

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 June 3, 2014

11 10:11 a.m.

12  
13  
14 REGULAR SESSION

15  
16  
17  
18 SENATOR TONY AVELLA, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

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

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

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

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

23 Presentation of petitions.

24 Messages from the Assembly.

25 The Secretary will read.

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

6                   ACTING PRESIDENT AVELLA:  
7   Substitution so ordered.

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

13                  ACTING PRESIDENT AVELLA:  
14   Substitution so ordered.

15                  Messages from the Governor.

16                  Reports of standing committees.

17                  Reports of select committees.

18                  Communications and reports from  
19   state officers.

20                  Motions and resolutions.

21                  SENATOR LIBOUS:    Mr. President,  
22   before we do motions, if the members could just  
23   kind of pay attention. There's going to be two  
24   committees called immediately, and then at some  
25   point we're going to do Rules. But we have to

1 have these committee meetings first.

2 The first one will be the  
3 Health Committee. The Health Committee will meet  
4 immediately in Room 332. That's the Health  
5 Committee. You will meet immediately in  
6 Room 332.

7 After the Health Committee, Local  
8 Governments will meet in Room 332. After the  
9 Health Committee, Local Governments will meet in  
10 332.

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

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

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

24 So after session, Transportation and  
25 Labor will meet.

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

4                   ACTING PRESIDENT AVELLA:     Senator  
5                   Valesky.

6                   SENATOR VALESKY:     Thank you,  
7                   Mr. President.

8                   On page 66, I offer the following  
9                   amendments to Calendar Number 964, Senate Bill  
10                  6847, and I ask that said bill retain its place  
11                  on the Third Reading Calendar.

12                  ACTING PRESIDENT AVELLA:     So  
13                  ordered.

14                  Senator Libous.

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

21                  ACTING PRESIDENT AVELLA:     So  
22                  ordered.

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

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

4 ACTING PRESIDENT AVELLA: So  
5 ordered.

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

9 ACTING PRESIDENT AVELLA: The  
10 Secretary will read.

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

14 ACTING PRESIDENT AVELLA: Read the  
15 last section.

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

18 ACTING PRESIDENT AVELLA: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT AVELLA: Announce  
22 the result.

23 THE SECRETARY: Ayes, 45.

24 ACTING PRESIDENT AVELLA: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2    168, by Senator Young, Senate Print 4396A, an act  
3    to amend the Soil and Water Conservation  
4    Districts Law.

5                   ACTING PRESIDENT AVELLA:    Read the  
6    last section.

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

9                   ACTING PRESIDENT AVELLA:    Call the  
10   roll.

11                   (The Secretary called the roll.)

12                   ACTING PRESIDENT AVELLA:    Announce  
13   the result.

14                   THE SECRETARY:    Ayes, 45.

15                   ACTING PRESIDENT AVELLA:    The bill  
16   is passed.

17                   THE SECRETARY:    Calendar Number  
18   257, by Senator Young, Senate Print 4356A, an act  
19   to amend the Soil and Water Conservation  
20   Districts Law.

21                   ACTING PRESIDENT AVELLA:    Read the  
22   last section.

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

25                   ACTING PRESIDENT AVELLA:    Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT AVELLA: Announce  
4 the result.

5 THE SECRETARY: Ayes, 45.

6 ACTING PRESIDENT AVELLA: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 314, by Senator Gallivan, Senate Print 6598B, an  
10 act in relation to authorizing.

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

13 Read the last section.

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

16 ACTING PRESIDENT AVELLA: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT AVELLA: Announce  
20 the result.

21 THE SECRETARY: Ayes, 45.

22 ACTING PRESIDENT AVELLA: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 427, substituted earlier by Member of the



1 Assembly Weinstein, Assembly Print 9576 --

2 SENATOR LIBOUS: Lay it aside for  
3 the day.

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

6 THE SECRETARY: Calendar Number  
7 432, by Senator LaValle, Senate Print 5268A, an  
8 act to amend the Tax Law.

9 ACTING PRESIDENT AVELLA: Read the  
10 last section.

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

13 ACTING PRESIDENT AVELLA: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT AVELLA: Announce  
17 the result.

18 THE SECRETARY: Ayes, 45.

19 ACTING PRESIDENT AVELLA: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 673, by Senator Felder, Senate Print 7215, an act  
23 to amend the Family Court Act.

