member of the
10 Assembly Lavine, Assembly Print 6837, an act to
11 amend the Estates, Powers and Trusts Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 57.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 743, by Senator Bonacic, Senate Print 4593, an
24 act to amend the Family Court Act.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 57.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 765, by Senator Golden, Senate Print 1989, an act
12 to amend the Public Authorities Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 57.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 767, substituted earlier today by Member of the
25 Assembly Lentol, Assembly Print 2440, an act to

1 amend the Public Authorities Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 57.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 773, by Senator Kennedy, Senate Print 3330, an
14 act to amend Chapter 276 of the Laws of 1993.

15 ACTING PRESIDENT GRIFFO: There is
16 a home-rule message at the desk.

17 Read the last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 57.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 SENATOR SQUADRON: Mr. President.

2 ACTING PRESIDENT GRIFFO: Senator
3 Squadron.

4 SENATOR SQUADRON: I believe it's a
5 day of many firsts. That was Senator Kennedy's
6 first bill passed in this house.

7 Congratulations, Senator Kennedy.
8 I'm sure there are many more to come.

9 (Appause.)

10 ACTING PRESIDENT GRIFFO:
11 Congratulations, Senator Kennedy.

12 The Secretary will continue to read.

13 THE SECRETARY: Calendar Number
14 786, by Senator Flanagan, Senate Print 3403, an
15 act to amend the Civil Service Law.

16 ACTING PRESIDENT GRIFFO: There is
17 a home-rule message at the desk.

18 Read the last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 57.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 795, substituted earlier today by Member of the
4 Assembly Englebright, Assembly Print 3882A, an
5 act to amend the Elder Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 57.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 801, by Senator Fuschillo, Senate Print 5171B, an
18 act to amend the Vehicle and Traffic Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

21 THE SECRETARY: Section 5. This
22 act shall take effect on the 90th day.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Senator
2 Fuschillo to explain his vote.

3 SENATOR FUSCHILLO: Just quickly,
4 Mr. President.

5 I want to thank my colleagues for
6 their support of this bill. This came out of the
7 recent rash of bus crashes we've witnessed now in
8 New York State, but most notably on March 12th,
9 when a bus returning to New York City from
10 Connecticut killed 15 passengers on the bus.

11 And it was found out that the bus
12 driver was previously convicted of manslaughter
13 and grand larceny. Had this bill been on the
14 books, he would have been permanently
15 disqualified from being able to drive a bus here
16 in New York State.

17 So I want to thank my colleagues for
18 their support.

19 ACTING PRESIDENT GRIFFO: Thank
20 you, Senator Fuschillo.

21 Announce the results.

22 THE SECRETARY: Ayes, 57.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 The Secretary will continue to read.

1 THE SECRETARY: Calendar Number
2 807, by Senator Fuschillo, Senate Print 5232, an
3 act to amend the Penal Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 6. This
7 act shall take effect on the first of November.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 57. Nays, 1.
12 Senator Hassell-Thompson recorded in the
13 negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 Senator Marcellino, that concludes
17 the reading of the calendar.

18 SENATOR MARCELLINO: Thank you,
19 Mr. President.

20 I would ask that the Senate stand at
21 ease for a minute or two. And I would also ask
22 that members stay close. Because once we come
23 back, there will be several committee meetings
24 called off the floor in rooms in the Capitol.
25 And your attendance at those committee meetings

1 is needed so that the bills can be moved in an
2 expeditious fashion.

3 So thank you. We'll let the Senate
4 stand at ease, Mr. President.

5 ACTING PRESIDENT ROBACH: The
6 Senate will stand at ease momentarily.

7 (Whereupon, the Senate stood at ease
8 at 11:51 a.m.)

9 (Whereupon, the Senate reconvened at
10 11:52 a.m.)

11 SENATOR MARCELLINO: Mr. President.

12 ACTING PRESIDENT ROBACH: Senator
13 Marcellino.

14 SENATOR MARCELLINO: There will be
15 an immediate meeting of the Finance Committee in
16 Room 332, an immediate meeting of the Finance
17 Committee in Room 332.

