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3:15 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 bow our heads, please, in a moment of silence.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Friday, January 9, the Senate met pursuant to adjournment. The Journal of Thursday, January 8, 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 DeFrancisco, from the Committee on Judiciary, reports the following nomination:

As Associate Judge of the Court of Appeals, Robert S. Smith, of New York.

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: I would like to report to the full Senate that Robert S. Smith appeared before the Judiciary Committee this morning. There was quite a lengthy discussion and review of his credentials, he was found to be qualified, and there was a unanimous vote on his behalf to recommend Mr. Smith as an associate justice of the Court of Appeals.

I'd like to defer my comments until after Senator Bruno speaks.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President.

Thank you, Senator DeFrancisco.

Thank you to you, as chair of Judiciary, for your deliberations, and to the committee, on behalf of the Senate, in having very thoroughly examined the qualifications of Bob Smith.

And I think we're indebted to the Governor for having made the selection of Bob Smith to be an associate of the highest courts here in the state.

And when you take a look at his background, you can see how he is one of the most accomplished legal experts in this state, graduating, I believe, first from Columbia, which is quite an honor and distinction, being editor-in-chief of the very prestigious Columbia Law Review. And I believe the New York State Bar Association gives Mr. Smith an unqualified highest rating.

Trial lawyer by background, has tried fifty-plus major cases, has appeared before every court, including the U.S. Supreme Court, where he, by his thorough background knowledge, research, distinguishes himself.

We're proud that we in this house can confirm Mr. Smith to be Judge Smith and

represent us here in this state.

And again, I want to commend the Governor for this very wise selection, one of the most qualified individuals that we could confirm here in the Senate for this very high office.

Thank you, Madam President.

Thank you, Senator DeFrancisco.

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I rise to move the nomination of Robert S. Smith to become an associate justice of the Court of Appeals of the State of New York.

You know, prior to this particular committee meeting there's been a lot of discussion in the press about various issues. And obviously all of us are concerned about certain issues and certain cases that have been handed down.

There never, ever was, nor could there be, any dispute about the qualifications of this man to the position that he's been nominated to. Senator Bruno mentioned some of them. But to be a member of Phi Beta Kappa

and graduate from Stafford with highest honors, be first in his class at Columbia Law School and editor-in-chief of the Law Review, a partner in one of the most prestigious firms in the country -- Paul, Weiss -- visiting professor at Columbia Law School, cochair of the New York State Bar Association Commission on Judicial Administration. And he's written many, many articles on very complex issues and has tried very complex pieces of litigation.

I was pleased to hear Senator Bruno say something good about trial lawyers, because that's a very good thing. Because being a trial lawyer, especially assuming the bench, is extremely important. Having that background, knowing what it is like to be in the trenches and to understand the complexities and the practicalities of litigation is extremely important.

As I mentioned, there was a lot of discussion before the committee meeting. And I'm very pleased to say that the committee meeting was not a lot of fireworks, as was anticipated, but true, serious discussion, honest answers on very difficult issues. And

Mr. Smith certainly held his own in that meeting and made comments that comforted most of us on some of these issues -- I'd say all of us in the committee, since we all voted in his favor.

Senator Velella had a great argument, a great point, and I'll repeat it. And the point was maybe each year you might want to read what you said to the committee, just to remind yourself. Because that's what we're relying on, what you said to the committee. And I think that was a good suggestion for everyone to do, whether you're a judge or a legislator.

So I'm very pleased to rise in support of this nominee and to move his nomination.

THE PRESIDENT: Senator Malcolm Smith.

SENATOR MALCOLM SMITH: Thank you very much, Madam President.

I rise to second the nomination of Mr. Smith, not only because of his impeccable credentials but also because he obviously is someone who understands the importance of the

position which he will soon be undertaking.

The Governor has once again recommended someone with tremendous credentials. Senator Bruno talked about him being first in his class at Columbia Law School. And I'm not sure people recognize how tremendous of a feat that is. It is by no means something that is simple or easy to accomplish.

He also has done a tremendous amount of pro bono work in the area of defending the death penalty and is in private practice for 35 years.

