NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 21, 2005

3:12 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, March 20, the Senate met pursuant to adjournment. The Journal of Saturday, March 19, 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 Farley.

SENATOR FARLEY: Thank you, Madam President.

THE PRESIDENT: You're welcome.

SENATOR FARLEY: On behalf of Senator LaValle, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. That's Senate 1091.

THE PRESIDENT: So ordered, Senator Farley.

SENATOR FARLEY: On behalf of Senator Golden, Madam President, I move to recommit Senate Print Number 2270, Calendar 161, which is on the order of third reading, to the Committee on Codes, with instructions to strike the enacting clause.

THE PRESIDENT: So ordered.

SENATOR FARLEY: Also on behalf of Senator Golden, Madam President, I move to recommit Senate Print 2211, Calendar Number 158, which is on the order of third reading, to the Committee on Codes, with instructions to that committee to strike the enacting clause.

THE PRESIDENT: So ordered.

Senator Skelos.

SENATOR SKELOS: Madam President, there's a resolution, Number 933, by Senator Meier. Could we 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 933, mourning the death of former Assemblyman Nicholas J. Calogero.

"WHEREAS, This Assembled Body is moved to recognize and pay tribute to Nicholas J. Calogero, a distinguished former colleague and dedicated Public Accountant and community leader, who passed away on October 9, 2004, at the age of 80; and

"WHEREAS, Nicholas Calogero of Utica, New York, served with distinction as a member of the New York State Assembly from 1973 to 1980, most honorably representing the 116th Assembly District, part of Oneida County. It is with deep regret that this Assembled Body records his passing, noting the significance of his purposeful life and accomplishments; and

"WHEREAS, Nicholas Calogero was born in Utica, New York, on August 27, 1924, to the late Giuseppe and Sarah Calogero. He was educated in the elementary schools of Utica and graduated as Class President of Remsen Central High School. While attending Syracuse University, he served as head cheerleader for the Orangemen and was a loyal brother of the Zeta Psi fraternity. He graduated in 1947 with a Bachelor of Science degree in accounting. Following college, he proudly served in the United States Naval Reserve; and

"WHEREAS, Nicholas Calogero began his accounting career in 1947 at the Moore, O'Reilly and Hart Public Accounting Firm. One

year later, he started his own accounting practice and worked in the profession for 50 years. In 1987, he became a Certified Financial Planner. Later, his son John joined him in the business and they practiced together until Nick's retirement in 1997. John continues to carry on the family business, now known as Calogero and Associates; and

"WHEREAS, On October 29, 1955, in Utica's Blessed Sacrament Church, Nicholas Calogero married the former Margaret 'Peggy' Mieville. They raised give children and enjoyed a close and loving marriage of over 43 years, until her passing on June 21, 1998; and

"WHEREAS, A civic-minded man, Nicholas Calogero always had an active interest in public service. He was president of the Young Republicans Club and served on the executive committee of the Oneida County Republican Party. He was elected to the Oneida County Board of Legislators and held that position until his successful election to the New York State Assembly in 1972; and

"WHEREAS, During his four terms

representing the 116th Assembly District, Nicholas Calogero served as the ranking member of the Insurance Committee and was a member of several other legislative committees. He was a staunch advocate for the insurance industry, tax reform and government consolidation and regionalization in New York State. He sponsored and cosponsored numerous pieces of legislation and was very proud of the bill he passed to grant visitation rights to grandparents; and

"WHEREAS, Nicholas Calogero was also president of the Utica Junior Chamber of Commerce and, active in his profession, he was a member of the National Society of Public Accountants and a member and vice president of the New York State Association of Public Accountants; and

"WHEREAS, Nicholas Calogero was a long-time member of the Church of Our Lady of Lourdes, where he served as a member of the parish council and as a trustee and helped with many fundraisers. He was also a former trustee of Notre Dame High School, and, always willing to give of his time and talents, he

provided his accounting services pro bono for the church and many other organizations, including Operation Sunshine, the Observer-Dispatch charitable fund which reaches out to area needy children and their families; and

