NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 3, 2014

10:11 a.m.

REGULAR SESSION

SENATOR TONY AVELLA, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AVELLA: The Senate will come to order.

I ask everyone present to please rise and repeat with me the Pledge of Allegiance.

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

ACTING PRESIDENT AVELLA: In the absence of clergy, may please we bow our heads in a moment of silence.

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

ACTING PRESIDENT AVELLA: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 2nd, the Senate met pursuant to adjournment. The Journal of Sunday, June 1st, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 27, Senator Bonacic moves to discharge, from the Committee on Judiciary, Assembly Bill Number 9576 and substitute it for the identical Senate Bill Number 7078, Third Reading Calendar 427.

ACTING PRESIDENT AVELLA: Substitution so ordered.

THE SECRETARY: On page 59, Senator Savino moves to discharge, from the Committee on Local Government, Assembly Bill Number 7018 and substitute it for the identical Senate Bill Number 4824, Third Reading Calendar 884.

ACTING PRESIDENT AVELLA: 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: Mr. President, before we do motions, if the members could just kind of pay attention. There's going to be two committees called immediately, and then at some point we're going to do Rules. But we have to

have these committee meetings first.

The first one will be the Health Committee. The Health Committee will meet immediately in Room 332. That's the Health Committee. You will meet immediately in Room 332.

After the Health Committee, Local Governments will meet in Room 332. After the Health Committee, Local Governments will meet in 332.

And those are the two committee meetings. So Health Committee right now in 332, and Local Governments to follow in 332.

ACTING PRESIDENT AVELLA: There will be an immediate meeting of the Health Committee in Room 332, followed immediately by the Local Government Committee in the same room.

SENATOR LIBOUS: And, Mr. President, Senator Hannon has come up with a very good point. I will let members know that after session, Transportation will meet and Labor will meet. And we'll give you the actual locations at the end of session.

So after session, Transportation and Labor will meet.

And if, Mr. President, at this point in time you could call on Senator Valesky and then back to me, I would appreciate it.

ACTING PRESIDENT AVELLA: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On page 66, I offer the following amendments to Calendar Number 964, Senate Bill 6847, and I ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

Senator Libous.

SENATOR LIBOUS: Mr. President, on behalf of Senator Nozzolio, I move to recommit Senate Print Number 4054A, Calendar Number 244 on the order of third reading, to the Committee on Consumer Protection, with instructions to said committee to strike the enacting clause.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: Mr. President, a very important one. On behalf of Senator Libous, on page 31 I offer the following amendments to

Calendar Number 505, Senate Print 6769B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: Mr. President, at this time I would like to take up the reading of the noncontroversial calendar.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Calendar Number 62, by Senator Zeldin, Senate Print 1687A, an act to amend the Public Authorities Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 168, by Senator Young, Senate Print 4396A, an act to amend the Soil and Water Conservation Districts Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 257, by Senator Young, Senate Print 4356A, an act to amend the Soil and Water Conservation Districts Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 314, by Senator Gallivan, Senate Print 6598B, an act in relation to authorizing.

ACTING PRESIDENT AVELLA: 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 AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 427, substituted earlier by Member of the

Assembly Weinstein, Assembly Print 9576 --

SENATOR LIBOUS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 432, by Senator LaValle, Senate Print 5268A, an act to amend the Tax Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 673, by Senator Felder, Senate Print 7215, an act to amend the Family Court Act.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 692, by Senator LaValle, Senate Print 2282, an act to amend the Education Law.

SENATOR LIBOUS: Mr. President, please lay this bill aside temporarily.

ACTING PRESIDENT AVELLA: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 739, by Senator Latimer, Senate Print 5352A, an act to authorize.

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

Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 807, by Senator LaValle, Senate Print 3884A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 809, by Senator Breslin, Senate Print 5714B, an

act to amend the Environmental Conservation Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 818, by Senator Grisanti, Senate Print 3009, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 884, substituted earlier by Member of the Assembly Abbate, Assembly Print Number 7018, an act to amend the Town Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 42. Nays, 3. Senators DeFrancisco, Gallivan and Gipson recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 902, by Senator Gallivan, Senate Print 4772A, an act to amend the Penal Law.

ACTING PRESIDENT AVELLA: Read the

last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 913, by Senator Carlucci, Senate Print 5224, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill

is passed.

THE SECRETARY: Calendar Number 929, by Senator Maziarz, Senate Print 1081B, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 931, by Senator Grisanti, Senate Print 1703A, an act to amend the Education Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 936, by Senator Carlucci, Senate Print 3245, an act to amend the Executive Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 956, by Senator Little, Senate Print 6946, an act to amend the Executive Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 958, by Senator Maziarz, Senate Print 7007A, an act directing.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 961, by Senator Gallivan, Senate Print 4129A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT AVELLA: The bill is passed.

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

SENATOR LIBOUS: Mr. President, can we go back to motions for a minute?

ACTING PRESIDENT AVELLA: Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, sir. I

want to adopt the Resolution Calendar, with the exception of Resolutions 5539, 5595, 5613, 5615, 5633 and 5574.

ACTING PRESIDENT AVELLA: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 5539, 5595, 5613, 5615, 5633 and 5574, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Any opposed?

(No response.)

ACTING PRESIDENT AVELLA: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time there is a resolution by Senator Grisanti, Number 5574, at the desk. Could we read the title and call on Senator Grisanti.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5574, by Senator Grisanti, memorializing Governor Andrew M. Cuomo to proclaim June 1 through 7, 2014, as CPR-AED Awareness Week in the State of New York.

ACTING PRESIDENT AVELLA: Senator Grisanti.

SENATOR GRISANTI: Yes, thank you, Mr. President.

My fellow colleagues, you're going to see a lot of individuals from around this great state of ours in the LOB and in The Well that have blinking hearts on their lapels. Those hearts signify what they are trying to do, and that's passage of CPR teaching in high schools.

Now, you may not think about it, but you should listen to some of your constituents that are coming to see you today, tell them to talk to the Assembly members to get this taken care of.

Sixteen states now require students to learn CPR. If given right away, CPR doubles or triples survival rates. Nearly 424,000 people have cardiac arrests outside of hospitals every year, and only 10.4 percent survive. It's easy, it's fast, it's simple to learn. We've done pilot programs in our area in Western New York.

We have individuals here from the Western New York region. J.J., I want you to stand up. This young man, this young man is here

today, is alive today, because he was given CPR while basically he had cardiac arrest in high school. He's alive here today.

He's a strapping, tall young man. Those are his parents next to him. We have the rest of the group with their flashing heart lapels -- there's more.