24 ACTING PRESIDENT AVELLA: Read the  
25 last section.

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

3 ACTING PRESIDENT AVELLA: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT AVELLA: Announce  
7 the result.

8 THE SECRETARY: Ayes, 45.

9 ACTING PRESIDENT AVELLA: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 692, by Senator LaValle, Senate Print 2282, an  
13 act to amend the Education Law.

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

16 ACTING PRESIDENT AVELLA: The bill  
17 is laid aside temporarily.

18 THE SECRETARY: Calendar Number  
19 739, by Senator Latimer, Senate Print 5352A, an  
20 act to authorize.

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

23 Read the last section.

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

1                   ACTING PRESIDENT AVELLA:   Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT AVELLA:   Announce  
5   the result.

6                   THE SECRETARY:    Ayes, 45.

7                   ACTING PRESIDENT AVELLA:   The bill  
8   is passed.

9                   THE SECRETARY:    Calendar Number  
10   807, by Senator LaValle, Senate Print 3884A, an  
11   act to amend the Environmental Conservation Law.

12                   ACTING PRESIDENT AVELLA:   Read the  
13   last section.

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

16                   ACTING PRESIDENT AVELLA:   Call the  
17   roll.

18                   (The Secretary called the roll.)

19                   ACTING PRESIDENT AVELLA:   Announce  
20   the result.

21                   THE SECRETARY:    Ayes, 45.

22                   ACTING PRESIDENT AVELLA:   The bill  
23   is passed.

24                   THE SECRETARY:    Calendar Number  
25   809, by Senator Breslin, Senate Print 5714B, an

1 act to amend the Environmental Conservation Law.

2 ACTING PRESIDENT AVELLA: Read the  
3 last section.

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

6 ACTING PRESIDENT AVELLA: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT AVELLA: Announce  
10 the result.

11 THE SECRETARY: Ayes, 45.

12 ACTING PRESIDENT AVELLA: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 818, by Senator Grisanti, Senate Print 3009, an  
16 act to amend the Vehicle and Traffic Law.

17 ACTING PRESIDENT AVELLA: Read the  
18 last section.

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

21 ACTING PRESIDENT AVELLA: Call the  
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT AVELLA: Announce  
25 the result.

1 THE SECRETARY: Ayes, 45.

2 ACTING PRESIDENT AVELLA: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 884, substituted earlier by Member of the  
6 Assembly Abbate, Assembly Print Number 7018, an  
7 act to amend the Town Law.

8 ACTING PRESIDENT AVELLA: Read the  
9 last section.

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

12 ACTING PRESIDENT AVELLA: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT AVELLA: Announce  
16 the result.

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

20 ACTING PRESIDENT AVELLA: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 902, by Senator Gallivan, Senate Print 4772A, an  
24 act to amend the Penal Law.

25 ACTING PRESIDENT AVELLA: Read the

1 last section.

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

4 ACTING PRESIDENT AVELLA: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT AVELLA: Announce  
8 the result.

9 THE SECRETARY: Ayes, 45.

10 ACTING PRESIDENT AVELLA: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 913, by Senator Carlucci, Senate Print 5224, an  
14 act to amend the Mental Hygiene Law.

15 ACTING PRESIDENT AVELLA: Read the  
16 last section.

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

19 ACTING PRESIDENT AVELLA: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT AVELLA: Announce  
23 the result.

24 THE SECRETARY: Ayes, 45.

25 ACTING PRESIDENT AVELLA: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 929, by Senator Maziarz, Senate Print 1081B, an  
4 act to amend the New York State Urban Development  
5 Corporation Act.

6 ACTING PRESIDENT AVELLA: Read the  
7 last section.

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

10 ACTING PRESIDENT AVELLA: Call the  
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT AVELLA: Announce  
14 the result.

15 THE SECRETARY: Ayes, 45.

16 ACTING PRESIDENT AVELLA: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 931, by Senator Grisanti, Senate Print 1703A, an  
20 act to amend the Education Law.