"WHEREAS, Nicholas Calogero was, in addition, a member of the Faxton/St. Luke's Health Care Foundation, a Fourth Degree member of the Utica Council #189 of the Knights of Columbus, a past president of the Utica chapter of the Syracuse University Alumni Association, and a member of the Mohawk Valley Association for Progress and the Yahnundasis Country Club; and

"WHEREAS, Among Nicholas Calogero's most notable accomplishments of which he was justly proud were his efforts to help restore Utica's Union Station to the community treasure it is today, efforts which earned him an award from the Landmarks Society of Greater Utica, and the expansion of the State University College at Utica/Rome; and

"WHEREAS, Throughout his life, Nicholas Calogero touched the lives of his

family, which he believed included not only his wife, children and grandchildren, but his community as well, and friends over the years, charming them with his clever wit, delightful sense of humor, and imaginative stories. He will be missed by all who knew him; and

"WHEREAS, Nicholas Calogero is survived by his children -- Nicholas J., Jr., and Sharon Calogero, Judith Calogero, Stephen and Mary Virginia Calogero, John and Beth Calogero, and Jennifer and Todd Alhart -- his grandchildren -- Nicholas Andrew, Mary Margaret 'Margy' and Sarah Calogero and John Patrick and Katherine Elizabeth Calogero -- one brother and sister-in-law, Leonard and Louise Calogero, two sisters and a brother-in-law, Phyllis Calogero and Roseanne and Stanley Kroll, his brothers-in-law and sisters-in-law, Lynda and Bill Klein, William and Dorothea Foley, James 'Doc' and Judy Foley, and Timothy and Patty Foley, many nieces, nephews, great-nieces, great-nephews and cousins and a legion of friends and associates who will treasure his memory always; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor the memory of a former colleague, Nicholas J. Calogero, to celebrate his life and accomplishments, and to recognize the significance of his service to his community and the people of the State of New York; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Nicholas J. Calogero with the deepest condolences of this Legislative Body."

THE PRESIDENT: Senator Meier.

SENATOR MEIER: Thank you, Madam President.

Madam President, it was my privilege to know Assemblyman Calogero and to meet him when I came here to Albany as counsel to the late State Senator James Donovan, my predecessor.

And one of the things about Assemblyman Calogero that you came to know when you got to know him was that he understood that we are called, those of who serve in this body and in the Assembly, to be

citizen legislators, to both represent our communities here and to fulfill our function of being legislators but to also remember what makes the communities that send us here run and to remain a part of that community and to remain in touch with them.

Nick Calogero was an accountant, and a good one. And he came to Albany with the notion that some here find peculiar, that the state ought to balance its books and be careful with the people's money.

He remained involved in the community as the resolution that you just heard said. He began his career, I'm proud to say, as I did; his first elected office was as a member of the Oneida County Board of Legislators.

He was very proud of the legislation that he passed with regard to the visitation rights of grandparents. He was proud of the contributions that he made to the development of the city that he loved, the city of Utica, particularly with regard to restoration and preservation of historic buildings.

And one of the things I remember most about Assemblyman Calogero during the time he served here was also not just his dedication to his community, but to his family as well. And he would many times make the drive home during session days to be at home with his family at night, preferring that company to the chatter of Albany cocktail parties, which shows what a wise man indeed he was.

He's touched the lives of many people in our community. He's touched the lives of his family. And many of his family are assembled here in the gallery with us today.

And I won't recognize every family member by name, but his children are here with us, among his many family members: Nicholas Jr. and Sharon Calogero; Judith Calogero, who continues her father's tradition of public service as Commissioner of the Division of Housing and Community Renewal; Stephen and Mary Virginia Calogero; John and Beth Calogero; and Jennifer and Todd Alhart.

Now, there sits with us here in

this chamber our colleague Senator Bill Larkin, who, when he was in the Assembly, sat next to Assemblyman Calogero. And Assemblyman -- or, I'm sorry, now Senator Larkin has asked that his name be added to the resolution.