But more importantly than any of his credentials, Madam President, there is one thing that I have not completed my analysis on, but based on his last name, I think we do have a relationship somewhere. And it will be quite, frankly, very nice to have a cousin or a relative on the Court of Appeals bench.

Thank you.

(Laughter.)

THE PRESIDENT: Thank you, Senator Smith.

Senator Brown.

SENATOR BROWN: Thank you.

I want to congratulate Mr. Smith on his nomination to the Court of Appeals.

But I do feel it's important to raise a concern. This concern in no way is being raised to distract from Mr. Smith's credentials. But I am concerned about geographic diversity on the Court of Appeals. And it saddens me that as we look at our Court of Appeals for the State of New York, there are no members from west of Albany on the Court of Appeals.

I just feel it's important to highlight that. And I'm hopeful that in the near future, as other appointment opportunities come available, that this discrepancy in terms of geographic diversity on the Court of Appeals will be recognized.

Thank you.

THE PRESIDENT: Senator Balboni.

SENATOR BALBONI: Madam President, I think it's important at this point in time not only to look at the qualifications and credentials of this particular nominee but also to recognize that

the vote in favor for this particular candidate will signal the completion of a Pataki mark on this court.

And when you take a look at the experience, the expertise, the intellectual firepower that the Governor has assembled on this court, I think that what it says is that you have the ability to shape opinions and to really change the way that the Legislature interacts with the highest court of the state.

And I think with hopefully soon to be Judge Smith, what you have here is someone that, when you look at his resume, you realize that it doesn't necessarily matter that you've had a judicial post beforehand, it doesn't necessarily matter that you may have had opinions in the numerous trials that you've had beforehand, what matters is that you are qualified, competent, capable.

And frankly, I dare anyone to look at this resume and not say "show off." I mean, it's an amazing resume. And I think that this is a mark for this court and for this state that leads the way in this nation.

I'm going to support the nominee,

Madam President.

THE PRESIDENT: Senator Maziarz.

SENATOR MAZIARZ: Thank you very much, Madam President.

Mr. Smith, I attended the Judiciary Committee meeting today at the invitation of the chair. I am not a member of that committee. And I have to tell you that I was truly undecided as to how I was going to vote on this nomination today.

Because, quite frankly, I was inclined at the time to probably vote in opposition to your nomination, if only for no other reason than to send a message to Judge Kaye and Judge Bundy Smith and Judge Ciparick and Judge Rosenblatt, send them a message that this legislative body was extremely disappointed in their decision that they recently made in December in overturning the death penalty case of one James Cahill of Syracuse.

Mr. Smith -- soon to be Judge Smith, I'm sure -- sitting to your right is a woman by the name of Debra Jaeger. And Debra testified today before that committee. And

Debra's sister, Jill Cahill, was murdered by her husband.

And the district attorney of Onondaga County made a very difficult decision, after a prolonged process, to seek the death penalty against Mr. Cahill.

And a jury of his peers, twelve people, in Onondaga County, struggled a great deal through the deliberative process, through the trial, through the penalty phase, struggled a great deal with the death penalty decision. One juror, in fact, was so emotionally distraught that she had to be taken to a hospital.

But in the end, that jury unanimously agreed with the death penalty verdict as it was constituted by this Legislature -- this Senate, this Assembly -- and signed into law by this Governor.

But four individuals, four colleagues whom you are going to be serving with very soon, sought, I think for their own personal beliefs in opposition to capital punishment, sought to throw aside the feelings of the Senate, of the Assembly, of the

Governor, and most importantly, I think, of twelve independently chosen individuals who did their job, who did their job in Onondaga County.

You said two things this morning, Mr. Smith, that quite frankly changed my mind. You said that parties before a judge or a court are not the only ones affected by a decision of a court. And you said that you would remember that as you served on the Court of Appeals. That decision by those four justices clearly impacted Debra Jaeger and her family.

The second thing you said is that a court is not supposed to overrule the Legislature. Because I truly believe, listening to you this morning, Mr. Smith, that you will keep that promise that you made today.

I intend, Madam President, on voting in the affirmative. Thank you very much.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Madam President.