This is something that's a no-brainer, my fellow colleagues. CPR in high school saves lives. Imagine having tens and tens of thousands of students that know CPR. They could be anywhere. They could be in a restaurant, they could be on the street corner. They could be in high school. They could be in college. If somebody goes into cardiac arrest, they'll have the skill to give that individual, that man, that woman, an extra four to five minutes of life and the possibility of staying alive.

So I want to thank you for your advocacy. J.J., fantastic. I want to thank your parents, everybody that's here, for the advocacy.

Mr. President, thank you very much. And whoever wants to join on the resolution and please help get this law passed, thank you.

ACTING PRESIDENT AVELLA: Any other Senator wishing to speak on the resolution?

Seeing none, the question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Opposed, nay.

(No response.)

ACTING PRESIDENT AVELLA: The resolution is adopted.

And welcome to the Senate chamber.

(Applause.)

ACTING PRESIDENT AVELLA: Senator Libous.

SENATOR LIBOUS: Mr. President, if you could give me a second here, we're just trying to coordinate between members that are at the two committee meetings. Just give me a second.

I do know that Senator Grisanti would like to open his resolution up for cosponsorship. So as the policy goes, if someone chooses not to be on it, please let the desk know.

ACTING PRESIDENT AVELLA: So

ordered.

SENATOR LIBOUS: Mr. President, we've had a little change of heart here. Resolutions 5595 and 5615, we just need to adopt those right now. They were pulled from the calendar, but we just need to adopt them as we would the Resolution Calendar.

ACTING PRESIDENT AVELLA: The question is on those two resolutions, Numbers 5595 and 5615. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Opposed, nay.

(No response.)

ACTING PRESIDENT AVELLA: Both resolutions are adopted.

SENATOR LIBOUS: Thank you, Mr. President.

And Resolution 5595, the sponsor would like to open it for sponsorship. So if anyone chooses not to be on it, please let the desk know.

ACTING PRESIDENT AVELLA: So ordered.

Senator Libous.

SENATOR LIBOUS: And we're going to stand at ease temporarily. I will tell members not to go too far; we're waiting for the committees to adjourn. And then we have some very important resolutions that we need to take up.

ACTING PRESIDENT AVELLA: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 10:27 a.m.)

(Whereupon, the Senate reconvened at 10:33 a.m.)

ACTING PRESIDENT AVELLA: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I am told that the Health Committee's work is done, and now the Local Governments Committee is meeting.

And in the meantime, I believe Senator Hoylman has Resolution Number 5539 at the desk. He would like it read in its entirety, and then you can call on him.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5539, by Senator Hoylman, paying tribute to the distinguished life and accomplishments of Catherine Abate, former New York State Senator.

"WHEREAS, This Legislative Body is moved to recognize and pay tribute to the life and accomplishments of former New York State Senator Catherine Abate, an individual of distinguished purpose and enduring commitment, a woman who dedicated her life and career to public service; and

"WHEREAS, It is with great sorrow and deep regret that this Legislative Body records the passing of Catherine Abate on May 17, 2014, noting the significance of her meritorious life and accomplishments; and

"WHEREAS, During her diverse and far-reaching public service career, Catherine Abate served at nearly every level of New York politics, including grassroots organizing, advocacy and City and State government; and

"WHEREAS, After receiving her law

degree from Boston University Law School in 1972, Catherine Abate began her professional career as an attorney at the Legal Aid Society in New York City, eventually becoming Director of Training in its Criminal Defense Division; and

"WHEREAS, In 1986, Governor Mario Cuomo appointed Catherine Abate to the position of Executive Deputy Commissioner of the New York State Division of Human Rights; she was appointed Chair of the New York State Crime Victims Board in 1988; and

"WHEREAS, Catherine Abate was appointed by New York City Mayor David Dinkins to serve as Commissioner of the New York City Department of Correction in 1990; in 1992, she was appointed Commissioner of the New York City Department of Probation; and

"WHEREAS, In 1993, Catherine Abate was elected to the New York State Senate, representing the 27th District, which covered parts of Manhattan; she served with distinction for two terms and was the ranking Democrat on the Crime Victims, Crime and Correction Committee, as well as the Investigations and Government Operations Committee; and

"WHEREAS, Although Catherine Abate left the New York State Senate at the end of 1998, she did not leave public service; in 1999 she became President and CEO of Community Healthcare Network, where she made significant and lasting contributions in the area of public health; and

"WHEREAS, During her tenure at Community Healthcare Network, Catherine Abate significantly expanded healthcare and social services programs for the underserved and developed innovative strategies for vulnerable segments of the LGBT population, including transgender people and those living with HIV/AIDS; and

"WHEREAS, Catherine Abate was a recognized expert on human rights, criminal justice, health care and management/leadership, who freely shared her knowledge and served on numerous government, professional and nonprofit boards; and

"WHEREAS, Catherine Abate's commitment to public service extended to her friendship and mentoring of numerous government, nonprofit and labor sector leaders who served

with her and after her; and

"WHEREAS, Catherine Abate, throughout her career and life, served her community and the people of the State of New York with intelligence and caring dedication, contributing significantly to the quality of life of her constituents and the communities of the State of New York; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor the memory of Catherine Abate; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to her husband, Ronald Kliegerman, and son, Kyle Kliegerman."

ACTING PRESIDENT AVELLA: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

It is my solemn responsibility to stand up and memorialize Senator Catherine Abate, whose district I have now the honor of representing, the 27th Senate District.

As you've heard, Catherine passed away two weeks ago. She was a young 66 years

old. Her life, on reflection, really sums up what Eleanor Roosevelt once said, which was: "People grew through experience if they meet life honestly and courageously." And that's exactly what Senator Catherine Abate did through her long public service career.

She had so many experiences in public life, ranging from the grassroots, when she was a district leader with the Village Independent Democrats in Greenwich Village, running through her career as a commissioner; here in the State Senate, where she served from 1995 to 1999; running for statewide office. Then of course her last 15 years of service were with the Community Health Network.

Her long career, though, I think represented so much that New York has to offer in terms of its people, its women, and those who care about the most vulnerable. She represented the most vulnerable throughout her career with dignity and grace, intelligence, perseverance.

Mayor Dinkins said, when he learned of Senator Abbate's passing, "She never shied from a just cause or a good fight." And I concur.

Her last weeks were very difficult for her and her family. But I was most touched by the fact that she reached out to people who she called the next generation of leadership. And she called me personally, as she lay in a hospice, and imparted words to me that I won't forget, which was that "Brad, your service is so important to the state and the city," is what she said to me.