21 ACTING PRESIDENT AVELLA: Read the  
22 last section.

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

25 ACTING PRESIDENT AVELLA: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT AVELLA: Announce  
4 the result.

5 THE SECRETARY: Ayes, 45.

6 ACTING PRESIDENT AVELLA: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 936, by Senator Carlucci, Senate Print 3245, an  
10 act to amend the Executive Law.

11 ACTING PRESIDENT AVELLA: Read the  
12 last section.

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

15 ACTING PRESIDENT AVELLA: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT AVELLA: Announce  
19 the result.

20 THE SECRETARY: Ayes, 45.

21 ACTING PRESIDENT AVELLA: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 956, by Senator Little, Senate Print 6946, an act  
25 to amend the Executive Law.



1           ACTING PRESIDENT AVELLA:   Read the  
2   last section.

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

5           ACTING PRESIDENT AVELLA:   Call the  
6   roll.

7           (The Secretary called the roll.)

8           ACTING PRESIDENT AVELLA:   Announce  
9   the result.

10          THE SECRETARY:   Ayes, 45.

11          ACTING PRESIDENT AVELLA:   The bill  
12   is passed.

13          THE SECRETARY:   Calendar Number  
14   958, by Senator Maziarz, Senate Print 7007A, an  
15   act directing.

16          ACTING PRESIDENT AVELLA:   Read the  
17   last section.

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

20          ACTING PRESIDENT AVELLA:   Call the  
21   roll.

22          (The Secretary called the roll.)

23          ACTING PRESIDENT AVELLA:   Announce  
24   the result.

25          THE SECRETARY:   Ayes, 45.

1           ACTING PRESIDENT AVELLA:    The bill  
2   is passed.

3           THE SECRETARY:    Calendar Number  
4   961, by Senator Gallivan, Senate Print 4129A, an  
5   act to amend the Alcoholic Beverage Control Law.

6           ACTING PRESIDENT AVELLA:    Read the  
7   last section.

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

10          ACTING PRESIDENT AVELLA:    Call the  
11   roll.

12                           (The Secretary called the roll.)

13          ACTING PRESIDENT AVELLA:    Announce  
14   the result.

15          THE SECRETARY:    Ayes, 45.

16          ACTING PRESIDENT AVELLA:    The bill  
17   is passed.

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

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

22          ACTING PRESIDENT AVELLA:    Motions  
23   and resolutions.

24                           Senator Libous.

25          SENATOR LIBOUS:    Thank you, sir.   I

1 want to adopt the Resolution Calendar, with the  
2 exception of Resolutions 5539, 5595, 5613, 5615,  
3 5633 and 5574.

4 ACTING PRESIDENT AVELLA: All in  
5 favor of adopting the Resolution Calendar, with  
6 the exception of Resolutions 5539, 5595, 5613,  
7 5615, 5633 and 5574, signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT AVELLA: Any  
10 opposed?

11 (No response.)

12 ACTING PRESIDENT AVELLA: The  
13 Resolution Calendar is adopted.

14 Senator Libous.

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

19 ACTING PRESIDENT AVELLA: The  
20 Secretary will read.

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

1                   ACTING PRESIDENT AVELLA:    Senator  
2   Grisanti.

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

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

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

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

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

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

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

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

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

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

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

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

5                   (Response of "Aye.")

6                   ACTING PRESIDENT AVELLA:   Opposed,  
7   nay.

8                   (No response.)

9                   ACTING PRESIDENT AVELLA:   The  
10   resolution is adopted.

11                   And welcome to the Senate chamber.

12                   (Applause.)

13                   ACTING PRESIDENT AVELLA:   Senator  
14   Libous.

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

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

25                   ACTING PRESIDENT AVELLA:   So

1 ordered.

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

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

12 (Response of "Aye.")

13 ACTING PRESIDENT AVELLA: Opposed,  
14 nay.

15 (No response.)

16 ACTING PRESIDENT AVELLA: Both  
17 resolutions are adopted.

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

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

24 ACTING PRESIDENT AVELLA: So  
25 ordered.

1                   Senator Libous.

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

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

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

12                   (Whereupon, the Senate reconvened at  
13 10:33 a.m.)

