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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 7, 2006

11:05 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, June 6, the Senate met pursuant to
18 adjournment. The Journal of Monday, June 5,
19 was read and approved. On motion, Senate
20 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 Morahan.

8 SENATOR MORAHAN: Thank you,
9 Madam President.

10 On page 38 I offer the following
11 amendments, on behalf of Senator Farley, to
12 Calendar Number 943, Print Number 5948, and I
13 ask that said bill retain its place on the
14 Third Reading Calendar.

15 THE PRESIDENT: The amendments
16 are received, and the bill will retain its
17 place on the Third Reading Calendar.

18 SENATOR MORAHAN: On behalf of
19 Senator Skelos, on page 35 I offer the
20 following amendments to Calendar Number 880,
21 Senate Bill 7450, and I ask that said bill
22 retain its place on the Third Reading
23 Calendar.

24 THE PRESIDENT: The amendments
25 are received, and that bill will also retain

1 its place on the Third Reading Calendar.

2 SENATOR MORAHAN: Madam
3 President, on page 18, Calendar Number 518,
4 Senate Bill 3645, I offer the following
5 amendments on behalf of Senator Young and ask
6 that said bill retain its place on the Third
7 Reading Calendar.

8 THE PRESIDENT: The amendments
9 are received, and the bill will retain its
10 place on the Third Reading Calendar.

11 SENATOR MORAHAN: Madam
12 President, I wish to call up a bill on behalf
13 of Senator Johnson, Senate Bill 6851, having
14 passed both houses and not delivered to the
15 Governor.

16 THE PRESIDENT: The Secretary
17 will read.

18 THE SECRETARY: Calendar Number
19 725, by Senator Johnson, Senate Print 6851, an
20 act to authorize.

21 SENATOR MORAHAN: Madam
22 President, I now move to reconsider the vote
23 by which the bill was passed and ask that the
24 bill be restored to the order of third
25 reading.

1 THE PRESIDENT: The Secretary
2 will call the roll upon reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 41.

5 SENATOR MORAHAN: Madam
6 President, I now offer the following
7 amendments.

8 THE PRESIDENT: The amendments
9 are received, and the bill is restored to the
10 Third Reading Calendar.

11 SENATOR MORAHAN: Madam
12 President, I wish to call up, on behalf of
13 Senator Maziarz, Bill Number 5849B, having
14 passed both houses and not delivered to the
15 Governor.

16 THE PRESIDENT: The Secretary
17 will read.

18 THE SECRETARY: Calendar Number
19 432, by Senator Maziarz, Senate Print 5849B,
20 an act to amend the Parks, Recreation and
21 Historic Preservation Law.

22 SENATOR MORAHAN: Madam
23 President, I now move to reconsider the vote
24 by which the bill passed and ask that the bill
25 be restored to the order of third reading.

1 THE PRESIDENT: The Secretary
2 will call the roll upon reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 41.

5 SENATOR MORAHAN: Madam
6 President, I now offer up the following
7 amendments.

8 THE PRESIDENT: The amendments
9 are received and the bill is restored to its
10 place on the Third Reading Calendar.

11 SENATOR MORAHAN: Madam
12 President, I wish to call up, on behalf of
13 Senator Farley, Senate Bill 5947, having
14 passed both houses and not yet delivered to
15 the Governor.

16 THE PRESIDENT: The Secretary
17 will read.

18 THE SECRETARY: Calendar Number
19 337, by Senator Farley, Senate Print 5947, an
20 act to amend Chapter 355 of the Laws of 2005.

21 SENATOR MORAHAN: Madam
22 President, I now move to reconsider the vote
23 by which this bill was passed and ask that the
24 bill be restored to the order of third
25 reading.

1 THE PRESIDENT: The Secretary
2 will call the roll upon reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 41.

5 SENATOR MORAHAN: Madam
6 President, I now offer up the following
7 amendments.

8 THE PRESIDENT: The bill is
9 restored, and the amendments are received.

10 SENATOR MORAHAN: Thank you,
11 Madam President.

12 THE PRESIDENT: You're welcome.
13 Senator Bonacic.

14 SENATOR BONACIC: Good morning,
15 Madam President.

16 On behalf of Senator Balboni, on
17 page number 17 I offer the following
18 amendments to Calendar Number 469, Senate
19 Print Number 6914, and ask that said bill
20 retain its place on the Third Reading
21 Calendar.