I then went to her bedside later in the week, as she did invite others who were the next generation of public officials in New York.

And I am so honored to discuss her life and service and extend my condolences, I know on behalf of all of my colleagues here, to her husband Ron and her son Kyle. She will not be forgotten. We will continue to serve in her memory and aspire to the high standards that she set for everyone in this chamber and across the State of New York.

If I could ask, Mr. President, that we have a moment of silence for Senator Abate.

ACTING PRESIDENT AVELLA: I ask the chamber -- do we have other members wishing to speak on the resolution?

Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President and my colleagues, I share Senator Hoylman's sentiments. That it was my honor to work with Catherine during her years here in service in this chamber. I worked with her as she was the ranking member of the New York Senate Committee on Crime Victims, Crime and Corrections. And I was chairman of the committee during her tenure here.

And as ranker, she impressed me so much on the depth of her knowledge, her broad experience as a commissioner of corrections, one who understood the correctional system in this state extremely well, had many ideas, very creative approaches to corrections and how we could make the correctional system a better system.

That her grace, her ability to go across the aisle and work towards a solution, she was yet a fiery advocate on behalf of what she believed in. She could be certainly standing up and disagreeing on principles, but it was clear to me, and very appreciated, that she could

disagree without being disagreeable.

That Catherine Abate will enjoy a wonderful legacy, a well-deserved legacy. That she was -- just as an aside, one of her big objectives, important objectives, was to ensure the safety of all prisoners, but especially those women who were incarcerated in our state. And together we worked on legislation to provide additional assurances and additional measures of security for those female prisoners in our New York State correctional system.

To that, she worked very, very hard, very direct. And that it was a pleasure to have successes that we share.

That Senator Hoylman characterized the person extremely well, one with grace and charm, one that always was willing to say hello, willing to get engaged in conversation, to be a colleague that you just enjoyed serving with.

And, Mr. President, thank you for allowing me to share some personal reminiscences about a colleague we will miss. Her passing was too untimely, too short was her life, but she filled those years with distinction, with honor, and with very hard work.

Thank you, Mr. President. Senator Abate will be missed.

ACTING PRESIDENT AVELLA: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President. I rise to speak on behalf of the loss of my friend Catherine Abate.

Both of my colleagues who spoke knew her here in the Senate. I actually didn't get to know Catherine, really to know Catherine until after she left the Senate. We sat on a board of directors together. We worked on several important issues for women in this state together. She was an extraordinarily helpful advisor to me as a candidate and a new Senator.

She has had an extraordinary career, but I want to emphasize that she was just an extraordinary woman who had a generous heart, a generous spirit, was always willing to stand up and go out to help someone else, even though she suffered with the illness that eventually killed her for nearly the last decade of her life.

And she went through ups and downs. But if you knew her, you actually weren't even sure she was going through a down healthwise,

because she was committed to the organizations she ran, she was committed to the issues that she cared about, and she would be out there and around, and you would have to say, "So how are we feeling right now?" She'd go, "Well, we're a little iffy on remission, but we're continuing."

And her strength and her commitment and her belief in public service and her belief in helping others should be a model for all of us, not just who serve in the public eye, but she was a great representative of what it is to be a truly rounded and gifted human being in our state. And we will all miss her.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

I would like to join with my colleagues just in speaking in memory of Senator Abate.

I didn't know her through the Senate. I was elected to the Assembly in 1995, and my experience with Senator Abate was through the Women's Legislative Caucus.

While we were of opposite parties, we also had districts that couldn't have been farther apart through mileage or through issues. But what I admired so much about Senator Abate was her demeanor and the way she respected others. She came to the legislative meetings, one of the few Senators who did come to our legislative meetings, and was just very encouraging and listening to others and respectful of other people's issues.

And it always a pleasure to see her when she was here in Albany advocating. And she remembered me from then, and we would always talk. So she is definitely a loss to her family and her friends, but to New York State as well.

Thank you.

ACTING PRESIDENT AVELLA: Senator Hassell-Thompson.

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

I rise to echo the sentiments of many of my colleagues. Each of us knew Catherine Abate in a different way. One of my first political experiences in Mount Vernon was when she was running for Attorney General and I was a

brand-new district leader.

And I had a vote, and I want to tell you that I used that vote to vote for her. And it caused a lot of consternation because her opponent was someone that the men had already determined that they were going to support. But even though I made my case, that was my real first real experience of standing in our headquarters and talking about the fact that we needed more women in the seats of justice.

And having had the experience that she had here in the Senate, working, as Senator Nozzolio was saying, on issues of people in prison but particularly women in prison -- she had worked with Jean Harris and the cases there with a lot of the women at Bedford. And so we knew her, and we felt we knew her intimately.

Well, later I did get to know her intimately. And I shared that story with her, and she said, "Yeah, Reggie told me that you were one of the loud voices that supported me, and I will appreciate and thank you for that."

And I think, like Liz, I have attempted to continue the work that she has begun here, working with people in the correction

system, ensuring that welcome in women in prison get a fair opportunity to receive good training, to receive the psychological support and help that they need.

And many times when women come home from prison their experiences are very different from men, because many times their children have taken away from them, their families have been dispersed, and they have to start life all over again. And they become ostracized.

And so that I have always appreciated, even until her death, her work with women on NARAL and some of the other organizations that she was very prominent in, to make sure that women got the best opportunity and a fair shake in this society.

So I thank my colleague Senator Hoylman for bringing this resolution and giving us all an opportunity to share and celebrate a woman's life who has been extraordinary to the State of New York.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Senator Montgomery.

SENATOR MONTGOMERY: Thank you,

Mr. President.

I rise to also offer my condolences to the family of Catherine Abate and to say thank you to Senator Hoylman for giving us an opportunity to express our sentiments.

And I want to say that Catherine Abate was certainly a friend. I did serve with her here in the Senate. And I appreciate the fact that she was very extremely brilliant as a legislator, but she always had a lightheartedness about the issues that we had to deal with.

And one of the things that we shared was that she was a parent. She had a son who she loved dearly and missed a lot and was extremely frustrated about the times that we had to be here and she could not be with her son, appreciating what he was doing in school and at home. And so that was one of the things that we shared as parents.

The other issue that we shared a lot was care for young people, especially young women, and their access to health care, including reproductive health. She was an extremely brilliant advocate, and always that was number one for her. So when she left Albany, she became

a voice for young women across the state for her work as the executive director of the Health Network.