14                   ACTING PRESIDENT AVELLA:   The  
15 Senate will come to order.

16                   Senator Libous.

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

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

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



1                   ACTING PRESIDENT AVELLA:    The  
2   Secretary will read.

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

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

15                  "WHEREAS, It is with great sorrow  
16   and deep regret that this Legislative Body  
17   records the passing of Catherine Abate on May 17,  
18   2014, noting the significance of her meritorious  
19   life and accomplishments; and

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

25                  "WHEREAS, After receiving her law

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

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

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

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

1                   "WHEREAS, Although Catherine Abate  
2 left the New York State Senate at the end of  
3 1998, she did not leave public service; in 1999  
4 she became President and CEO of Community  
5 Healthcare Network, where she made significant  
6 and lasting contributions in the area of public  
7 health; and

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

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

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

1 with her and after her; and

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

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

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

16 ACTING PRESIDENT AVELLA: Senator  
17 Hoylman.

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

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

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

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

7           She had so many experiences in  
8 public life, ranging from the grassroots, when  
9 she was a district leader with the Village  
10 Independent Democrats in Greenwich Village,  
11 running through her career as a commissioner;  
12 here in the State Senate, where she served from  
13 1995 to 1999; running for statewide office. Then  
14 of course her last 15 years of service were with  
15 the Community Health Network.

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

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

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

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

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

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

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

1                   Senator Nozzolio.

2                   SENATOR NOZZOLIO:    Thank you,  
3                   Mr. President.

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

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

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

1 disagree without being disagreeable.

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

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

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

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



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

3                   ACTING PRESIDENT AVELLA:   Senator  
4   Krueger.

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

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

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

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

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

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

14 Thank you, Mr. President.

15 ACTING PRESIDENT AVELLA: Senator  
16 Little.

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

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

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

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

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

16                  Thank you.

17                  ACTING PRESIDENT AVELLA:     Senator  
18                  Hassell-Thompson.

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

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

1 brand-new district leader.

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

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

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

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

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

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

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

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

22 Thank you, Mr. President.

23 ACTING PRESIDENT AVELLA: Senator  
24 Montgomery.

25 SENATOR MONTGOMERY: Thank you,

1 Mr. President.

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

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

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

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

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

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

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

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

1 sensitive about the way in which she worked with  
2 people.

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

6 Thank you, Mr. President.

7 ACTING PRESIDENT AVELLA: Senator  
8 DeFrancisco.

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

16 (Laughter.)

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

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



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

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

15           Thank you, Mr. President.

16           ACTING PRESIDENT AVELLA:    Senator  
17 Perkins.

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

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

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

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

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

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

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

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

5 Thank you very much.

6 ACTING PRESIDENT AVELLA: Senator  
7 Squadron.

8 SENATOR SQUADRON: Thank you,  
9 Mr. President.

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

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

1 connection to her former constituents and her  
2 former community.

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

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

17 Thank you, Mr. President.

18 ACTING PRESIDENT AVELLA: Senator  
19 Libous.

20 SENATOR LIBOUS: Thank you,  
21 Mr. President.

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

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

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

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

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

23 ACTING PRESIDENT AVELLA: Senator  
24 Stewart-Cousins.

25 SENATOR STEWART-COUSINS: Thank

1     you, Mr. President.

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

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

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

25                    So I too give condolences to her

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

5 Thank you.

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

9 (Response of "Aye.")

10 ACTING PRESIDENT AVELLA: Opposed,  
11 nay.

12 (No response.)

13 ACTING PRESIDENT AVELLA: The  
14 resolution is adopted.

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

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

21 ACTING PRESIDENT AVELLA: Thank  
22 you.

23 Senator Libous.

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

1 don't know if anybody else does.

2                   ACTING PRESIDENT AVELLA:    Motions  
3 and resolutions.

4                   Senator Libous.

5                   SENATOR LIBOUS:    On behalf of  
6 Senator Zeldin, on page 29 I offer the following  
7 amendments to Calendar Number 479, Senate Print  
8 4757, and ask that said bill retain its place on  
9 the Third Reading Calendar.

10                  ACTING PRESIDENT AVELLA:    So  
11 ordered.

12                  Senator Libous.

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

17                  And the Senate will stand at ease.

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

21                  The Senate will stand at ease.

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

24                  (Whereupon, the Senate reconvened at  
25 11:28 a.m.)