22 THE PRESIDENT: The amendments
23 are received, and the bill will retain its
24 place on the Third Reading Calendar.

25 SENATOR BONACIC: Thank you.

1 THE PRESIDENT: Senator Meier.

2 SENATOR MEIER: Good morning,
3 Madam President.

4 THE PRESIDENT: Good morning,
5 Senator.

6 SENATOR MEIER: Madam President,
7 I wish to call up Senator Marcellino's bill,
8 Print Number 6862, recalled from the Assembly,
9 which is now at the desk.

10 THE PRESIDENT: The Secretary
11 will read.

12 THE SECRETARY: Calendar Number
13 788, by Senator Marcellino, Senate Print 6862,
14 an act to authorize.

15 SENATOR MEIER: Madam President,
16 I now move to reconsider the vote by which
17 this bill was passed.

18 THE PRESIDENT: The Secretary
19 will call the roll upon reconsideration.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 41.

22 SENATOR MEIER: Madam President,
23 I now offer the following amendments.

24 THE PRESIDENT: The amendments
25 are received.

1 Senator Morahan.

2 SENATOR MORAHAN: Good morning,
3 Madam President.

4 THE PRESIDENT: Good morning,
5 Senator. It is a good morning.

6 SENATOR WRIGHT: Madam President,
7 do we have substitutions at the desk?

8 THE PRESIDENT: The Secretary
9 will read.

10 THE SECRETARY: On page 16,
11 Senator DeFrancisco moves to discharge, from
12 the Committee on Judiciary, Assembly Bill
13 Number 8109 and substitute it for the
14 identical Senate Bill Number 5530, Third
15 Reading Calendar 440.

16 On page 22, Senator Robach moves to
17 discharge, from the Committee on Civil Service
18 and Pensions, Assembly Bill Number 10155 and
19 substitute it for the identical Senate Bill
20 Number 7084, Third Reading Calendar 617.

21 On page 40, Senator Volker moves to
22 discharge, from the Committee on Local
23 Government, Assembly Bill Number 10176 and
24 substitute it for the identical Senate Bill
25 Number 6799, Third Reading Calendar 972.

1 On page 45, Senator Libous moves to
2 discharge, from the Committee on
3 Transportation, Assembly Bill Number 10139 and
4 substitute it for the identical Senate Bill
5 Number 7512, Third Reading Calendar 1072.

6 On page 47, Senator Farley moves to
7 discharge, from the Committee on Commerce,
8 Economic Development and Small Business,
9 Assembly Bill Number 10293A and substitute it
10 for the identical Senate Bill Number 7019A,
11 Third Reading Calendar 1093.

12 On page 48, Senator DeFrancisco
13 moves to discharge, from the Committee on
14 Local Government, Assembly Bill Number 9167
15 and substitute it for the identical Senate
16 Bill Number 7457, Third Reading Calendar 1114.

17 On page 54, Senator Balboni moves
18 to discharge, from the Committee on Consumer
19 Protection, Assembly Bill Number 10005 and
20 substitute it for the identical Senate Bill
21 Number 7210, Third Reading Calendar 1195.

22 On page 70, Senator Volker moves to
23 discharge, from the Committee on Codes,
24 Assembly Bill Number 10913 and substitute it
25 for the identical Senate Bill Number 6754,

1 Third Reading Calendar 1392.

2 On page 81, Senator Leibell moves
3 to discharge, from the Committee on
4 Investigations and Government Operations,
5 Assembly Bill Number 9284A and substitute it
6 for the identical Senate Bill Number 7172,
7 Third Reading Calendar 1500.

8 On page 89, Senator Bruno moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill Number 11496A and substitute it
11 for the identical Senate Bill Number 8076,
12 Third Reading Calendar 1582.

13 And on page 89, Senator Bruno moves
14 to discharge, from the Committee on Rules,
15 Assembly Bill Number 11497A and substitute it
16 for the identical Senate Bill Number 8077,
17 Third Reading Calendar 1583.