And I just recall one of the stories that she shared with me as Commissioner of Corrections in New York City when there was a situation where Reverend Al Sharpton happened to be in one of the facilities in the city, and she notified her people that whatever they did, make sure nothing happened to him, and that she wanted him out of there as quickly as possible. And of course it was a laugh for us, because we both understood what it meant if you had Reverend Al Sharpton in your care and you were authorized to make sure that his safety was paramount.

So Catherine was an extremely dedicated and brilliant legislator, but she was also a person that you could really have a relationship with as a person, share with, and appreciate as a sister.

And so I really miss her, I have a lot of wonderful memories of my experience with her. And we all can take from her life the positive image that she projected as a woman in power, who knew how to use it but also who was

sensitive about the way in which she worked with people.

So again, thank you, Senator Hoylman. I'm proud to say that you fill a wonderful person's chair in this chamber.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I served with Catherine Abate, and my memories are basically that she was bright, articulate, and passionate about the causes that she thought were important. Her reasoning was excellent on the floor. Oftentimes she came to the wrong conclusions, but her --

(Laughter.)

SENATOR DeFRANCISCO: She was an incredible Senator in that people listened to her when she spoke. And people changed their minds, including me, about several of the issues that she advocated for.

The other thing that comes to mind as I'm listening to everyone is, you know, we get into this business and we're so intent on the issue of the day, whether it's a substantive

issue or a political issue, and we sometimes forget that we're all mortal, that we come here for a short, short period of time and try to do whatever we can.

And it seems to me that my memory of Catherine also is that she was always advocating for something, but pleasant in the way she did it, respectful to others in the way they did it. And I think that's a good lesson for me and for all of us, that as we're here for this short time, we should conduct ourselves the way she did, vigorously for her positions, but with respect and dignity so that we can make this experience pleasant for everyone that's here.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Senator Perkins.

SENATOR PERKINS: Thank you, Mr. President.

I want to first thank Senator Hoylman for this opportunity to share some brief remarks in appreciation for Catherine.

You know, I served with her too, but not here. We served together as Democratic district leaders in the New York County

Democratic Committee under the leadership of Denny Farrell at a very important period for that organization.

It was a period in which we were moving from what one might call the regular backroom-machine-operated type of a party organization to a reform approach. After all, she was with the Village Independent Democratic Club, we were with the Sojourner Truth Democratic Club, and we considered ourselves reformists. And so we didn't want to see judges made in the backroom. We thought another process, that was a little bit more democratic and open and maybe based on merit, would result in a better judicial bench.

So under Assemblyman Denny Farrell's leadership at the time, he still was the county leader, we worked together and I believe that we were able to be very successful in seeing the judgeship selection approach reformed and opened and being made more meritorious and accountable to our respective communities and to the city at large.

And so I want to remember her in that regard. I'm sorry I missed the opportunity

to share remarks at the service that they had for her. But she was truly a wonderful person. And she was really very attractive as well to look at.

Thank you very much.

ACTING PRESIDENT AVELLA: Senator Squadron.

SENATOR SQUADRON: Thank you, Mr. President.

I didn't have the privilege of serving with Senator Abate. I got here actually a decade after she left. And I also don't have the privilege of following her in her Senate seat; Senator Hoylman does. And both this resolution and the way he spoke I think are a real honor to her, and I thank him for that.

But much of the area she represented is now in my district. And though we didn't know each other well, I was struck, a full decade after she left office, with the extent to which she was still a force and a presence in the district. And folks in the Chinatown community and elsewhere who she had represented many years earlier still felt a warmth and a connection to her, and she still felt that warmth and

connection to her former constituents and her former community.

And when you look at public service, when you look at elected office, to have that kind of connection and warmth and commitment beyond just the preservation of this job, beyond just the simple matter of a legislative map, I think is a great credit and a great statement about true public service and true commitment to public service.

And so I want to honor her for that and wish deepest condolences to her family, and thank her on behalf of the constituents who she represented many years ago for her service to them and her continued commitment to them long after she served.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I too want to stand and join my colleagues in remembrance of Senator Abate. I can remember her sitting right over here and always having a smile on her face but, as Senator

Perkins says, was still a very tenacious politician who believed in what she believed in and worked very hard at it.

As all of my colleagues said, you know, and I think reflecting on Senator DeFrancisco, we are all here for a short time. And certainly the time that Senator Abate spent in this chamber I think was one where she fought hard for the causes that she felt were important not only to her constituents but to the people of this state.

Her loss at such a very young age is sad. I think that sometimes, you know, when we sit back and reflect, we wonder why someone that talented and someone who has worked to help so many people leaves us at a very young point in their life. But there's a reason for that, because there's a plan for every one of us.

So I join my colleagues in saying that I will miss her, and certainly not that I knew her that well, but just as a colleague. She was a good person and a darned good Senator.

ACTING PRESIDENT AVELLA: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank

you, Mr. President.

I rise and certainly thank Senator Hoylman for this resolution, and really in many ways in envy of so many of my colleagues that had the opportunity to serve with her here in this chamber and other places. I was not so lucky. And sometimes when you are hearing all of the things that people brought with them in their presence, you really feel like you lost out.

I could say I lost out, but the reality is I didn't. When I decided to run for Senate, I was told that there are people you have to reach out to. And one of those people, not surprisingly, was Catherine Abate.

And what she didn't do is tell me everything she'd done. What she did do was tell me what she could do for me. What she did do was lay a path that it was easy for me to follow. What she did do was to connect me with other people. What she did do was reinforce for me the idea that women in this chamber can do great things and, without ever touting her accomplishments, showed me how we could be effective.

So I too give condolences to her

family and certainly to all who will miss all of her talents, all of her skills, the great stories. But clearly the memory of Catherine Abate will never fail.

Thank you.

ACTING PRESIDENT AVELLA: Seeing no one else to speak, the question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Opposed, nay.

(No response.)

ACTING PRESIDENT AVELLA: The resolution is adopted.

Based upon Senator Hoylman's request, I ask the Senate to rise for a moment of silence in memory of former Senator Catherine Abate.

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

ACTING PRESIDENT AVELLA: Thank you.

Senator Libous.

SENATOR LIBOUS: Mr. President, if we can go back to motions, I have a motion. I

don't know if anybody else does.

ACTING PRESIDENT AVELLA: Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: On behalf of Senator Zeldin, on page 29 I offer the following amendments to Calendar Number 479, Senate Print 4757, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

Senator Libous.