1           ACTING PRESIDENT AVELLA:    The  
2   Senate will come to order.

3           Senator Libous.

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

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

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

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

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

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

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

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

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

25                 Senate 3667A, by Senator Savino, an

1 act to amend the General Business Law;

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

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

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

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

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

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

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

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

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

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

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

25 Senate 7030, by Senator DeFrancisco,

1 an act to amend Chapter 690 of the Laws of 1937;  
2 Senate 7046, by Senator O'Mara, an  
3 act to amend the Town Law;  
4 Senate 7089, by Senator Avella, an  
5 act to amend the Public Authorities Law;  
6 Senate 7119, by Senator Klein, an  
7 act to amend Chapter 507 of the Laws of 2009;  
8 Senate 7125, by Senator Hannon, an  
9 act to amend the Public Health Law;  
10 Senate 7133A, by Senator LaValle, an  
11 act in relation;  
12 Senate 7169, by Senator Boyle, an  
13 act to amend the Penal Law;  
14 Senate 7179, by Senator Valesky, an  
15 act to amend the Civil Practice Law and Rules;  
16 Senate 7238, by Senator Farley, an  
17 act in relation to authorizing;  
18 Senate 7276, by Senator Seward, an  
19 act authorizing;  
20 Senate 7279, by Senator Farley, an  
21 act to amend Chapter 168 of the Laws of 2012;  
22 Senate 7388, by Senator Grisanti, an  
23 act to amend the Village Law;  
24 Senate 7479, by Senator Bonacic, an  
25 act to amend the Town Law;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19                   All bills reported direct to third  
20 reading.

21                   ACTING PRESIDENT AVELLA:    Senator  
22 Libous.

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

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

4           (Response of "Aye.")

5           ACTING PRESIDENT AVELLA:   All those  
6   opposed say nay.

7           (No response.)

8           ACTING PRESIDENT AVELLA:   The  
9   report of the Rules Committee is accepted.  
10   Senator Libous.

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

13          ACTING PRESIDENT AVELLA:   Motions  
14   and resolutions.

15          Senator Libous.

16          SENATOR LIBOUS:   Thank you.

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

22          ACTING PRESIDENT AVELLA:   So  
23   ordered.

24          Senator Libous.

25          SENATOR LIBOUS:   I have a couple of

1 housekeeping motions.

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

7 ACTING PRESIDENT AVELLA: So  
8 ordered.

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

16 (Laughter.)

17 ACTING PRESIDENT AVELLA: So  
18 ordered.

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

24 ACTING PRESIDENT AVELLA: So  
25 ordered.

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

6                   ACTING PRESIDENT AVELLA:     The  
7     Secretary will read.

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

13                  ACTING PRESIDENT AVELLA:     Senator  
14    Hassell-Thompson.

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

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

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



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

9                   Alyssa has volunteered more than  
10 200 hours during the 2013-2014 year and is now  
11 participating in the process of forming a  
12 Keystone Club, working to raise money for trips  
13 to the National Keystone Conference next year.

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

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

23                  Thank you, Mr. President.

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

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

3                   (Response of "Aye.")

4                   ACTING PRESIDENT AVELLA:   Opposed,  
5 nay.

6                   (No response.)

7                   ACTING PRESIDENT AVELLA:   The  
8 resolution is adopted.

9                   Senator Libous.

10                  SENATOR LIBOUS:   Mr. President,  
11 thank you.

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

17                  ACTING PRESIDENT AVELLA:   The  
18 Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 My Wings Are Gonna Fit Me Well (1975), And Still  
2 I Rise (1978) and Shaker, Why Don't You Sing?  
3 (1983); in addition, she released an album of  
4 songs, 'Miss Calypso,' in 1957; and

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

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

22 "WHEREAS, Maya Angelou was a seminal  
23 figure in the Harlem Writers Guild throughout the  
24 1950s and 1960s and actively performed at the  
25 renowned Apollo Theater during this period,

