NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 14, 2005

3:03 p.m.

REGULAR SESSION

SENATOR ELIZABETH O'C. LITTLE, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT LITTLE: The Senate will come to order.

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

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

ACTING PRESIDENT LITTLE: The invocation today will be given by the Reverend Peter G. Young, of Blessed Sacrament Church in Bolton Landing.

REVEREND YOUNG: Dear God, as the snow falls today, we can remember instances when we needed a little mercy.

Maybe we needed an extension on a project; maybe we needed a loan or, as is often the case, we needed forgiveness from someone whom we had hurt.

Remember the sigh of relief when mercy was granted and the grief and disappointment when mercy was denied.

O merciful God, You give us in the Senate what we need for constant guidance in Your call. Grant that we will be able to be

generous in mercy toward all New York State citizens. May we be known as Senators of mercy and forgiveness.

We ask You this in Your name, now and forever. Amen.

ACTING PRESIDENT LITTLE: Thank you, Father Young.

Reading of the Journal.

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

ACTING PRESIDENT LITTLE: 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 Skelos.

SENATOR SKELOS: Madam President, I believe there's a substitution at the desk. If it could be made at this time.

ACTING PRESIDENT LITTLE: The Secretary will read.

THE SECRETARY: On page 6, Senator Marcellino moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 2338 and substitute it for the identical Senate Bill Number 1853, Second Report Calendar 65.

ACTING PRESIDENT LITTLE: The substitution is ordered.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could go to the noncontroversial reading of the calendar.

ACTING PRESIDENT LITTLE: The Secretary will read.

THE SECRETARY: Calendar Number 23, by Senator Marcellino, Senate Print 670, an act to amend the Penal Law, in relation to criminally negligent homicide.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 24, by Senator Little, Senate Print 719, an act to amend the Penal Law, in relation to increasing the penalties for hazing.

ACTING PRESIDENT LITTLE: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of November.

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 31, by Senator Maziarz, Senate Print 110, an

act to amend the Highway Law, in relation to the designation.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 42.

ACTING PRESIDENT LITTLE: The bill is passed.

THE SECRETARY: Calendar Number 34, by Senator Maziarz, Senate Print 302, an act to amend the Highway Law, in relation to the designation.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 44.

ACTING PRESIDENT LITTLE: The

bill is passed.

THE SECRETARY: Calendar Number 39, by Senator Volker, Senate Print 884, an act to amend the Real Property Tax Law, in relation to a taxing district's obtaining.

ACTING PRESIDENT LITTLE: Read the last section.

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

ACTING PRESIDENT LITTLE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 46.

ACTING PRESIDENT LITTLE: The bill is passed.

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

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

ACTING PRESIDENT LITTLE: No, Senator Skelos, there isn't.

SENATOR SKELOS: There being no further business to come before the Senate, I move we stand adjourned until Tuesday, February 15th, at 3:00 p.m.

ACTING PRESIDENT LITTLE: On motion, the Senate stands adjourned until Tuesday, February 15th, at 3:00 p.m.

(Whereupon, at 3:07 p.m., the Senate adjourned.)