SENATOR LIBOUS: There will be an immediate meeting of the Rules Committee in Room 332. Immediate meeting of the Rules Committee in Room 332.

And the Senate will stand at ease.

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

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 11:03 a.m.)

(Whereupon, the Senate reconvened at 11:28 a.m.)

ACTING PRESIDENT AVELLA: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe there's a report of the Rules Committee at the desk. Could we have it read at this time.

ACTING PRESIDENT AVELLA: The Secretary will read the report of the Rules Committee.

THE SECRETARY: Senator Skelos, from the Committee on Rules, reports the following bills:

Senate Print 442, by Senator Díaz, an act to amend the Penal Law;

Senate 1410A, by Senator Montgomery, an act to amend the Executive Law;

Senate 2060, by Senator Latimer, an act in relation to authorizing;

Senate 2619, by Senator Young, an act to amend the General Municipal Law;

Senate 2948, by Senator Hannon, an act to amend the Public Health Law;

Senate 3143, by Senator Krueger, an act to amend the Social Services Law;

Senate 3667A, by Senator Savino, an

act to amend the General Business Law;

Senate 3735, by Senator Little, an act to direct the Civil Service Commission;

Senate 3740, by Senator Addabbo, an act to amend the Penal Law;

Senate 4444A, by Senator Golden, an act to amend the Civil Practice Law and Rules;

Senate 4898, by Senator Avella, an act to amend the Public Authorities Law;

Senate 6193B, by Senator DeFrancisco, an act in relation to a certain agreement;

Senate 6568, by Senator Gallivan, an act to enact;

Senate 6600, by Senator Klein, an act to amend the Executive Law;

Senate 6694B, by Senator Flanagan, an act authorizing;

Senate 6786, by Senator O'Mara, an act in relation to making certain findings;

Senate 6833A, by Senator Farley, an act to establish;

Senate 6975, by Senator Ritchie, an act to legalize, validate, ratify and confirm;

Senate 7030, by Senator DeFrancisco,

an act to amend Chapter 690 of the Laws of 1937;

Senate 7046, by Senator O'Mara, an act to amend the Town Law;

Senate 7089, by Senator Avella, an act to amend the Public Authorities Law;

Senate 7119, by Senator Klein, an act to amend Chapter 507 of the Laws of 2009;

Senate 7125, by Senator Hannon, an act to amend the Public Health Law;

Senate 7133A, by Senator LaValle, an act in relation;

Senate 7169, by Senator Boyle, an act to amend the Penal Law;

Senate 7179, by Senator Valesky, an act to amend the Civil Practice Law and Rules;

Senate 7238, by Senator Farley, an act in relation to authorizing;

Senate 7276, by Senator Seward, an act authorizing;

Senate 7279, by Senator Farley, an act to amend Chapter 168 of the Laws of 2012;

Senate 7388, by Senator Grisanti, an act to amend the Village Law;

Senate 7479, by Senator Bonacic, an act to amend the Town Law;

Senate 7498, by Senator Martins, an act to amend the Nassau County Civil Divisions Act;

Senate 7596A, by Senator Martins, an act authorizing;

Senate 7620A, by Senator LaValle, an act in relation to the alienation;

Senate 7649, by Senator Marchione, an act to amend the Public Health Law;

Senate 7650, by Senator Carlucci, an act to amend the Mental Hygiene Law;

Senate 7651A, by Senator Carlucci, an act to amend the Mental Hygiene Law;

Senate 7652A, by Senator Martins, an act to amend the Family Court Act;

Senate 7653, by Senator Martins, an act to amend the Education Law;

Senate 7654, by Senator Boyle, an act to amend the Mental Hygiene Law;

Senate 7655A, by Senator Nozzolio, an act directing;

Senate 7656, by Senator Nozzolio, an act to amend the Correction Law;

Senate 7657, by Senator Robach, an act to amend the Penal Law;

Senate 7658, by Senator Nozzolio, an act to amend the Civil Practice Law and Rules;

Senate 7659, by Senator Boyle, an act to amend the Penal Law;

Senate 7660, by Senator Hannon, an act to amend the Public Health Law;

Senate 7661, by Senator Hannon, an act to amend the Public Health Law;

Senate 7662A, by Senator Seward, an act to amend the Insurance Law;

Senate 7663, by Senator Nozzolio, an act to amend the Penal Law;

Senate 7666A, by Senator Grisanti, an act to amend the Real Property Tax Law;

Senate 7675, by Senator O'Mara, an act to amend the Local Finance Law;

And Senate 7691, by Senator Felder, an act to amend the Education Law.

All bills reported direct to third reading.

ACTING PRESIDENT AVELLA: Senator Libous.

SENATOR LIBOUS: Mr. President, I move that we accept the report of the Rules Committee.

ACTING PRESIDENT AVELLA: All those in favor of accepting the report of the Rules Committee as read signify by say aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: All those opposed say nay.

(No response.)

ACTING PRESIDENT AVELLA: The report of the Rules Committee is accepted.

Senator Libous.

SENATOR LIBOUS: Mr. President, can we go back to motions and resolutions.

ACTING PRESIDENT AVELLA: Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you.

Senator Hoylman wanted to open up his resolution, Number 5539, honoring Senator Abate, to all the members. So if there's someone who for whatever reason chooses not to go on, let the desk know.

ACTING PRESIDENT AVELLA: So ordered.

Senator Libous.

SENATOR LIBOUS: I have a couple of

housekeeping motions.

On behalf of Senator Hannon, on page 34 I offer the following amendments to Calendar Number 561, Senate Print 6562A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: On behalf of Senator Marchione, on page -- there's no page -- I offer the following amendments to Calendar Number 1138, Senate Print 7649, and ask that said bill retain its place on the Third Reading Calendar. So, Mr. President, it's up to you to find the page.

(Laughter.)

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: And on behalf of Senator Seward, on page number 66 I offer the following amendments to Calendar Number 967, Senate Print 4374, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: Mr. President, I believe that Senator Hassell-Thompson has Resolution Number 5633 at the desk. We would like the title read, and I would call on Senator Hassell-Thompson for comments.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5633, by Senator Hassell-Thompson, honoring Alyssa Diggs upon the occasion of her designation as the 2014 Mount Vernon Boys & Girls Club Youth of the Year.

ACTING PRESIDENT AVELLA: Senator Hassell-Thompson.

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

Today seems to be the day to honor women. And I have the pleasure of honoring a young woman from my district, Alyssa Diggs, upon the occasion of her designation as the 2014 Mount Vernon Boys & Girls Club youth of the Year.