I wish to rise and endorse the candidacy of Judge Smith to the Court of Appeals. In echoing the comments of my good friend and colleague Senator Maziarz, that the wonderful resume presented to this body by Bob Smith is exemplary and, I am sure, throughout his academic and legal training, developed a keen sense of not just knowledge of the law but respect for the law and love of the law.

And that law is made here. I need remind all those who practice in our courts that this is the legislative body, this is the voice of the people. And that this body, within the framework of the federal and state constitution, does make the law.

I'd be remiss if I didn't say why we were here today, and that's to fill a vacancy left by the elevation of our dear friend Judge Dick Wesley, who has left the Court of Appeals to serve, under the nomination of President George Bush, to serve as a member of the federal District Court of Appeals for the Second Circuit, an honor of great note.

And that I know those of us in the

Legislature who served at one time with former Assemblyman Dick Wesley are extremely pleased that he has taken up this responsibility to serve in one of the highest courts of this nation.

This vacancy presents an opportunity for us to review the qualifications of Robert S. Smith. And certainly those qualifications are very well noted. We respect his accomplishment. And I for one believe that he is very well qualified to serve as judge.

I think it's mindful that the seat which he is to take is a seat that was held by a former legislator, one who had a great respect for the process that we engage in each and every day in these halls of this floor of the State Capitol. Judge Wesley respected the legislative process a great deal. It is my hope that Judge Smith will do the same.

I wish him well, congratulate him on this, and I certainly will support his nomination.

Thank you, Madam President.

THE PRESIDENT: Senator

Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

I rise also in support of the nomination of Mr. Smith to the court. And I think -- I have conferred with some of his former partners about him and have been advised that this is in fact a very heroic individual who managed to survive for many, many years as the lone Republican at Paul, Weiss, Rifkind, Wharton & Garrison. Which is something of an accomplishment, given the fact that most of the rest of them were my friends in the National Lawyers Guild.

I understand from people who do disagree with Mr. Smith politically that even among people who disagree with him -- and I call this to the attention of my colleagues who may disagree with him on one or another issue -- he is someone who's regarded as a person of tremendous integrity, of great independence, and of someone who has really established the fact that he is what we crave in judges: he is an independent thinker who will evaluate cases on the merits.

He is, I gather from his partners, an extraordinary lawyer. And it sounds as though we are very, very fortunate to have him as a nominee.

And whether or not we agree with the judge on every issue -- and I've been in court in front of many judges who I disagreed with vehemently -- what you want is a fair hearing, an independent judgment, and a fine mind. And Judge Smith, soon to be, has all of those.

Thank you.

THE PRESIDENT: Senator Diaz.

SENATOR DIAZ: Thank you, Madam President.

A few weeks ago, when I heard of the nomination of Mr. Smith by Governor Pataki, I was troubled and I wrote an educational piece on the -- in one of the New York City newspapers that was responded by Herman Badillo.

And I expressed my concern not based on Mr. Smith's qualifications, I expressed my concern, Madam President, on the political contributions that Mr. Smith made to

Governor Pataki and to the members of the Republican Party.

Why did I -- why does that concern me, and what was my worry? In New York City, there was a time when politics was usual and normal, and the way judges had been chosen for years was the same way. And we, black and Hispanic, we never used to have the opportunity to choose judges and to appoint them. Until we got the opportunity to get some of our members to become county Democratic chairmen.

Once that happened and we, black and Hispanic, had the opportunity of choosing and appointing judges, someone decided that the rules of the game was wrong and that we have to change the system of appointing judges.

And they used the county chairman of Brooklyn, Mr. Norman, as an example of that, because of political contributions and all of those things.

And then I got worried because I read in somewhere that for the past five years, Mr. Smith -- for example, in 1999, he

donated $10,000 to the Republican Committee, $10,000 to Friends of Pataki, $500 to the New York State Senate Republican Campaign Committee.

In 2000, he donated $10,000 to the New York State Republican Committee and $1,000 to the Committee for Goodman.

In 2001, he donated $20,700 to Friends of Pataki and $6,000 to the New York State Republican Committee.

In 2002, he donated $500 to People for Ravitz, $25,000 to the New York State Republican Committee, $500 to Eristoff for State Senate, $2,000 to Friends of John Faso, and $5,000 to the State Conservative Campaign Committee.