18 THE PRESIDENT: Substitutions
19 ordered.

20 Senator Wright.

21 SENATOR WRIGHT: Madam President,
22 may we have the noncontroversial reading of
23 the calendar.

24 THE PRESIDENT: The Secretary
25 will read.

1 THE SECRETARY: Calendar Number
2 440, substituted earlier by Member of the
3 Assembly Weinstein, Assembly Print Number
4 8109, an act to amend the General Obligations
5 Law.

6 THE PRESIDENT: Read the last
7 section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the 30th day.

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

12 THE SECRETARY: In relation to
13 Calendar Number 440: Ayes, 40. Nays, 1.
14 Senator Winner recorded in the negative.

15 THE PRESIDENT: The bill is
16 passed.

17 THE SECRETARY: Calendar Number
18 453, by Senator Maziarz, Senate Print 2373A,
19 an act to amend the Penal Law and the
20 Agriculture and Markets Law.

21 THE PRESIDENT: Read the last
22 section.

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

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 41.

4 THE PRESIDENT: The bill is
5 passed.

6 THE SECRETARY: Calendar Number
7 505, by Senator Seward, Senate Print 2633C, an
8 act to amend the Insurance Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 44.

16 THE PRESIDENT: The bill is
17 passed.

18 THE SECRETARY: Calendar Number
19 617, substituted earlier by Member of the
20 Assembly Abbate, Assembly Print Number 10155,
21 an act to repeal paragraph (e) of subdivision
22 4 of Section 209 of the Civil Service Law.

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, 44.

5 THE PRESIDENT: The bill is
6 passed.

7 THE SECRETARY: Calendar Number
8 713, by Senator Andrews, Senate Print 3386, an
9 act to amend the Racing, Pari-Mutuel Wagering
10 and Breeding Law.

11 THE PRESIDENT: Read the last
12 section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the 120th day.

15 THE PRESIDENT: Call the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 44.

18 THE PRESIDENT: The bill is
19 passed.

20 THE SECRETARY: Calendar Number
21 790, by Senator Marcellino, Senate Print
22 6932A, an act to authorize the Town of Oyster
23 Bay in the County of Nassau.

24 THE PRESIDENT: Read the last
25 section.

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

3 THE PRESIDENT: Call the roll.
4 (The Secretary called the roll.)

5 THE SECRETARY: Those recorded in
6 the negative on Calendar Number 790 are
7 Senators Bonacic and Larkin. Ayes, 45. Nays,
8 2.

9 THE PRESIDENT: The bill is
10 passed.

11 THE SECRETARY: Calendar Number
12 830, by Senator DeFrancisco, Senate Print
13 6930, Concurrent Resolution of the Senate and
14 Assembly.

15 THE PRESIDENT: The Secretary
16 will call the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 47.

19 THE PRESIDENT: The resolution is
20 passed.

21 THE SECRETARY: Calendar Number
22 832, by Senator DeFrancisco, Senate Print
23 7197, an act to amend the General Obligations
24 Law.

25 THE PRESIDENT: Read the last

1 section.

2 SENATOR WRIGHT: Lay it aside for
3 the day.

4 THE PRESIDENT: The bill is laid
5 aside for the day.

6 THE SECRETARY: Calendar Number
7 876, by Senator Maziarz, Senate Print 5719B,
8 an act to amend the General Business Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE PRESIDENT: Senator Maziarz,
16 to explain your vote.

17 SENATOR MAZIARZ: Thank you very
18 much, Madam President. To explain my vote.

19 This bill has been in negotiation
20 for a couple of years now, and we have an
21 agreement with the Assembly.

22 But I want to make it as clear as
23 possible that the practice of certain -- of a
24 certain well-known national magazine to give
25 you a free six-month trial period during which

1 you can cancel and not receive any more
2 magazines, who then turn around and charge you
3 for the months you have not received when you
4 cancel, will be prohibited under this
5 legislation as well.

6 In no way should a consumer at the
7 end of a free trial offer have to pay for
8 services or magazines that they have received
9 or -- have received or have not yet received.

10 This bill was also negotiated with
11 the Attorney General, Madam President, who is
12 on board with it. Thank you very much.

13 THE PRESIDENT: The Secretary
14 will announce the results.

15 THE SECRETARY: Ayes, 46. Nays,
16 1. Senator Maltese recorded in the negative.

17 THE PRESIDENT: The bill is
18 passed.

19 THE SECRETARY: Calendar Number
20 972, substituted earlier today by Member of
21 the Assembly Schimminger, Assembly Print
22 Number 10176, an act to amend the Local
23 Finance Law.