This award is the highest honor that a Boys & Girls Club member can receive. It recognizes outstanding contributions to family, school, community, and to the Boys & Girls Club.

As a member of the Mount Vernon Club, Alyssa has volunteered during the summer for summer programs and after-school programs. As a volunteer in her church, she organizes bake sales, church plays, the Halloween Haunted House Fundraiser, and is the assistant Sunday school teacher. She also spearheaded a canned food drive to help the homeless.

Alyssa has volunteered more than 200 hours during the 2013-2014 year and is now participating in the process of forming a Keystone Club, working to raise money for trips to the National Keystone Conference next year.

Alyssa Diggs plans to attend the Fashion Institute of Technology State University of New York in Manhattan upon her completion of high school, where she will major in fashion design and eventually pursue a career in fashion and event planning.

I wish Alyssa Diggs continued success throughout her school years, and I know that she will make us all proud.

Thank you, Mr. President.

ACTING PRESIDENT AVELLA: Any other Senator wishing to be heard?

Seeing none, the question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Opposed, nay.

(No response.)

ACTING PRESIDENT AVELLA: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, thank you.

I believe Senator Perkins has a resolution at the desk, Number 5613. Could we please have it read in its entirety and call on Senator Perkins. And I'm sure others will want to speak on this too.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5613, by Senators Perkins, Stewart-Cousins, Parker and Sanders, mourning the death of Maya Angelou, acclaimed African-American poet, influential memoirist, and playwright.

"WHEREAS, It is the sense of this Legislative Body, representing the people of the

State of New York, to pay tribute to an extraordinary woman of indomitable faith and dedication whose purposeful life and accomplishments will forever stand as a paradigm and inspiration for others; and

"WHEREAS, Much admired African-American poet, storyteller, civil rights activist and autobiographer, Maya Angelou died on Wednesday, May 28, 2014, at the age of 86; and

"WHEREAS, Born Marguerite Ann Johnson on April 4, 1928, to Bailey Johnson, Sr. and Vivian Baxter, Maya Angelou also had a broad career as a singer, dancer, actress, composer, and Hollywood's first female African-American director; and

"WHEREAS, After her parents' marriage ended, three-year-old Maya, along with her four-year-old brother Bailey, was sent to live with their grandmother, Annie Henderson, in Stamps, Arkansas; and

"WHEREAS, Unable to pronounce her name because of a stutter, Bailey called her 'My' for 'My sister'; a few years later, when he read a book about the Maya Indians, he began to call her 'Maya,' and the name stuck; and

"WHEREAS, As a teenager, now living with her mother in San Francisco, Maya attended Mission High School and won a scholarship to study dance and drama at San Francisco's Labor School; she dropped out of school to become the first black female streetcar conductor; and

"WHEREAS, At the age of 16, Maya Angelou gave birth to her son, Guy, and worked as a waitress and cook to support them; she never lost sight of her dreams and talents for music, dance, performance and poetry; and

"WHEREAS, In 1952, she married a Greek sailor named Anastasios Angelopulos; when she began her career as a nightclub singer, she took the professional name Maya Angelou, combining her childhood nickname with a form of her husband's name; and

"WHEREAS, In 1969, Maya Angelou's first of six autobiographies, I Know Why the Caged Bird Sings, which describes in lyrical, unsparing prose her childhood in the Jim Crow South, was published; and

"WHEREAS, The other five autobiographic volumes include Gather Together in My Name (1974), which begins when Angelou is

seventeen and a new mother; Singin' and Swingin' and Gettin' Merry Like Christmas, an account of her tour in Europe and Africa with Porgy and Bess; The Heart of a Woman (1981), a description of Angelou's acting and writing career in New York and her work for the civil rights movement; and All God's Children Need Traveling Shoes (1986), which recounts Angelou's travels in West Africa and her decision to return, without her son, to America; and

"WHEREAS, By the age of 40, Maya Angelou was a Tony-nominated stage actress for the part she played on Broadway in 'Look Away'; the Reynolds Professor of American Studies at Wake Forest University; a ubiquitous presence on the lecture circuit; a frequent guest on television shows, from 'Oprah' to 'Sesame Street'; and an actress who portrayed Kunta Kinte's grandmother in 'Roots' and appeared in 'How to Make an American Quilt'; and

"WHEREAS, She was also the subject of a series of scholarly studies; dancer; calypso singer; magazine editor; official of the Southern Christian Leadership Conference; and friend or associate of some of the most eminent

African-Americans of the mid-20th century, including James Baldwin, Toni Morrison, Nelson Mandela, the Reverend Dr. Martin Luther King, Jr. and Malcolm X; and

"WHEREAS, As renowned as she was for her memoirs, Maya Angelou will also be remembered for the inaugural poem 'On the Pulse of Morning,' which she wrote and delivered in January of 1993, at the swearing-in of President Bill Clinton upon his request; and

"WHEREAS, Furthermore, Maya Angelou was invited by successive Presidents of the United States to serve in various capacities; President Ford appointed her to the American Revolution Bicentennial Commission, President Carter invited her to serve on the Presidential Commission for the International Year of the Woman, and in February of 2011, President Obama presented her with the Presidential Medal of Freedom, the country's highest civilian honor; and

"WHEREAS, In addition to her six autobiographies, Maya Angelou's other books include the volumes of poetry, Just Give Me a Cool Drink of Water 'fore I Diiie (1971), Oh Pray

My Wings Are Gonna Fit Me Well (1975), And Still I Rise (1978) and Shaker, Why Don't You Sing? (1983); in addition, she released an album of songs, 'Miss Calypso,' in 1957; and

"WHEREAS, Throughout her writings, Maya Angelou explored the concepts of personal identity and resilience through the multifaceted lens of race, sex, family, community and the collective past; as a whole, her work offered a sharp and clear examination of the ways in which the socially marginalizing forces of racism and sexism played out at the level of the individual; and

"WHEREAS, Maya Angelou called Harlem home for over 50 years, and lived on West 120th Street in the Mount Morris Park section of Harlem; she was known as a kind, compassionate and generous neighbor to all; furthermore, she gave her time, her voice, her words and her inspiration to the community she dearly loved; and

"WHEREAS, Maya Angelou was a seminal figure in the Harlem Writers Guild throughout the 1950s and 1960s and actively performed at the renowned Apollo Theater during this period,

including appearances in 'Porgy and Bess' alongside her dancing partner Alvin Ailey; and

"WHEREAS, Maya Angelou was exceptionally active during the civil rights movement, serving as coordinator of the New York office of the Southern Christian Leadership Conference (SCLC) and as cofounder of the Organization of Afro-American Unity, established in 1964 alongside Malcolm X; and

"WHEREAS, In 2010, Maya Angelou donated her archives to the Schomburg Center for Research in Black Culture at 135th Street and Lenox Avenue in Harlem; over 340 boxes, representing her life's work, are housed in the heart of Harlem, including a draft of her singular biography, I Know Why the Caged Bird Sings, handwritten notes concerning her other timeless works and correspondence with James Baldwin, Malcolm X and Coretta Scott King, among others; and

"WHEREAS, Maya Angelou fittingly became a national figure, serving as an inspirational role model; her warm smile, true compassion and sensitivity were generously given for the benefit of countless others and their

quality of life; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of Maya Angelou, acclaimed African-American poet, influential memoirist and playwright; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Maya Angelou."