And in 2003, he donated $30,000 to the Republican Committee and $1,000 to New Yorkers for Randy Daniels.

So that concerned me, the way that he was chosen, but not based on his qualifications. I was concerned on the way that it was pointed by the news that if in Brooklyn it's wrong to elect judges that way, how come it's okay for the Governor too to do

it.

But this morning, after meeting in my Democratic conference and listening to my Democratic leader and listening to his advice, Senator Paterson, on the whole situation, I got cleared up. And I'm ready to support the nomination of Senator [sic] Smith like everybody is doing.

Thank you very much.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: Thank you. I've never been recognized so quickly in this chamber.

I want to thank Mr. Smith for his attention that he paid to the Senate Minority, speaking to the ranker on the Judiciary Committee -- also Senator Smith, no relation -- and speaking to me about some of his ideas. He's quite well prepared. He's quite -- one who responds very quickly to issues.

It's rare that a person goes directly to the bench at this high a level, but it's also rare that we have a candidate of his caliber that comes before us.

So I want to congratulate the Governor for his suggestion and his appointment, and certainly aver that we confirm this appointment, and thank Senator Bruno for his help in the process as well.

THE PRESIDENT: Does any other Senator wish to be heard?

The question, then, is on the confirmation of Robert S. Smith as Associate Judge of the Court of Appeals. All in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: Robert S. Smith is hereby confirmed as an Associate Judge of the New York State Court of Appeals.

Congratulations, Judge Smith.

(Applause.)

THE PRESIDENT: Judge Smith is accompanied this afternoon by his wife, Dian, and his daughter, Rosie.

And on behalf of the Senate and as President of the Senate, Judge Smith, I want to echo what has been said in this chamber.

New York State is indeed fortunate that someone of your intelligence, integrity, scholarship, and wide-ranging experience is willing to assume the awesome responsibility of being a judge in our Court of Appeals.

Best wishes to you, and thank you.

Senator Skelos.

SENATOR SKELOS: Madam President, there will be an immediate meeting of the Local Government Committee in the Majority Conference Room, followed by -- and we'll announce it -- a Higher Education Committee meeting and then a Transportation Committee meeting.

THE PRESIDENT: There will be an immediate meeting of the Local Government Committee in the Majority Conference Room, followed by a Higher Education Committee meeting and a Transportation Committee meeting.

The Secretary will read.

THE SECRETARY: Senator Spano, from the Committee on Investigations and Government Operations, reports:

Senate Print 1144, by Senator

DeFrancisco, an act to amend the Tax Law;

2668, by Senator Golden, an act to amend the Tax Law;

3609, by Senator Balboni, an act to amend the Tax Law;

3850, by Senator Rath, an act to amend the Legislative Law;

And Senate Print 5883, by Senator Volker, an act to amend the Tax Law.

All bills ordered direct to third reading.

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

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Madam President, there's a privileged resolution at the desk by Senator Meier. 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 Meier, Legislative Resolution Number 3035, congratulating the Mohawk Valley Community College Women's Soccer Team and Coach Steve Senior upon the occasion of capturing the 2003 National Junior College Athletic Association Championship.

"WHEREAS, Excellence and success in competitive sports can be achieved only through strenuous practice, team play, and team spirit, nurtured by dedicated coaching and strategic planning; and

"WHEREAS, Athletic competition enhances the moral and physical development of the young people of this state, preparing them for the future by instilling in them the value of teamwork, encouraging a standard of healthy living, imparting a desire for success, and developing a sense of fair play and competition; and

"WHEREAS, The Mohawk Valley Community College Women's Soccer Team are the 2003 National Junior College Athletic Association Champions; and

"WHEREAS, In the championship game, the Mohawk Valley Community College Women's Soccer Team defeated Nassau Community College 2 to 1, to capture the first National Junior College Athletic Association title; and

"WHEREAS, Tournament Most Valuable Player, Kristin Farrell, and Sarin Cavallo scored goals in the first half of the game; Julie Masi got an assist on Sarin Cavallo's goal, and goalkeeper Amanda Hawthorne had nine saves; and

"WHEREAS, Members on the All-Tournament Team with Kristin Farrell and Sarin Cavallo were Amanda Hawthorne, Stephanie Oyer, and Emily Galiulo; and

