NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 2, 2011

11:25 a.m.

REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Substitution so ordered.

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

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

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

ACTING PRESIDENT GRIFFO: Substitution so ordered.

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

ACTING PRESIDENT GRIFFO: Substitution so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

its place on third reading.

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

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

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRIFFO: Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

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

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

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

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

And to our young leaders of

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Bonacic.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

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

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

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

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

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

May 25th.

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

Members?

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Libous.

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

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

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

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

SENATOR LIBOUS: Thank you, Mr. President.

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

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

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

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

ACTING PRESIDENT GRIFFO: So noted.

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

SENATOR SALAND: Thank you, Mr. President.

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

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

What it does is basically says if

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

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

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

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

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

This bill will be an enormous relief

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

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

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

Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR SQUADRON: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 54. Nays, 1.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

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

Ayes, 53. Nays, 2.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Squadron, why do you rise?

SENATOR SQUADRON: Thank you, Mr. President.

I rise to take a moment to recognize

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

(Applause.)

ACTING PRESIDENT GRIFFO: Congratulations, Senator Avella.

The Secretary will continue to read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 30th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR SQUADRON: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Squadron.

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

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

(Applause.)

ACTING PRESIDENT GRIFFO: Congratulations, Senator Kennedy.

The Secretary will continue to read.

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

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill

is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Fuschillo to explain his vote.

SENATOR FUSCHILLO: Just quickly, Mr. President.

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

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

So I want to thank my colleagues for their support.

ACTING PRESIDENT GRIFFO: Thank you, Senator Fuschillo.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will continue to read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Marcellino, that concludes the reading of the calendar.

SENATOR MARCELLINO: Thank you, Mr. President.

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

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

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

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

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

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

SENATOR MARCELLINO: Mr. President.

ACTING PRESIDENT ROBACH: Senator Marcellino.

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

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

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

SENATOR MARCELLINO: Mr. President.

ACTING PRESIDENT ROBACH: Senator Marcellino.

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

ACTING PRESIDENT ROBACH: The Senate will come to order.

Senator Hassell-Thompson.

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

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

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

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

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

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

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

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

Thank you, Mr. President. Thank you, students.

(Applause.)

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

Senator Marcellino.

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

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

Senator Marcellino.

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT O'MARA: The

Senate will stand at ease momentarily.

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

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

ACTING PRESIDENT ROBACH: The Senate will come to order.

Senator Griffo.

SENATOR GRIFFO: Thank you, Mr. President.

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

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

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

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

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

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

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

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

ACTING PRESIDENT GRISANTI: The Senate will come to order.

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

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

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

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

in Room 123.

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

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

ACTING PRESIDENT GRISANTI: The Senate will stand at ease.

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

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

ACTING PRESIDENT FLANAGAN: Senator LaValle.

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

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

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

ACTING PRESIDENT FLANAGAN: Senator LaValle, there is none.

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

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

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