24 THE PRESIDENT: There is a
25 home-rule message at the desk.

1 Read the last section.

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

4 THE PRESIDENT: Call the roll.
5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 47.

7 THE PRESIDENT: The bill is
8 passed.

9 And Senator Maziarz will be
10 recorded as voting in the affirmative on
11 S5719B.

12 The Secretary will continue to
13 read.

14 THE SECRETARY: Calendar Number
15 977, by Senator Skelos, Senate Print 7179A, an
16 act to authorize.

17 THE PRESIDENT: Read the last
18 section.

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

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

23 THE SECRETARY: Those recorded in
24 the negative on Calendar Number 977 are
25 Senators Bonacic, Larkin and Rath.

1 Ayes, 44. Nays, 3.

2 THE PRESIDENT: The bill is
3 passed.

4 THE SECRETARY: Calendar Number
5 978, by Senator Skelos, Senate Print 7180B, an
6 act to authorize.

7 THE PRESIDENT: Read the last
8 section.

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

11 THE PRESIDENT: Call the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Those recorded in
14 the negative on Calendar Number 978 are
15 Senators Bonacic, Larkin and Rath.

16 Ayes, 44. Nays, 3.

17 THE PRESIDENT: The bill is
18 passed.

19 THE SECRETARY: Calendar Number
20 989, by Senator Little, Senate Print 7754, an
21 act to amend the Real Property Tax Law.

22 THE PRESIDENT: Read the last
23 section.

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

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 48.

4 THE PRESIDENT: The bill is
5 passed.

6 THE SECRETARY: Calendar Number
7 1022, by Senator Young, Senate Print 7572, an
8 act to amend the Agriculture and Markets Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 48.

16 THE PRESIDENT: The bill is
17 passed.

18 THE SECRETARY: Calendar Number
19 1066, by Senator Larkin, Senate Print 7111, an
20 act to amend the Vehicle and Traffic Law.

21 THE PRESIDENT: Read the last
22 section.

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

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Those recorded in
4 the negative on Calendar Number 1066 are
5 Senators Farley, Little, Maziarz, Seward and
6 Winner.

7 Ayes, 43. Nays, 5.

8 THE PRESIDENT: The bill is
9 passed.

10 THE SECRETARY: Calendar Number
11 1067, by Senator Larkin, Senate Print 7143A,
12 an act to amend the Vehicle and Traffic Law.

13 THE PRESIDENT: Read the last
14 section.

15 THE SECRETARY: Section 2. This
16 act shall take effect one year after it shall
17 have become a law.

18 THE PRESIDENT: Call the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 48.

21 THE PRESIDENT: The bill is
22 passed.

23 THE SECRETARY: Calendar Number
24 1072, substituted earlier today by Member of
25 the Assembly Gantt, Assembly Print Number

1 10139, an act to amend Chapter 268 of the Laws
2 of 1989.

3 THE PRESIDENT: Read the last
4 section.

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

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

9 THE SECRETARY: Ayes, 48.

10 THE PRESIDENT: The bill is
11 passed.

12 THE SECRETARY: Calendar Number
13 1093, substituted earlier today by Member of
14 the Assembly McEneny, Assembly Print Number
15 10293A, an act to amend the State
16 Administrative Procedure Act.

17 THE PRESIDENT: Read the last
18 section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the 90th day.

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

23 THE SECRETARY: Ayes, 48.

24 THE PRESIDENT: The bill is
25 passed.

1 THE SECRETARY: Calendar Number
2 1114, substituted earlier today by Member of
3 the Assembly Christensen, Assembly Print
4 Number 9167, an act to amend the Real Property
5 Tax Law.

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. Nays,
13 1. Senator Larkin recorded in the negative.

14 THE PRESIDENT: The bill is
15 passed.

16 THE SECRETARY: Calendar Number
17 1115, by Senator Trunzo, Senate Print 7536, an
18 act in relation to authorizing.

19 THE PRESIDENT: Read the last
20 section.

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

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

25 THE SECRETARY: Those recorded in

1 the negative on Calendar Number 1115 are
2 Senators Bonacic and Larkin.