"WHEREAS, The athletic talent displayed by this team is due in great part to the efforts of Coach Steve Senior, a skilled and inspirational tutor, respected for his ability to develop potential into excellence; and

"WHEREAS, The team's overall record of 17, 2, and 1 is outstanding, and the team members were loyally and enthusiastically supported by family, fans, friends and the

community at large; and

"WHEREAS, The hallmarks of the Mohawk Valley Community College Women's Soccer Team, from the opening game of the season to participation in the championship game at Genesee Community College in Batavia, New York, were a sisterhood of athletic ability, of good sportsmanship, of honor and of scholarship, demonstrating that these team players are second to none; and

"WHEREAS, Athletically and academically, the team members have proven themselves to be an unbeatable combination of talents, reflecting favorably on their school; and

"WHEREAS, Coach Steve Senior has done a superb job in guiding, molding, and inspiring the team members toward their goals, and has received the aid and support of Assistant Coach Robert Clemente; and

"WHEREAS, Sports competition instills the values of teamwork, pride and accomplishment, and Coach Steve Senior and his outstanding athletes have clearly made a contribution to the spirit of excellence which

is a tradition of their school; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the Mohawk Valley Community College Women's Soccer Team; its members -- Sarin Cavallo, Tawn Edgerly, Kristin Farrell, Jennifer Foti, Audrey Galiulo, Emily Galiulo, Sarah LaReaux, Julie Masi, Stephanie Oyer, Kelly Parks, Melissa Roberts, Jennifer Rotella, and Amanda Hawthorne -- Assistant Coach Robert Clemente, and Coach Steve Senior on their outstanding season and overall team record; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the Mohawk Valley Community College Women's Soccer Team and to Coach Steve Senior."

THE PRESIDENT: Senator Meier.

SENATOR MEIER: Thank you, Madam President.

I think truly one of the most enjoyable things we get to do in this chamber is to recognize the accomplishments of our citizens, especially when it's some of our

young citizens. And this is truly an outstanding group of young women who have won this national championship.

It's also a testament to the athletic ability we find around this state, when you think that in order to win the national championship they had to defeat teams from Nassau County and also from Broome County.

Now, ladies, the gentleman sitting over here, the Deputy Majority Leader, Senator Skelos, represents Nassau County. The man that you just saw me speaking to was Senator Libous, who represents Broome County. And they informed me they're sending huge state grants into their county to try to spruce up those soccer teams. So next year, it could be a little rougher. But I know you can beat them anyway.

And they beat teams from other states, too, including from Howard Community College in Maryland.

When you have the kind of record that they have -- 17, 2, and 1 -- that's a testament to teamwork, that's a testament to

good coaching, that's a testament to pride and to the support they received from their college community, their friends and their families.

I'm very proud of you, to represent you as your Senator, and this body is very proud of you that you brought that title home to the great State of New York.

Congratulations, and good luck with all your future endeavors.

Thank you, Madam President.

(Applause.)

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Congratulations to all of you.

(Applause.)

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, we're not going to adjourn at this point

because there are two more committee meetings that must be held. We will await those meetings and take their report at the appropriate time.

So just for planning purposes, I guess enjoy the rest of the day.

THE PRESIDENT: Senator, we do have motions, I understand. Are you ready to proceed with them now?

SENATOR SKELOS: Okay. If we could do the motions, then.

THE PRESIDENT: Thank you, Senator.

Senator Fuschillo first.

SENATOR FUSCHILLO: Thank you, Madam President.

I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause:

Senate Print Number 666A, by Senator Fuschillo;

Senate Number 4515, by Senator Fuschillo;

Senate Number 5336, by Senator

Fuschillo;

2625A, by Senator Little;

382, by Senator Maltese;

1601, by Senator Maltese;

5333, by Senator Maltese;

1277, by Senator Meier;

5379, by Senator Meier;

632, by Senator Seward;

1137, by Senator Seward;

1372A, by Senator Seward;

5622, by Senator Seward;

5699, by Senator Seward;

261, by Senator Skelos;

3398D, by Senator Skelos;

5713A, by Senator Skelos;

5718, by Senator Skelos;

39, by Senator Volker;

1889, by Senator Volker;

5800, by Senator Volker;

5642, by Senator Johnson;

And 5694, by Senator Marcellino.

