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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 2, 2005

11:07 a.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

1 P R O C E E D I N G S

2 THE PRESIDENT: The Senate will
3 please come to order.

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

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

9 THE PRESIDENT: In the absence of
10 clergy, may we bow our heads in a moment of
11 silence, please.

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

14 THE PRESIDENT: Reading of the
15 Journal.

16 THE SECRETARY: In Senate,
17 Tuesday, March 1, the Senate met pursuant to
18 adjournment. The Journal of Monday,
19 February 28, was read and approved. On
20 motion, Senate adjourned.

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

24 Presentation of petitions.

25 Messages from the Assembly.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from
5 state officers.

6 Motions and resolutions.

7 Senator Skelos.

8 SENATOR SKELOS: Madam President,
9 I move that we adopt the Resolution Calendar
10 in its entirety.

11 THE PRESIDENT: All in favor of
12 adopting the Resolution Calendar please
13 signify by saying aye.

14 (Response of "Aye.")

15 THE PRESIDENT: Opposed, nay.

16 (No response.)

17 THE PRESIDENT: The Resolution
18 Calendar is adopted.

19 Senator Skelos.

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

23 THE PRESIDENT: The Secretary
24 will read.

25 THE SECRETARY: Calendar Number

1 56, by Senator Little, Senate Print 1756, an
2 act authorizing the payment of ordinary
3 disability retirement benefits.

4 THE PRESIDENT: Read the last
5 section.

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

8 THE PRESIDENT: Call the roll.
9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 37.

11 THE PRESIDENT: The bill is
12 passed.

13 THE SECRETARY: Calendar Number
14 77, by Senator DeFrancisco, Senate Print 43,
15 an act to amend the Estates, Powers and Trusts
16 Law, in relation to the disqualification.

17 THE PRESIDENT: Read the last
18 section.

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

21 THE PRESIDENT: Call the roll.
22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 37.

24 THE PRESIDENT: The bill is
25 passed.

1 THE SECRETARY: Calendar Number
2 85, by Senator Maltese, Senate Print 273, an
3 act to amend the Labor Law and the Penal Law,
4 in relation to certain employment of minors.

5 THE PRESIDENT: Read the last
6 section.

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

10 THE PRESIDENT: Call the roll.
11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 40.

13 THE PRESIDENT: The bill is
14 passed.

15 THE SECRETARY: Calendar Number
16 96, by Senator Skelos, Senate Print 486, an
17 act to amend the Criminal Procedure Law and
18 the Family Court Act, in relation to evidence.

19 THE PRESIDENT: Read the last
20 section.

21 THE SECRETARY: Section 6. This
22 act shall take effect on the first of
23 November.

24 THE PRESIDENT: Call the roll.
25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 41.

2 THE PRESIDENT: The bill is
3 passed.

4 THE SECRETARY: Calendar Number
5 115, by Senator Marcellino, Senate Print 659,
6 an act to amend the Vehicle and Traffic Law,
7 in relation to aggravated unlicensed
8 operation.

9 THE PRESIDENT: Read the last
10 section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the first of
13 November.

14 THE PRESIDENT: Call the roll.
15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 42.

17 THE PRESIDENT: The bill is
18 passed.

19 THE SECRETARY: Calendar Number
20 120, by Senator Maziarz, Senate Print 976, an
21 act to amend the Highway Law, in relation to
22 extending the "Niagara Wine Trail."

23 THE PRESIDENT: Read the last
24 section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 42.

5 THE PRESIDENT: The bill is

6 passed.

7 THE SECRETARY: Calendar Number

8 122, by Senator Robach --

9 SENATOR SKELOS: Lay it aside for

10 the day, please.

11 THE PRESIDENT: The bill is laid

12 aside for the day.

13 THE SECRETARY: Calendar Number

14 129, by Senator Larkin, Senate Print 1735, an

15 act to amend the Alcoholic Beverage Control

16 Law, in relation to authorizing.

17 THE PRESIDENT: Read the last

18 section.

19 THE SECRETARY: Section 7. This

20 act shall take effect on the 180th day.

21 THE PRESIDENT: Call the roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 45.

24 THE PRESIDENT: The bill is

25 passed.

1 THE SECRETARY: Calendar Number
2 131, by Senator Libous, Senate Print 1817, an
3 act to amend Chapter 564 of the Laws of 2003
4 amending the Mental Hygiene Law.

5 THE PRESIDENT: Read the last
6 section.

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

9 THE PRESIDENT: Call the roll.
10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 45.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 140, by Senator LaValle, Senate Print 1362, an
16 act to amend the General Municipal Law, in
17 relation to emergency rescue.

18 THE PRESIDENT: Read the last
19 section.

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

22 THE PRESIDENT: Call the roll.
23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 47.

25 THE PRESIDENT: The bill is

1 passed.

2 THE SECRETARY: Calendar Number
3 142, by Senator Golden, Senate Print 1941, an
4 act to amend the General Municipal Law, in
5 relation to allowing police officers.

6 THE PRESIDENT: Read the last
7 section.

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

10 THE PRESIDENT: Call the roll.
11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 47.

13 THE PRESIDENT: The bill is
14 passed.

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

17 SENATOR SKELOS: Madam President,
18 is there any further business at the desk?

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

21 SENATOR SKELOS: There being no
22 further business to come before the Senate, I
23 move we stand adjourned until Monday,
24 March 7th, at 3:00 p.m., intervening days
25 being legislative days.

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THE PRESIDENT: On motion, the
Senate stands adjourned until Monday, March 7,
3:00 p.m., intervening days being legislative
days.

(Whereupon, at 11:12 a.m., the
Senate adjourned.)