3 Ayes, 46. Nays, 2.

4 THE PRESIDENT: The bill is
5 passed.

6 THE SECRETARY: Calendar Number
7 1119, by Senator Morahan, Senate Print 7252,
8 an act to amend the Mental Hygiene Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 48.

16 THE PRESIDENT: The bill is
17 passed.

18 THE SECRETARY: Calendar Number
19 1189, by Senator Fuschillo, Senate Print 2601,
20 an act to amend the General Business Law and
21 the Executive Law.

22 THE PRESIDENT: Read the last
23 section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 120th day.

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE PRESIDENT: Senator

4 Marcellino, to explain your vote.

5 SENATOR MARCELLINO: Thank you,

6 Madam President.

7 I rise to commend my colleague
8 Senator Fuschillo for this bill. Recently a
9 2-year-old boy in my district was found dead
10 in a pool that he had gotten into. No one
11 knew it, no one heard it, and a young child is
12 dead.

13 It is absolutely an imperative that
14 we take whatever precautions, put on whatever
15 devices should be put onto the pools, fences,
16 gates, to make sure that should a tragedy like
17 this happen, the family's neighbors are
18 warned. At least somebody might have been
19 able to reach that child before he expired.

20 This is a good bill. Thank you,
21 Senator Fuschillo. I vote aye.

22 THE PRESIDENT: You will be
23 recorded as voting in the affirmative, Senator
24 Marcellino.

25 The Secretary will announce the

1 results.

2 THE SECRETARY: Those recorded in
3 the negative on Calendar Number 1189 are
4 Senators Coppola, Little, Meier and Savino.
5 Also Senator Seward. Also Senator Winner.
6 Also Senator Robach.

7 Ayes, 44. Nays, 7.

8 THE PRESIDENT: The bill is
9 passed.

10 THE SECRETARY: Calendar Number
11 1194, by Senator Fuschillo, Senate Print
12 7192A, an act to amend the General Business
13 Law.

14 THE PRESIDENT: Read the last
15 section.

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

18 THE PRESIDENT: Call the roll.
19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 51.

21 THE PRESIDENT: The bill is
22 passed.

23 THE SECRETARY: Calendar Number
24 1195, substituted earlier today by Member of
25 the Assembly Paulin, Assembly Print Number

1 10005, an act to amend the General Business
2 Law.

3 THE PRESIDENT: Read the last
4 section.

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

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

9 THE SECRETARY: Ayes, 51.

10 THE PRESIDENT: The bill is
11 passed.

12 THE SECRETARY: Calendar Number
13 1201, by Senator Saland, Senate Print 7630, an
14 act to amend the General Business Law.

15 THE PRESIDENT: Read the last
16 section.

17 THE SECRETARY: Section 5. This
18 act shall take effect immediately.

19 THE PRESIDENT: Call the roll.
20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 51.

22 THE PRESIDENT: The bill is
23 passed.

24 THE SECRETARY: Calendar Number
25 1225, by Senator Marcellino, Senate Print

1 3569A, an act to amend the Environmental
2 Conservation Law and others.

3 THE PRESIDENT: Read the last
4 section.

5 THE SECRETARY: Section 16. This
6 act shall take effect on the 180th day.

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

9 THE SECRETARY: Ayes, 51.

10 THE PRESIDENT: The bill is
11 passed.

12 THE SECRETARY: Calendar Number
13 1228, by Senator Bonacic, Senate Print 5264B,
14 an act to amend the Environmental Conservation
15 Law.

16 THE PRESIDENT: Read the last
17 section.

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

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

22 THE SECRETARY: Ayes, 51.

23 THE PRESIDENT: The bill is
24 passed.

25 THE SECRETARY: Calendar Number

1 1229, by Senator Little, Senate Print 5288, an
2 act to amend the Environmental Conservation
3 Law and the County Law.

4 THE PRESIDENT: There is a local
5 fiscal impact note at the desk.

6 Read the last section.

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

9 THE PRESIDENT: Call the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 51.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1259, by Senator Robach, Senate Print 5791, an
16 act to amend the Civil Service Law.

17 THE PRESIDENT: Read the last
18 section.

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

21 THE PRESIDENT: Call the roll.

22 (The Secretary called the roll.)