THE PRESIDENT: So ordered.

Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

I would also move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause:

Senate Number 370, by Senator Andrews;

Senate 547, by Senator Andrews;

Senate 706, by Senator Andrews;

Senate 378, by me;

Senate 269, by Senator M. Smith;

Senate 691, by Senator M. Smith;

Senate 876, also by Senator M. Smith;

And Senate 3807, also by Senator Malcolm Smith.

Thank you.

THE PRESIDENT: So ordered.

Senator Skelos.

SENATOR SKELOS: Madam President, we'll just stand at ease.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 3:50 p.m.)

(Whereupon, the Senate reconvened

at 3:52 p.m.)

ACTING PRESIDENT FUSCHILLO: Senator Skelos.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Higher Education Committee in the Majority Conference Room.

ACTING PRESIDENT FUSCHILLO: There will be an immediate meeting of the Higher Education Committee in the Majority Conference Room.

SENATOR SKELOS: Thank you.

We'll continue to stand at ease.

ACTING PRESIDENT FUSCHILLO: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 3:53 p.m.)

(Whereupon, the Senate reconvened at 4:02 p.m.)

ACTING PRESIDENT FUSCHILLO: Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President. There will be an immediate meeting of the Transportation Committee in the Majority Conference Room.

ACTING PRESIDENT FUSCHILLO: There will be an immediate meeting of the Transportation Committee in the Majority Conference Room.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 4:03 p.m.)

(Whereupon, the Senate reconvened at 4:15 p.m.)

ACTING PRESIDENT FUSCHILLO: Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President. Can we return to reports of standing committees.

ACTING PRESIDENT FUSCHILLO: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator LaValle, from the Committee on Higher Education, reports:

Senate Print 294, by Senator LaValle, an act to amend the Education Law;

345A, by Senator LaValle, an act to amend the Education Law;

487, by Senator LaValle, an act to

amend the Education Law;

And 4082A, by Senator LaValle, an act to amend the Education Law.

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

Senate Print 839, by Senator LaValle, an act to amend the Town Law.

916, by Senator LaValle, an act to amend the General Municipal Law;

1382, by Senator Larkin, an act to amend the General Municipal Law;

2066, by Senator LaValle, an act to amend the General Municipal Law;

2743, by Senator LaValle, an act to amend the Town Law;

2771, by Senator McGee, an act to amend the General Municipal Law;

2962, by Senator Little, an act to amend the Real Property Tax Law;

3701, by Senator Maziarz, an act to amend the Real Property Tax Law;

4949, by Senator Little, an act to amend the General Municipal Law;

And Senate Print 5659, by Senator Larkin, an act to amend the Real Property Tax

Law.

Senator Kuhl, from the Committee on Transportation, reports:

Senate Print 112, by Senator Velella, an act to amend the Vehicle and Traffic Law;

264A, by Senator Maziarz, an act to amend the Highway Law;

524, by Senator Balboni, an act to amend the General Business Law;

924C, by Senator LaValle, an act to amend the Highway Law;

1189, by Senator Larkin, an act to amend the Vehicle and Traffic Law;

1247, by Senator Kuhl, an act to amend the Highway Law;

1429, by Senator Kuhl, an act to amend the Vehicle and Traffic Law;

1876, by Senator Kuhl, an act to amend the Vehicle and Traffic Law;

And Senate Print 3782A, by Senator Johnson, an act to amend the Vehicle and Traffic Law.

All bills ordered direct to third reading.

ACTING PRESIDENT FUSCHILLO: So ordered.

Senator Morahan.

SENATOR MORAHAN: Is there any housekeeping at the desk, Mr. President?

ACTING PRESIDENT FUSCHILLO: No, there's not.

SENATOR MORAHAN: There being no further business before the Senate, I move that the Senate stand adjourned until Tuesday, January 13th, at 11:00 a.m.

ACTING PRESIDENT FUSCHILLO: On motion, the Senate stands adjourned until Tuesday, January 13th, at 11:00 a.m.

(Whereupon, at 4:17 p.m., the Senate adjourned.)