NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 13, 2003

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, please.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Saturday, January 11, the Senate met pursuant to adjournment. The Journal of Friday, January 10, 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.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Bruno.

SENATOR BRUNO: Madam President, I'd like to hand up temporary assignments for the Majority committees, so that we can go forward with the meetings, and ask that they be filed in the Journal.

THE PRESIDENT: To be filed in the Journal.

Senator Bruno again.

SENATOR BRUNO: And, Madam President, in consultation with Senator Paterson, we're handing up the Minority assignments for temporary assignments to the committees. I ask that they also be filed in the Journal.

THE PRESIDENT: The notice will be filed in the Journal, Senator.

Senator Bruno.

SENATOR BRUNO: And I would ask

that there be an immediate meeting of the Finance Committee in the Majority Conference Room.

THE PRESIDENT: There will be an immediate meeting of the Finance Committee in the Majority Conference Room.

SENATOR BRUNO: And the Senate will stand at ease for just a few moments while the committee is meeting.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 3:10 p.m.)

(Whereupon, the Senate reconvened at 3:21 p.m.)

ACTING PRESIDENT FUSCHILLO: Senator Alesi.

SENATOR ALESI: There will be an immediate meeting of the Codes Committee in the Senate Majority Conference Room.

ACTING PRESIDENT FUSCHILLO: Thank you. There will be an immediate meeting of the Codes Committee in the Senate Majority Conference Room.

SENATOR ALESI: And the Senate

will stand at ease.

ACTING PRESIDENT FUSCHILLO: Before we do that, Senator Meier.

SENATOR MEIER: Thank you, Mr. President. On behalf of Senator Volker, I move that Senate Bill 197 be discharged from committee and be recommitted with instructions to strike the enacting clause.

ACTING PRESIDENT FUSCHILLO: So ordered.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:22 p.m.)

(Whereupon, the Senate reconvened at 3:41 p.m.)

ACTING PRESIDENT FUSCHILLO: Senator Kuhl.

SENATOR KUHL: Yes, Mr. President. We'd like to announce an immediate meeting of the Local Governments Committee in the Majority Conference Room, Room 332.

ACTING PRESIDENT FUSCHILLO: Thank you. There will be an immediate meeting of the Local Governments Committee in the Majority Conference Room.

SENATOR KUHL: Thank you. The Senate will continue to stand at ease.

ACTING PRESIDENT FUSCHILLO: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:42 p.m.)

(Whereupon, the Senate reconvened at 3:55 p.m.)

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT FUSCHILLO: Senator Skelos.

SENATOR SKELOS: If we could return to reports of standing committees, I believe there are several reports at the desk. I ask that they be read at this time.

ACTING PRESIDENT FUSCHILLO: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Johnson, from the Committee on Finance, reports the following bills:

Senate Print Number 1, by Senator Bruno, Concurrent Resolution of the Senate and Assembly proposing amendments to Article 7 of the Constitution;

And Senate Print Number 2, by Senator Bruno, an act to amend the State Finance Law.

Senator Volker, from the Committee on Codes, reports:

Senate Print 37, by Senator Padavan, an act to amend the Penal Law;

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

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

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

99, by Senator Velella, an act to amend the Penal Law;

180, by Senator Hoffmann, an act to amend the Penal Law;

181, by Senator Hoffmann, an act to amend the Penal Law;

215, by Senator Saland, an act to amend the Penal Law;

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

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

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

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

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

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

246, by Senator Skelos, an act to amend the Correction Law;

And Senate Print 277, by Senator Skelos, an act to amend the Penal Law.

Senator Little, from the Committee on Local Government, reports:

Senate Print 18, by Senator Padavan, an act to amend the General Municipal Law;

50, by Senator Padavan, an act to amend the County Law and others;

136, by Senator Maltese, an act to amend the Municipal Home Rule Law;

203, by Senator Kuhl, an act to authorize;

259, by Senator Skelos, an act authorizing the assessor of the County of

Nassau;

261, by Senator Skelos, an act to authorize the assessor of the County of Nassau;

And Senate Print 328, by Senator DeFrancisco, an act to amend the Town Law.

All bills reported direct to third reading.

ACTING PRESIDENT FUSCHILLO: Without objection, all bills reported to third reading.

Senator Skelos.

SENATOR SKELOS: Mr. President, on behalf of Senator Bruno, I hand up the following committee chair assignments and ask that they be filed in the Journal.

ACTING PRESIDENT FUSCHILLO: Notice will be filed in the Journal.

Senator Skelos.

SENATOR SKELOS: Mr. President, in consultation with Senator Paterson, Senator Bruno hands up the following Minority ranking member appointments and asks that it be filed in the Journal.

ACTING PRESIDENT FUSCHILLO:

Notice will be filed in the Journal.

Senator Skelos.

SENATOR SKELOS: On behalf of Senator Bruno, at this time I'd like to hand up a notice of his intent to amend the Senate Rules and ask that it be filed in the Journal.

ACTING PRESIDENT FUSCHILLO: Notice will be filed in the Journal.

Senator Skelos.

SENATOR SKELOS: Mr. President, there being no further business, I move we adjourn until Tuesday, January 14th, at 12:30 p.m.

ACTING PRESIDENT FUSCHILLO: On motion, the Senate stands adjourned until Tuesday, January 14th, at 12:30.

(Whereupon, at 3:59 p.m., the Senate adjourned.)