23 THE PRESIDENT: Senator Duane, to
24 explain your vote.

25 SENATOR DUANE: Thank you, Madam

1 President.

2 Well-intentioned and needed though
3 this commission on increasing diversity in
4 state government is, I cannot vote for it.
5 And I just want my colleagues -- actually on
6 both sides of the aisle, but particularly this
7 side of the aisle, to know why I'm not voting
8 for it.

9 There is no minority party
10 representation on this commission, and I don't
11 really think that's a way to do business. I
12 think that we need to make sure that all
13 parties who play a role in state government
14 should be a part of a commission such as this.

15 And so I would recommend to my
16 colleagues that we vote no on this, because
17 commissions such as this, particularly
18 independent commissions -- of course you would
19 hope most commissions would be independent,
20 but when they're actually called "independent
21 commissions," they should have representation
22 from the minority parties of both houses of
23 the Legislature.

24 So I would suggest that my
25 colleagues here today -- on both sides of the

1 aisle, of course, would be welcome to vote
2 no -- but particularly on this side of the
3 aisle vote no on this particular bill.

4 Thank you, Madam President. I'll
5 be voting no.

6 THE PRESIDENT: And you will be
7 so recorded as voting in the negative,
8 Senator.

9 The Secretary will announce the
10 results.

11 Would those members voting in the
12 negative please raise your hand.

13 Senator Breslin, to explain your
14 vote.

15 SENATOR BRESLIN: Thank you,
16 Madam President, to explain my vote.

17 I commend Senator Robach for
18 proposing legislation, because anytime we
19 increase diversity in state government it's a
20 benefit.

21 But I have to totally agree with my
22 fellow Senator, Senator Duane, who talks about
23 the participation in government that make
24 those decisions.

25 And when you exclude the minorities

1 in each house from that process -- and
2 ironically, in a bill when you're creating
3 diversity -- and no one has more diversity
4 than the Senate minority. So it speaks for
5 itself that we should be involved, and
6 accordingly I vote nay.

7 THE PRESIDENT: You will be
8 recorded, Senator Breslin, as voting in the
9 negative on this bill.

10 The Secretary will announce the
11 results.

12 THE SECRETARY: Those recorded in
13 the negative on Calendar Number 1259 are
14 Senators Breslin, Dilan, Duane,
15 Hassell-Thompson, L. Krueger, Oppenheimer,
16 Parker, Paterson, Sabini, Savino, M. Smith,
17 Stachowski and Stavisky. Also Senator
18 Onorato.

19 Ayes, 39. Nays, 14.

20 THE PRESIDENT: The bill is
21 passed.

22 THE SECRETARY: Calendar Number
23 1283, by Senator Winner, Senate Print 7289, an
24 act to ratify, legalize and validate certain
25 acts and proceedings.

1 THE PRESIDENT: Read the last
2 section.

3 THE SECRETARY: Section 5. This
4 act shall take effect immediately.

5 THE PRESIDENT: Call the roll.
6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 53.

8 THE PRESIDENT: The bill is
9 passed.

10 THE SECRETARY: Calendar Number
11 1286, by Senator Wright, Senate Print 7518, an
12 act in relation to authorizing.

13 THE PRESIDENT: Read the last
14 section.

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

17 THE PRESIDENT: Call the roll.
18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 53.

20 THE PRESIDENT: The bill is
21 passed.

22 THE SECRETARY: Calendar Number
23 1359, by Senator Flanagan, Senate Print 3709,
24 an act to amend the Vehicle and Traffic Law.

25 THE PRESIDENT: Read the last

1 section.

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

4 THE PRESIDENT: Call the roll.
5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 53.

7 THE PRESIDENT: The bill is
8 passed.

9 THE SECRETARY: Calendar Number
10 1360, by Senator Johnson, Senate Print 6852A,
11 an act to amend the Tax Law.

12 THE PRESIDENT: Read the last
13 section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the first day of the
16 quarterly period.

17 THE PRESIDENT: Call the roll.
18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 53.

20 THE PRESIDENT: The bill is
21 passed.

22 THE SECRETARY: Calendar Number
23 1375, by Senator Volker, Senate Print 192, an
24 act to repeal the closing paragraph of
25 subdivision 4 of Section 2.10 of the Criminal

1 Procedure Law.

2 THE PRESIDENT: Read the last
3 section.

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

6 THE PRESIDENT: Call the roll.
7 (The Secretary called the roll.)

8 THE SECRETARY: Those recorded in
9 the negative on Calendar Number 1375 are
10 Senators Duane, L. Krueger and Parker.

11 Ayes, 50. Nays, 3.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1377, by Senator Nozzolio, Senate Print 503A,
16 an act to amend the Criminal Procedure Law.

