THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 16, 2001

3:08 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please 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.)

THE PRESIDENT: In the absence of clergy, may we all bow our heads in a moment of silence.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Saturday, January 13, the Senate met pursuant to adjournment. The Journal of Friday, January 12, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Volker, from the Committee on Codes, reports the following bills:

Senate Print 58, by Senator Skelos, an act to amend the Civil Practice Law and Rules;

59, by Senator Skelos, an act to amend the Criminal Procedure Law;

66, by Senator Velella, an act to amend the Criminal Procedure Law;

77, by Senator Skelos, an act to amend the Civil Practice Law and Rules;

95, by Senator Maltese, an act to amend the Penal Law;

100, by Senator Marcellino, an act to amend the Penal Law;

103, by Senator Marcellino, an act to amend the Criminal Procedure Law;

126, by Senator Skelos, an act to amend the Civil Practice Law and Rules;

135, by Senator Volker, an act to amend the Civil Practice Law and Rules;

136, by Senator Volker, an act to amend the Penal Law;

137, by Senator Volker, an act to amend the Penal Law and the Criminal Procedure Law;

200, by Senator Volker, an act to amend the Penal Law;

205, by Senator Volker, an act to amend the Criminal Procedure Law;

207, by Senator Volker, an act to amend the Criminal Procedure Law, the Public Health Law, and the Family Court Act;

208, by Senator Volker, an act to amend the Penal Law and the Criminal Procedure Law;

209, by Senator Volker, an act to amend the Penal Law;

210, by Senator Volker, an act to amend the Criminal Procedure Law;

216, by Senator Volker, an act to amend the Criminal Procedure Law;

290, by Senator Alesi, an act to amend the Penal Law;

And 368, by Senator Volker, an act to amend the Civil Practice Law and Rules.

All bills ordered direct to third reading.

THE PRESIDENT: Without objection, all bills reported direct to third reading.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Madam President, I believe there's a resolution, Number 164, at the desk by Senator Maltese. May we please have it read in its entirety and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Maltese, Legislative Resolution Number 164, memorializing the life of, and celebrating the dedication of the Christ the King Gymnasium in the name of, Father John Savage.

"WHEREAS, It is incumbent upon the people of the State of New York to recognize and acknowledge those within our midst who

have, in their lifetime, through faithful concern and selfless devotion, made significant contributions to the moral and physical growth of our youth; and

"WHEREAS, On Saturday, January 27, 2001, the Christ the King Regional High School Alumni Association will dedicate the newly renovated Christ the King Gymnasium in the memory of Father John Savage.

"Father John Savage was the beloved Spiritual Director and Athletic Director of Christ the King Regional High School. In conjunction with the Dedication Ceremony, Christ the King Regional High School's Alumni Basketball Games will take place; and

"WHEREAS, On May 30, 1970, John Savage was ordained to the priesthood and assigned to the Parish of Miraculous Medial. Knowing his deep love for the youth of the diocese and his desire to work with teenagers, Bishop Mugavero assigned him as Chaplain and Religion Teacher to Christ the King Diocesan High School in the Fall of 1974; and

"WHEREAS, Father John Savage served his new Church family faithfully and guided

Christ the King through its transition from a diocesan high school to an independent, regional high school, and he was appointed to the Board of Trustees as an advisor.

"Father John Savage continued to serve the school as Spiritual Director, offering daily Mass, hearing confessions, running retreat programs, and offering days of recollection for the students and faculty. His love for athletics led him to be appointed as Athletic Director.

"Father John Savage helped develop one of the finest athletics programs among the various high schools of the diocese. He led Christ the King to national fame with the school's outstanding men's and women's athletic teams; and

"WHEREAS, Loving his priesthood and commitment to Jesus Christ and his Church, Father John Savage accepted the invitation of Bishop Mugavero to become the Pastor of St. Jerome's, East Flatbush, Brooklyn. In January of 1989, he undertook his new assignment while continuing to be Athletic Director at Christ the King.

"Father John Savage's love for the Haitian people of St. Jerome's enabled him to learn enough Creole to offer Holy Mass and hear confessions. The people of St. Jerome's loved their Pastor and were saddened when once again he was called to accept another assignment; and

"WHEREAS, In September 1993, Father John Savage accepted his final Parish when he was appointed Pastor of St. Savior's Church in Park Slope by Bishop Daily. He loved his new assignment and continued to shepherd the people of St. Savior's and carry out his role as Athletic Director with great joy and courage until his death on August 15, 1996; and

"WHEREAS, It is the sense of this Legislative Body that when individuals of such noble life accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of the great State of New York; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize the life of, and celebrate the dedication of

the Christ the King Gymnasium in the name of, Father John Savage; and be it further

"RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Christ the King Regional High School."

THE PRESIDENT: Senator Maltese.

SENATOR MALTESE: Madam President, the resolution speaks for itself.

I knew and worked closely with Father Savage for more than 25 years and would simply like to say that his favorite saying, and something that we'll all remember, was "Smile, God loves you."

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could return to reports of standing committees.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Goodman, from the Committee on Investigations, Taxation and Government Operations, reports the following bills:

Senate Print 134A, by Senator Volker, an act to amend the Tax Law;

And Senate Print 792, by the Senate Committee on Rules, an act to amend the Tax Law.

Both bills ordered direct to third reading.

THE PRESIDENT: Without objection, both bills ordered direct to third reading.

Senator Skelos.

SENATOR SKELOS: Madam President, is there any housekeeping at the desk?

THE PRESIDENT: No, there isn't, Senator.

SENATOR SKELOS: There being no further business, I move we adjourn until Wednesday, January 17th, at 11:00 a.m.

THE PRESIDENT: On motion, the Senate stands adjourned until Wednesday, January 17th, 11:00 a.m.

(Whereupon, at 3:15 p.m., the Senate adjourned.)