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

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

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

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



1     quality of life; now, therefore, be it

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

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

10                ACTING PRESIDENT AVELLA:     Senator  
11     Perkins.

12                SENATOR PERKINS:     Thank you very  
13     much.

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

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

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

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

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

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

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

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

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

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

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

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

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

19 When we come to it We, this people, on this wayward, float  
 20 body Created on this earth, of this earth  
 21 Have the power to fashion for this earth A climate where e  
 22 Can live freely without sanctimonious piety Without cripp  
 23 When we come to it  
 24 We must confess that we are the possible We are the miracu  
 25 this world That is when, and only when

1       We come to it.

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

8               Thank you.

9               ACTING PRESIDENT AVELLA:    Senator  
10 Stewart-Cousins.

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

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

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

25              And then the third time was when we

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

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

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

24 The poem is "Still I Rise."

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

1       You may tread me in the very dirt                       But still, like dust, I  
 2           Does my sassiness upset you?  
 3       Why are you beset with gloom?                       'Cause I walk like I've got  
 4       Pumping in my living room.  
 5       Just like moons and like suns,                       With the certainty of tides  
 6       Just like hopes springing high,                       Still I'll rise.  
 7           Did you want to see me broken?  
 8       Bowed head and lowered eyes?                       Shoulders falling down like t  
 9       Weakened by my soulful cries.  
 10       Does my haughtiness offend you?                       Don't you take it awful ha  
 11       'Cause I laugh like I've got gold mines                       Diggin' in my own  
 12           You may shoot me with your words,  
 13       You may cut me with your eyes,                       You may kill me with your h  
 14       But still, like air, I'll rise.  
 15       Does my sexiness upset you?                       Does it come as a surprise  
 16       That I dance like I've got diamonds                       At the meeting of my t  
 17           Out of the huts of history's shame  
 18       I rise                       Up from a past that's rooted in pain  
 19       I rise                       I'm a black ocean, leaping and wide,  
 20       Welling and swelling I bear in the tide.                       Leaving behind n  
 21       I rise                       Into a daybreak that's wondrously clear  
 22       I rise                       Bringing the gifts that my ancestors gave,  
 23       I am the dream and the hope of the slave.                       I rise  
 24       I rise                       I rise.  
 25

1 Rest in peace, Dr. Angelou.

2 ACTING PRESIDENT AVELLA: Senator  
3 Sanders.

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

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

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

25 Mighty trees exist for many



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

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

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

16           (Laughter.)

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

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

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

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

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

14                   Thank you very much.

15                   ACTING PRESIDENT AVELLA:     Senator  
16 Hassell-Thompson.

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

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

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

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

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

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

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

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

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

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

5 Thank you.

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

10 (Response of "Aye.")

11 ACTING PRESIDENT AVELLA: Opposed,  
12 nay.

13 (No response.)

14 ACTING PRESIDENT AVELLA: The  
15 resolution is adopted.

16 Senator LaValle.

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

21 ACTING PRESIDENT AVELLA: So  
22 ordered.

23 Senator LaValle.

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

1 Calendar Number 692.

2 ACTING PRESIDENT AVELLA: The  
3 Secretary will read.

4 THE SECRETARY: Calendar Number  
5 692, by Senator LaValle, Senate Print 2282, an  
6 act to amend the Education Law.

7 ACTING PRESIDENT AVELLA: Read the  
8 last section.

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

11 ACTING PRESIDENT AVELLA: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT AVELLA: Senator  
15 Sanders to explain his vote.

16 SENATOR SANDERS: Thank you,  
17 Mr. President.

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

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

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

3 ACTING PRESIDENT AVELLA: Announce  
4 the result.

5 THE SECRETARY: Ayes, 59.

6 ACTING PRESIDENT AVELLA: The bill  
7 is passed.

8 Senator LaValle.

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

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

17 ACTING PRESIDENT AVELLA: Senator  
18 Valesky.

19 SENATOR VALESKY: Thank you,  
20 Mr. President.

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

1                   ACTING PRESIDENT AVELLA:    So  
2   ordered.

3                   Senator LaValle.

4                   SENATOR LaVALLE:    I'd like everyone  
5   to listen very, very carefully.  We will be  
6   adjourning until Monday, June the 9th, at  
7   2:00 p.m., intervening days being legislative  
8   days.

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

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

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