ACTING PRESIDENT AVELLA: Senator Perkins.

SENATOR PERKINS: Thank you very much.

I rise to honor perhaps the greatest and most inspiring renaissance woman that ever lived, Dr. Maya Angelou.

I thank my colleagues, especially Leader Stewart-Cousins, Senators Parker, Sanders, Hassell-Thompson and Montgomery, for cosponsoring this resolution alongside me.

It is impossible to reduce the extraordinary life that Dr. Angelou lived to a few words. There is a universal and transcendental quality to the life she lived. She grew up one generation removed from slavery.

She spent five years of her life entirely mute, as a product of the omnipresent guilt she internalized when the man who raped her at the age of 8 was killed. Yet when she spoke again, she made the baring of her soul and the fulfillment of her creative and social justice passions a calling of the highest order, one that has touched all of us here today and legions around the world.

Dr. Angelou was a virtuoso. Her accomplishments in the creative arts spanned the entire spectrum, but that was really just a portion of her existence. She once said, "I have no skeletons in my closet. In fact, I have no closet." Which explains why she shared the entirety of herself with the whole world.

Dr. Angelou was a single mother who as a teenager made the practical, painful decision to sell herself to support her son and herself. She subsequently traveled all over the world and immersed herself in different cultures and languages. She was a journalist in Egypt and Ghana during the decolonization movement. She was the first black woman to become a streetcar conductor and to write a screenplay. She was a

contemporary of Martin Luther King and Malcolm X in the civil and human rights movements. She was an educator, teacher, mentor and, perhaps most importantly, an inspirer.

For all of her worldly accomplishments, Dr. Angelou was consummately "regular folk," especially around Harlem. She conducted regular "sittings" at her home on West 120th Street, inviting neighbors for hours of conversation, debate and enrichment.

I was honored to be at her home on multiple occasions and to have spirited discussions with her. You could often find her at the local Fairway or Fine Fare taking great care purchasing groceries to prepare dinner for her guests. Additionally, she made regular appearances at the Faison Firehouse Theater, Minton's Playhouse, Sylvia's, The Red Rooster, the Schomburg Center for Research in Black Culture, and at local elementary schools throughout the community. She was someone who treasured the Harlem community and was in turn treasured by it.

She leaves us a legacy of words, deeds, and actions. Hundreds of millions of

people have read I Know Why the Caged Bird Sings. This courageous story remains particularly moving given that the topic of rape and sexual abuse was rarely ever spoken or written about during Dr. Angelou's generation. This universal work opened the door of conversation for many on this subject, and it is regarded not only as an incredible literary accomplishment but also a catalyst of awareness and advocacy.

The poem "Phenomenal Woman," quite possibly her magnum opus in prose, is a work which has grown and transcended over the years into the black woman's national anthem.

And she leaves us with the words of "A Brave and Startling Truth," a poem written on the occasion of the 50th anniversary of the United Nations, that reveals how we can achieve peace on this earth. She wrote:

> When we come to it We, this people, on this wayward, floating body Created on this earth, of this earth
> Have the power to fashion for this earth A climate where every man
> Can live freely without sanctimonious piety Without crippling fear
> When we come to it
> We must confess that we are the possible We are the miraculous, the this world That is when, and only when

We come to it.

In closing, I leave you again with the words of Dr. Angelou, who, reflecting back upon her extraordinary existence, said: "My life has been long, and believing that life loves the liver of it, I have dared to try many things, sometimes trembling, but daring still."

Thank you.

ACTING PRESIDENT AVELLA: Senator Stewart-Cousins.

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

And I want to thank Senator Perkins for introducing this resolution and reminding us that Dr. Angelou was indeed another proud resident of New York State and the Village of Harlem.

I had the opportunity to meet Dr. Angelou three times. Once in a gathering of women. The second time when, after my first race, in the resolution of my loss of 18 votes in February, I was invited to hear Dr. Angelou, and it couldn't have been a more healing balm after a very, very traumatic and elongated time period.

And then the third time was when we

were dealing with marriage equality. And although it was clear and it was recorded that I was a yes vote, Dr. Angelou called anyway. And she called to talk, and she called to talk about justice. And I said, "But Dr. Angelou, I am a yes vote." And she says, "I know." She said, "But I wanted you to know that I'm here for you, for anything." She wanted me to be able to say that she'd called. She knew that I was going to cast the vote in the right way.

As Senator Perkins said, she was so many things. And everybody who is going to speak will speak to her virtues and her great indelible mark that she's left.

But I thought that I'd read one of I think the -- one of her most influential poems, inspirational poems. "Phenomenal Woman" has become the national anthem for black women and for women, frankly. "Still I Rise," which was published in 1978 in the book of that same name, is one of my favorite things, and certainly an inspiration I think to this day, for all people and certainly for African-American people.

The poem is "Still I Rise."

You may write me down in history With your bitter, twisted lies,

You may tread me in the very dirt But still, like dust, I'll rise
Does my sassiness upset you?
Why are you beset with gloom? 'Cause I walk like I've got oil wel
Pumping in my living room.
Just like moons and like suns, With the certainty of tides,
Just like hopes springing high, Still I'll rise.
Did you want to see me broken?
Bowed head and lowered eyes? Shoulders falling down like teardrops
Weakened by my soulful cries.
Does my haughtiness offend you? Don't you take it awful hard
'Cause I laugh like I've got gold mines Diggin' in my own back yar
You may shoot me with your words,
You may cut me with your eyes, You may kill me with your hatefulne
But still, like air, I'll rise.
Does my sexiness upset you? Does it come as a surprise
That I dance like I've got diamonds At the meeting of my thighs?
Out of the huts of history's shame
I rise Up from a past that's rooted in pain
I rise I'm a black ocean, leaping and wide,
Welling and swelling I bear in the tide. Leaving behind nights of
I rise Into a daybreak that's wondrously clear
I rise Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave. I rise
I rise I rise.