17 THE PRESIDENT: Read the last
18 section.

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

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

23 THE SECRETARY: Ayes, 52. Nays,
24 1. Senator Duane recorded in the negative.

25 THE PRESIDENT: The bill is

1 passed.

2 THE SECRETARY: Calendar Number
3 1384, by Senator Spano, Senate Print 3139, an
4 act to amend the Penal Law.

5 THE PRESIDENT: Read the last
6 section.

7 THE SECRETARY: Section 2. 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, 53.

13 THE PRESIDENT: The bill is
14 passed.

15 THE SECRETARY: Calendar Number
16 1389, by Senator Young, Senate Print 6237, an
17 act to amend the Criminal Procedure Law.

18 THE PRESIDENT: Read the last
19 section.

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

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

25 THE PRESIDENT: Senator Duane, to

1 explain your vote.

2 SENATOR DUANE: Thank you, Madam
3 President.

4 I'm going to vote against this
5 bill, which denies youthful offender treatment
6 to persons convicted of Class B violent felony
7 offenses.

8 And I actually believe that we
9 should be adding more categories to the
10 youthful offender status, not taking away
11 youthful offender status. And I also think
12 that we need to make sure that there's
13 discretion in all of these cases.

14 I think it's a tragedy that we seem
15 to be so much more interested, in this body,
16 in locking up our at-risk children. I think
17 it's more important that we look at each case
18 on an individual basis, because usually the
19 circumstances are quite unique.

20 And at the very least, we should
21 have a hearing on this whole issue of youthful
22 offender status.

23 You know, I have to think and I
24 believe that mental health experts and
25 criminal justice experts would probably agree

1 that children who commit violent crimes might
2 in fact be deterred from committing violent
3 crimes if they got the proper mental health
4 treatment. But of course many New York
5 families can't afford mental health treatment
6 for their families because we have yet to pass
7 Timothy's Law in this body.

8 With the passage of Timothy's Law,
9 more New York families would be able to pay
10 for chemical and addiction treatment, other
11 kinds of mental health problems. But instead,
12 we want to just throw away the key on young
13 people rather than try to get them the
14 professional help that they need.

15 I don't know why we're so afraid of
16 trying to help young people. I don't know why
17 we're so afraid of passing Timothy's Law.

18 Another week has gone by; more
19 families are still lacking in mental health
20 care treatment because they can't afford it.
21 And what are we doing about? Absolutely
22 nothing.

23 Now we have two weeks left. Are we
24 going to really be the disgrace of the
25 New York State Legislature by not passing

1 Timothy's Law in the State Senate? I hope
2 not. I hope not. Come on. It's time to do
3 the right thing. It's time to make sure that
4 all families are able to get the mental health
5 care that they need and deserve. Let's get
6 Timothy's Law on the floor of the Senate here,
7 and let's get it passed.

8 Thank you, Madam President.

9 THE PRESIDENT: You will be
10 recorded as voting in the negative on this
11 bill, Senator.

12 Senator Young, to explain your
13 vote.

14 SENATOR YOUNG: Thank you, Madam
15 President, to explain my vote.

16 I sponsored this bill for many
17 reasons. But basically what it does, it
18 changes the youthful offender status for
19 teenage criminals age 16 to 18 so that all who
20 are convicted under Class B violent felonies
21 would be included and not be able to get
22 youthful offender status any longer.

23 And this is so important because
24 we're talking about serious crimes. These are
25 dangerous crimes committed by dangerous

1 people. Among the crimes that would be added
2 so that they could no longer get youthful
3 offender status are attempted second-degree
4 murder, first-degree manslaughter,
5 first-degree robbery and burglary if no
6 firearm is used, second-degree arson, and
7 kidnapping.

8 And that's why this is so
9 important. Because when a teenager commits
10 this level of violent crime, there should be
11 consequences. We should protect society from
12 dangerous people.