18 We'd ask all members to move as
19 quickly as possible to Room 332 so that we can
20 have that meeting. Thank you.

21 ACTING PRESIDENT ROBACH: There
22 will be an immediate Finance Committee meeting in
23 Room 332. We ask members to please go there
24 directly. Thank you.

25 SENATOR MARCELLINO: Mr. President.

1 ACTING PRESIDENT ROBACH: Senator
2 Marcellino.

3 SENATOR MARCELLINO: Mr. President,
4 if you could recognize Senator Hassell-Thompson,
5 please. With unanimous consent.

6 ACTING PRESIDENT ROBACH: The
7 Senate will come to order.

8 Senator Hassell-Thompson.

9 SENATOR HASSELL-THOMPSON: Thank
10 you, Mr. President. Good morning. And I would
11 like again to acknowledge in the gallery students
12 from two of my schools in the City of Mount
13 Vernon.

14 Graham Elementary School, their
15 principal is Natasha Hunter-McGregor. Their
16 teachers are Kevin Moore, Pat Longworthy, Keith
17 Dembo, and Giselle Slayton. The teacher liaison
18 student council is Peggy Crouch, Annabelle
19 Strozza, and Annitra Jones.

20 And from our Longfellow Elementary
21 School, Principal Lynette Harris. The teachers
22 are Mrs. Michelle Bromley, Mrs. Deidre Davis, and
23 Ms. Betsey Dorreliand.

24 Our students this morning had a mock
25 session, putting a close to the end of the

1 sessions that the elementary schools have done
2 from the City of Mount Vernon. Today their issue
3 again was inappropriate dress. And they are very
4 concerned about the image that many of our young
5 people are displaying by having their pants sag
6 and show their underwear.

7 So they came today, but we had a
8 very important lesson about -- because many of
9 them believed that it was a freedom of choice in
10 dresswear. And while we agree that they should
11 have freedom of choice, I wanted to caution them
12 that each time they made an activity a crime,
13 they were perhaps introducing another opportunity
14 for young men of color to go to prison.

15 And so while we think that this is a
16 disgusting public display, we think that
17 education and teaching and nurturing of our young
18 people is more important, because it tells them
19 that they have a career other than prison to
20 which they can look forward.

21 So I want to thank them for coming
22 today. I want to thank them for their politeness
23 and for their attendance and their alertness and
24 their good debates. And I think that the future
25 of the Legislature is still in good hands.

1 Thank you, Mr. President. Thank
2 you, students.

3 (Applause.)

4 ACTING PRESIDENT GRIFFO: Thank
5 you. On behalf of Senator Hassell-Thompson, we
6 welcome you students here from Graham Elementary
7 and Longfellow Elementary, and please enjoy your
8 day in the Capitol.

9 Senator Marcellino.

10 SENATOR MARCELLINO: Yes,
11 Mr. President. I believe we have a handup which
12 we'd like accepted by the desk, filed with the
13 Journal.

14 ACTING PRESIDENT O'MARA: To be
15 filed in the Journal.

16 Senator Marcellino.

17 SENATOR MARCELLINO: Just so the
18 members know the schedule, immediately after the
19 Finance Committee meeting in 332 we will be
20 calling the Investigations Committee, the same
21 room. After Investigations, which should go
22 quickly, the Health Committee in Room 332. And
23 then the Veterans Committee in Room 332 after the
24 Health Committee. Followed by Crimes and
25 Corrections in 123, Transportation in 124.

1 All within the Capitol, and we'll
2 call them in sequence as soon as Finance is
3 finished.

4 ACTING PRESIDENT O'MARA: Thank
5 you, Senator Marcellino.

6 Members, please be advised that
7 there will be a meeting of the Investigations
8 Committee immediately after the Finance Committee
9 in Room 332, followed by Health Committee, then
10 Veterans. And then the Crime Victims Committee
11 followed by Transportation. All in Room 332?

12 SENATOR MARCELLINO: No. Crime and
13 Corrections will be in 123 of the Capitol, and
14 Transportation will be in Room 124 of the
15 Capitol.