And let me explain to the family that Senator Larkin is experiencing a little difficulty with his voice, and his physician has asked him to rest his voice today. And so you see, your father continues to provide a public service by stilling the voice of Senator Larkin.

(Laughter.)

SENATOR MEIER: As I began, he was a citizen legislator. He remembered from where he came and what his job was here. He was in every sense what a legislator should be, and that, in the final analysis, is a great and wonderful legacy that he's left us.

Our sympathies to the family. But most of all, we join you in celebrating the contributions and the legacy of this man that you knew as father and family member and that many here knew as colleague.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Madam President, on the resolution.

I rise to join my colleagues, particularly Senator Meier, in the action of mourning the passing of Nick Calogero and honoring Assemblyman Calogero's years of service and dedication to the people of this great state.

My experiences with Nick were as a young staffer working in the Assembly, getting to meet those who served in the Assembly. I then, as one in law school at the time, working for the Assembly minority, my impressions, as I was assigned my responsibilities to Nick, here was a man that, as Senator Meier indicated, was indeed a genuine public servant. But I found him to be a genuine gentleman as well.

A kind and gentle man was Nick Calogero, one who I learned a great deal from, admired a great deal, and was very, very sad to learn of his passing.

His daughters have had a great impact here in Albany. That I was very

pleased to work with both Judy and Jennifer in a number of capacities. I know their dad would be very proud of his daughters.

That we are very proud that he served with distinction in this Legislature, and that I certainly was happy to have the honor to know him. We mourn his passing.

Thank you, Madam President.

THE PRESIDENT: Senator Spano.

SENATOR SPANO: Thank you, Madam President. On the resolution.

You know, when I was first elected 26 years ago, I was a young kid, 25 years old, elected to Assembly. Going to the Assembly, serving in the minority, one of the first people I got to meet was Nick Calogero.

And, you know, when you're first elected up here, it's sometimes a -- it's certainly a challenging experience, dealing with people who have been up here for the longest time. And of course we all know it all -- certainly when we're elected, and once we get here, it gets progressively worse.

But it was someone like Nick Calogero who made us understand, and

particularly the newer members and younger members, what was really important up here, what mattered most, how to get things done, when to get excited and, more importantly, when not to get excited.

And it's with fond memories that I remember Nick Calogero. And every time we do a resolution like this, you step back and think a little bit about ourselves and our own legacy and say, you know, will anybody really remember the time that we all put into a job that we all love.

And it's good to know that, yes, certainly the Calogero family will remember, but Nick Calogero is remembered fondly by many members of this Legislature, both present and past, and certainly now in the future, when we think about people who just do a good job for the people they represent and in their own quiet, unassuming way make a mark in state government and in the way that they represent the people back home.

My condolences to the family, and my pleasure to remember fondly someone who served this Legislature real well.

Thank you.

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you. I rise to pay tribute to Nick Calogero.

Let me just say I think one of the most important things that any of us do here is to have a sense of loyalty and decency towards his family. And I think the greatest tribute that can be made to him was his commitment to his family. And it's evidenced by the family that is here today.

We don't have very much in life besides that. But certainly Nick Calogero not only was a great public servant and a fine member of the community -- and there were a lot of people that were saddened when he lost his seat, and it certainly was something that kind of shocked quite a few people. And even though that he served with distinction and honor here, his greatest honor is his family that he leaves behind.

And my deepest sympathy at his loss to you. And I wish you all well, because you have a great heritage in Nick Calogero.

THE PRESIDENT: All in favor of

the resolution please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

And on behalf of the Senate, I want to offer our condolences to the family.

Although I did not know the Assemblyman, I've had the honor of working with his daughters, and working particularly closely with Commissioner Calogero, who certainly, we might say, is a chip off the old block. And although I did not know the relationship to her dad until he died, the description of her dad's commitment, intelligence, zeal and accomplishment certainly shows that the next generation is carrying on the family tradition very ably.

Our deepest sympathies to the family. It's a tremendous loss to all of us.

Senator Meier.

SENATOR MEIER: Thank you, Madam President.

