NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 28, 2005

3:13 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 in a moment of silence, please.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, February 27, the Senate met pursuant to adjournment. The Journal of Saturday, February 26, 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 Spano.

SENATOR SPANO: Madam President, could we just go directly to the noncontroversial reading of the calendar, please.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 17, by Senator Maziarz, Senate Print 210, an act to amend the Penal Law, in relation to increased penalties.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of November.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 47.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 58, by Senator LaValle, Senate Print 559A, an act to amend the Education Law, in relation to standards.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 58 are Senators Fuschillo and Marcellino.

Ayes, 47. Nays, 2.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 65, by Member of the Assembly Tonko, Assembly Print Number 2338, an act to amend the Environmental Conservation Law, in relation to possession of wild animals as pets.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 48.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Excuse me. Ayes, 49.

THE PRESIDENT: The bill is still passed.

THE SECRETARY: Calendar Number 71, by Senator Trunzo, Senate Print 428, an act to amend the Education Law, in relation to scholarships for academic excellence.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

73, by Senator Little, Senate Print 731, an act to amend the Local Finance Law, in relation to advance refunding.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

THE PRESIDENT: The bill is passed.

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

SENATOR SPANO: Madam President, is there any other business at the desk?

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

SENATOR SPANO: There being no further business, I move we adjourn until Tuesday, March 1st, at 3:00 p.m.

THE PRESIDENT: On motion, the Senate now stands adjourned until Tuesday, March 1st, 3:00 p.m.

(Whereupon, at 3:16 p.m., the

Senate adjourned.)