16 All of these meetings are being held
17 in consultation and acceptance with the minority.

18 Mr. President, is there any further
19 business at the desk?

20 ACTING PRESIDENT O'MARA: There is
21 no further business at the desk, no.

22 SENATOR MARCELLINO: Mr. President,
23 if we could stand at ease for a few moments until
24 the next committee meeting is called.

25 ACTING PRESIDENT O'MARA: The

1 Senate will stand at ease momentarily.

2 (Whereupon, the Senate stood at ease
3 at 11:59 a.m.)

4 (Whereupon, the Senate reconvened at
5 12:25 p.m.)

6 ACTING PRESIDENT ROBACH: The
7 Senate will come to order.

8 Senator Griffo.

9 SENATOR GRIFFO: Thank you,
10 Mr. President.

11 There will be an immediate meeting
12 of the Investigations and Government Operations
13 Committee in Room 332.

14 And there will be an immediate
15 meeting of the Transportation Committee in
16 Room 124. Let's amend that to five minutes.
17 We'll make it a meeting of the Transportation
18 Committee in five minutes in Room 124 of the Cap,
19 and an immediate meeting of the Government
20 Operations and Investigations Committee in
21 Room 332, Mr. President.

22 ACTING PRESIDENT ROBACH: There
23 will be a meeting of the Government Operations
24 and Investigations Committee in Room 332. For
25 all members on that committee, please go there.

1 And in five minutes there will be a
2 Transportation Committee meeting in Room 124 of
3 the Capitol downstairs.

4 SENATOR GRIFFO: And the Senate
5 will stand at ease, Mr. President.

6 ACTING PRESIDENT ROBACH: The
7 Senate will temporarily stand at ease.

8 (Whereupon, the Senate stood at ease
9 at 12:27 p.m.)

10 (Whereupon, the Senate reconvened at
11 12:41 p.m.)

12 ACTING PRESIDENT GRISANTI: The
13 Senate will come to order.

14 SENATOR GRIFFO: Mr. President,
15 there will be an immediate meeting of the Health
16 Committee in Room 332 of the Capitol.

17 And in approximately five minutes we
18 will have a meeting of the Crime Victims, Crime
19 and Correction Committee in Room 123 of the
20 Capitol.

21 ACTING PRESIDENT GRISANTI:
22 Immediate meeting of the Health Committee in
23 Room 332 of the Capitol.

24 SENATOR GRIFFO: And a meeting of
25 the Crime Victims, Crime and Correction Committee

1 in Room 123.

2 ACTING PRESIDENT GRISANTI: And a
3 meeting of the Crime Victims, Crime and
4 Correction Committee in Room 123 in about five
5 minutes.

6 SENATOR GRIFFO: Mr. President, the
7 Senate will stand at ease.

8 ACTING PRESIDENT GRISANTI: The
9 Senate will stand at ease.

10 (Whereupon, the Senate stood at ease
11 at 12:43 p.m.)

12 (Whereupon, the Senate reconvened at
13 12:55 p.m.)

14 ACTING PRESIDENT FLANAGAN: Senator
15 LaValle.

16 SENATOR LaVALLE: Mr. President,
17 there will be an immediate meeting of the
18 Veterans Committee in Room 332.

19 ACTING PRESIDENT FLANAGAN: There
20 will be an immediate meeting of the Veterans
21 Committee in Room 332.

22 SENATOR LaVALLE: Is there any
23 further business at the desk?

24 ACTING PRESIDENT FLANAGAN: Senator
25 LaValle, there is none.

1 SENATOR LaVALLE: Hearing that, we
2 will adjourn until Monday, June 6th, at
3 3:00 p.m., intervening days being legislative
4 days.

5 ACTING PRESIDENT FLANAGAN: On
6 motion, the Senate stands adjourned until Monday,
7 June 6th, at 3:00 p.m., intervening days being
8 legislative days.

9 (Whereupon, at 12:57 p.m., the
10 Senate adjourned.)
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