Madam President, could we open the

resolution to sponsorship by the membership.

THE PRESIDENT: Yes. Any member who does not want to be a sponsor on the latter resolution, please notify the desk.

Senator Skelos.

SENATOR SKELOS: Madam President, there's a Resolution 950 at the desk by Senator Larkin. Could we have it read in its entirety, move for its immediate adoption. And I believe Senator Wright will comment on it.

And everybody could cosponsor it. If they wish not to cosponsor it, they should notify the desk.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senators Larkin and Bruno, Legislative Resolution Number 950, commemorating the Selma-to-Montgomery March for voting rights that began on Sunday, March 7, 1965.

"WHEREAS, It is the practice of this Legislative Body to commend publicly courageous acts which prompted important changes in state and national history; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the sense of this Legislative Body to commemorate the Selma-to-Montgomery March for voting rights that began on Sunday, March 7, 1965; and

"WHEREAS, The Selma-to-Montgomery March for voting rights represented the political and emotional peak of the modern civil rights movement; and

"WHEREAS, Despite the Civil Rights Act of 1964 and the active attempts of the Student Nonviolent Coordinating Committee to register the African-American voters of Alabama, no significant progress was made. One such place was Selma, Alabama. This small southern town of 29,000 soon became the focal point of the civil rights movement; and

"WHEREAS, Of the 15,156 African-Americans in Dallas County, Alabama, only 156 were registered to vote. On January 2, 1965, Reverend Martin Luther King visited Selma and gave a fiery speech. In it he stated: 'Today marks the beginning of a determined, organized, mobilized campaign to

get the right to vote everywhere in Alabama'; and

"WHEREAS, On 'Bloody Sunday,' March 7, 1965, some 600 civil rights marchers headed east out of Selma on U.S. Route 80. They got only as far as the Edmund Pettus Bridge, six blocks away, where state and local lawmen attacked them with billy clubs and tear gas and drove them back into Selma; and

"WHEREAS, Nearly 100 of the marchers were hurt that day in Selma. The next day, civil rights workers and clergy from across the nation rushed to Selma. On March 9, 1965, they marched to the Pettus Bridge, where the marchers stopped for prayer, and then, obeying a federal court injunction, returned to Selma; and

"WHEREAS, On March 21, 1965, after the court injunction had been lifted and the Alabama National Guard had been federalized to provide protection, the march began again. The march proceeded to Birmingham without significant incident; and

"WHEREAS, About 3,200 marchers set out for Montgomery, walking 12 miles a day and

sleeping in fields. By the time they reached the capitol on Thursday, March 25, they were 25,000 strong; and

"WHEREAS, Less than five months after the last of the three marches, President Lyndon Johnson signed the Voting Rights Act of 1965, the best possible redress of grievances; and

"WHEREAS, In 1996, the Selma-to-Montgomery National Historic Trail, the highest tribute a road can receive, was created by Congress under the National Trails System Act of 1968. Like other historic trails covered in the legislation, the Alabama trail is an original route of national significance in American history, cannot be replicated, and is a destination unto itself; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the Selma-to-Montgomery March for voting rights that began on Sunday, March 7, 1965."

THE PRESIDENT: Senator Wright.

SENATOR WRIGHT: Thank you, Madam President.

As my colleague Senator Meier earlier shared, Senator Larkin is finally taking the advice of his physician and sitting quietly. So I have the honor of speaking on his behalf at this point in time.

I would like to relate Senator Larkin's comments on this resolution, a resolution which allows all of us to reflect on a very historic time in our nation's history and an event which set the tone for the Voting Rights Act of 1965.

If you'll recall in the resolution, it was some 40 years ago to this day that the actual march itself began, the march to completion.

On behalf of Senator Larkin, let me share the following observations: As one who was involved in the march as an Army projects officer, he saw this event from start to finish, particularly in the beginning, when Governor Wallace refused to activate the Alabama National Guard and stated that "If this is what the President wants, he will have to federally activate the guard."