Rest in peace, Dr. Angelou.

ACTING PRESIDENT AVELLA: Senator Sanders.

SENATOR SANDERS: I wish you hadn't called me so soon after that poem. One or two speakers would have allowed what I say to have great meaning. However, I too must speak of the enormity of Dr. Maya Angelou.

Now, I did not know her personally but I'm very, very familiar with her. We spent a lot of time together. When I had great difficulties, I used to turn to her for guidance. When I found problems that I had never confronted and thought that there may be no way out, I would grab one of her great works. And lo and behold, it would seem to offer a light at the end of the tunnel.

Now a mighty tree has fallen; we can't get away from that. This has been quite a year in our forest. We have lost some of the greatest trees. And this one, the crashing has been resounding. A mighty tree that fallen. Dr. Maya Angelou is -- her body is no longer with us. We cannot argue that fact.

Mighty trees exist for many

purposes. They provide shade, they provide cover, they provide a certain amount of protection for the lesser trees on the ground. They serve as a model that the other trees can look to and aspire to, perhaps.

When we think of artists, when we think of dancers, when we think of poets, when we think of civil rights activists, we have to also think of sages. And that of course was Dr. Maya Angelou, that and more.

We are grateful for many things, including that Senator Perkins and all of these very worthy Senators have come forward and said that we must honor her. Did you say Harlem? I thought it was -- she wasn't from Queens?

(Laughter.)

SENATOR SANDERS: I thought she was from Queens all this time. She spoke so clearly of our situation there. But perhaps I was wrong. It wouldn't be the first time.

A mighty tree has fallen. But if the trees do not fall in a great forest, it doesn't provide light for lesser trees. Other trees don't grow. A mighty tree must fall to provide light for other trees to grow. So the

passing of Dr. Maya Angelou offers an opportunity for the new generation to come up -- those inspired, those who have seen her great model and say that perhaps they too can aspire.

Yet I must say that her body may have left us, but she absolutely lives. As long as she inspires youth, as long as she inspires people to say that there is more beyond where they are, that the dawn is no longer beyond their reach, then Maya Angelou lives.

So we salute this mighty tree, and we look forward to the other trees that will grow in the soil that she has nourished.

Thank you very much.

ACTING PRESIDENT AVELLA: Senator Hassell-Thompson.

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

I rise again to honor, with the rest of us, a phenomenal woman. I wrote this speech and rewrote it several different times. And thanks to the fact that Senator Perkins spoke before me, he took one poem, and our leader, Senator Andrea Stewart-Cousins, took my second poem -- I know she was quite prolific, but those

I think are probably the two poems that most people either recognize or resonate through because of the struggle that they both represent, one being her speech at the 50th anniversary for the struggle of the U.N., and the other being an encapsulation of her life and how she saw it and the beauty from the darkness that she was able to fashion.

I, like Andrea, had the opportunity, and like Senator Perkins, had the opportunity to be invited to one of her gatherings in Harlem, in her brownstone, and be at a dinner party, thanks to her godson, with whom I'm very close friends, Tim. And he said, "Auntie has invited you to dinner." And I was saying "Auntie?" He said "Yeah." He said, "Auntie's inviting you to dinner." I said, "She's inviting me to dinner?" And he said "Absolutely."

And I have to tell you there are few people that I've ever met in my life that totally awe me, but she was certainly one. And for those of you who know what a talker I can be, that night I could not find words. It was a night to listen, to absorb, and just be a part of the fabric and to know how blessed I was to be among

women who were personal -- and, you know, this was not one of those 500-people dinner, this was eight women who were invited to sit and to talk and to just discuss things.

But the phenomenal piece was her relationship with James Baldwin. And she was one of the first that encouraged her to write. You've heard how she was raped at the age of -- some books say 7 and some say 8, but at a very, very, very early and tender age. And later she raised her son Guy totally as a single mother. And for so much of her life she experienced poverty. But at no time in her life was she not clear that there was a brighter light ahead. And each of her poems, though they start dark, they end bright and light.

I had particularly chosen the one about -- "Still I Rise," the last verse. Because what it does is it says that you -- that out of the huts of shame, that history of shame from which she came, she rose.

She says: "I rise. Up from a past that's rooted in pain, I rise. I'm a black ocean, leaping and wide, welling and swelling I bear in the tide. Leaving behind nights of

terror and fear, I rise. Into a daybreak that's wondrously clear, I rise. Bringing the gifts that my ancestors gave, I am the dream and the hope of the slave. I rise. I rise. I rise."

Thank you.

ACTING PRESIDENT AVELLA: Seeing no one else wishing to speak on the resolution, the question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT AVELLA: Opposed, nay.

(No response.)

ACTING PRESIDENT AVELLA: The resolution is adopted.

Senator LaValle.

SENATOR LaVALLE: Mr. President, can we open the resolution to all the members. Anyone who does not want to be on the resolution, please notify the desk.

ACTING PRESIDENT AVELLA: So ordered.

Senator LaValle.

SENATOR LaVALLE: Mr. President, can we go to the noncontroversial calendar,

Calendar Number 692.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Calendar Number 692, by Senator LaValle, Senate Print 2282, an act to amend the Education Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Mr. President.

I also want to thank Senator LaValle for being kind. And I had some questions over his legislation, questions that this legislation could be misused and that we could set up a situation where richer districts can push away poorer districts.

However, he generously explained that this was neither the intent nor the purpose

of this. And I feel confident that these things are true, so I vote aye.

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT AVELLA: The bill is passed.

Senator LaValle.

SENATOR LAVALLE: Mr. President, the Transportation Committee is to meet immediately following the session in Room 804. And the Labor Committee to meet immediately following session in Room 511.

We are awaiting a motion. They have it? Mr. President, would you call on Senator Valesky.

ACTING PRESIDENT AVELLA: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Klein, on page 49 I offer the following amendments to Calendar 762, Senate Bill 6634B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: So ordered.

Senator LaValle.

SENATOR LaVALLE: I'd like everyone to listen very, very carefully. We will be adjourning until Monday, June the 9th, at 2:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AVELLA: There being no further business before the Senate, on motion, the Senate stands adjourned until Monday, June 9th, at 2 o'clock, intervening days being legislative days.

(Whereupon, at 12:04 p.m., the Senate adjourned.)