When this action was taken, it was

further decided that, to ensure the public safety, additional support would be needed from other active Army units, including units from Georgia, North Carolina, Texas, Washington and Alabama. The headquarters for this operation was located at Maxwell Air Force Base, Alabama.

It was a challenging project that included the cooperation of numerous Army units and federal agencies to ensure the march was carried out in an orderly and peaceful nature, which was in fact successfully accomplished. It is now an important part of American history, is recognized by all Americans.

And we have with us a gentleman who was there, serving on behalf of his nation and representing all of the citizens of the United States, ensuring the safety and protection of the civil rights workers and marchers.

On behalf of Senator Larkin, he would like to open the resolution to all of the members of the Senate.

Thank you.

THE PRESIDENT: All in favor

please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Any member who does not wish to sponsor the latter resolution, please notify the desk.

Senator Skelos.

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

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 13, by Senator Seward, Senate Print 122, an act to amend the Penal Law, in relation to staging a motor vehicle accident.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of November.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 33, by Senator LaValle, Senate Print 189, an act to amend the Highway Law, in relation to the limitations.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 83, by Senator DeFrancisco, Senate Print 2150, an act to amend the Estates, Powers and Trusts Law, in relation to the revocatory effect.

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, 57. Nays, 2. Senators Leibell and Saland recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 148, by Senator Farley, Senate Print 2481, an act to amend the Education Law, in relation to authorizing.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator Farley, to explain your vote.

SENATOR FARLEY: To explain my vote.

I wish to -- this is a unique piece of legislation which has been sponsored, I think, by every single member of the Senate. And I'm grateful for the support of my

colleagues.

This is a bill that has been around for a while that the current governor was a sponsor of it for two years.

And this is the year we certainly hope that we can get it through the Assembly. It has been unanimously supported in both houses on a couple of occasions, but for somehow or another does not reach the -- becoming a chapter.

But anyway, I do appreciate the support of all my colleagues on this legislation. And you can read the last section, I guess.

THE PRESIDENT: You will be recorded as voting in the affirmative on this bill, Senator Farley.

The Secretary will announce the results.

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 151, by Senator Maziarz, Senate Print 701A, an act to amend the Penal Law, in relation to

relation to killing or injuring a police animal.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Montgomery recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 160, by Senator Golden, Senate Print 2214, an act to amend the Criminal Procedure Law, in relation to eliminating.

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, 58. Nays,

1. Senator Montgomery recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 165, by Senator Maltese, Senate Print 101, an act to amend the Real Property Tax Law, in relation to an optional school tax exemption.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect of June 1, 2007.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 198, by Senator Little, Senate Print 722, an act to amend the General City Law, the Town Law and the Village Law, in relation to establishing a temporary moratorium.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 198 are Senators LaValle, Leibell, Marcellino and Spano.

Ayes, 55. Nays, 4.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 204, by Senator Saland, Senate Print 465, an act to amend the Penal Law, in relation to custodial interference.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

220, by Senator Morahan, Senate Print 1679, an act to amend the Penal Law, in relation to providing certain criminal penalties.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 230, by Senator Robach, Senate Print 2811, an act to amend the Education Law, in relation to the effective date of bills.

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, 59.

THE PRESIDENT: The bill is

passed.

THE SECRETARY: Calendar Number 231, by Senator Robach, Senate Print 2812, an act to amend the Education Law and the Retirement and Social Security Law, in relation to ensuring.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 10. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 232, by Senator Robach, Senate Print 2876, an act to amend the Education Law, in relation to the inclusion of employer contributions.

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, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 233, by Senator Robach, Senate Print 2997, an act to amend the Retirement and Social Security Law, in relation to increasing to 10 percent.

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, 59.

THE PRESIDENT: The bill is passed.

Senator Skelos, that completes the reading of the calendar.

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

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

SENATOR SKELOS: There being no further business to come before the Senate, I

move we stand adjourned until Tuesday, March 22nd, at 3:00 p.m.

THE PRESIDENT: There being no further business, on motion, the Senate stands adjourned until Tuesday, March 22nd, 3:00 p.m.

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