13 And I want to thank my colleagues
14 for voting for this particular bill, and I
15 vote in the affirmative.

16 THE PRESIDENT: You will be
17 recorded as voting in the affirmative, Senator
18 Young.

19 The Secretary will soon announce
20 the results.

21 THE SECRETARY: Those recorded in
22 the negative on Calendar Number 1389 are
23 Senators Duane, Hassell-Thompson, L. Krueger,
24 Parker and Schneiderman.

25 Ayes, 49. Nays, 5.

1 THE PRESIDENT: The bill is
2 passed.

3 THE SECRETARY: Calendar Number
4 1392, substituted earlier today by Member of
5 the Assembly Titus, Assembly Print Number
6 10913, an act to amend the Civil Rights Law.

7 THE PRESIDENT: Read the last
8 section.

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

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

13 THE SECRETARY: Ayes, 54.

14 THE PRESIDENT: The bill is
15 passed.

16 THE SECRETARY: Calendar Number
17 1393, by Senator DeFrancisco, Senate Print
18 6838, an act to amend the Penal Law.

19 THE PRESIDENT: Read the last
20 section.

21 THE SECRETARY: Section 2. 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, 54.

2 THE PRESIDENT: The bill is
3 passed.

4 THE SECRETARY: Calendar Number
5 1395, by Senator LaValle, Senate Print 7117A,
6 an act to amend the Penal Law.

7 THE PRESIDENT: Read the last
8 section.

9 THE SECRETARY: Section 32. This
10 act shall take effect on the first of
11 November.

12 THE PRESIDENT: Call the roll.
13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 54.

15 THE PRESIDENT: The bill is
16 passed.

17 THE SECRETARY: Calendar Number
18 1410, by Senator Winner, Senate Print 6940, an
19 act to amend the Highway Law.

20 THE PRESIDENT: Read the last
21 section.

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

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

1 THE SECRETARY: Ayes, 54.

2 THE PRESIDENT: The bill is
3 passed.

4 THE SECRETARY: Calendar Number
5 1419, by Senator Johnson, Senate Print 7447B,
6 an act to amend the Vehicle and Traffic Law.

7 THE PRESIDENT: Read the last
8 section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the 120th day.

11 THE PRESIDENT: Call the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 53. Nays,
14 1. Senator Duane recorded in the negative.

15 THE PRESIDENT: The bill is
16 passed.

17 THE SECRETARY: Calendar Number
18 1421, by Senator Young, Senate Print 7777, an
19 act to amend the Highway Law, in relation to
20 designating a portion of Route 16 within the
21 County of Cattaraugus as the "Senator Patricia
22 K. McGee Memorial Highway."

23 THE PRESIDENT: Read the last
24 section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE PRESIDENT: Senator Young, to
5 explain your vote.

6 SENATOR YOUNG: Thank you, Madam
7 President, to explain my vote.

8 I think it's very fitting that we
9 have this tribute to Senator Patricia K. McGee
10 pass today in the Legislature. This morning
11 there was a very moving ecumenical service in
12 memory of the deceased members of the
13 Legislature who have passed away over the past
14 year.

15 And I want to thank my colleague
16 Senator Dale Volker for his dedication to
17 making sure that memorial service happens
18 every single year. And that's wonderful,
19 Dale, and thank you so much for doing that.

20 Senator Pat McGee was many things,
21 but she most of all was a dedicated public
22 servant who spent 10 years in the Cattaraugus
23 County Legislature, 14 years in the State
24 Assembly, and then six years in the State
25 Senate. And unfortunately we lost her, she

1 passed away on April 2nd of 2005. But in our
2 district, her memory lives on.

3 This is a great tribute to Senator
4 McGee, because it's Route 16, which starts at
5 the Pennsylvania border and winds all the way
6 up north through Cattaraugus County and ends
7 up in Delevan, where Pat McGee was born.

8 Pat McGee, however, lived in
9 Franklinville. And this particular roadway
10 goes through her beloved town where she lived
11 for many, many years. And she drove on this
12 road every single day.

13 So this is why it's so important.
14 We'll be doing a dedication ceremony in my
15 district later on this year. But again, I
16 want to thank my colleagues for passing this
17 legislation today.

18 I vote yes.

19 THE PRESIDENT: And you will be
20 so recorded, Senator Young.

21 Senator Hassell-Thompson, to
22 explain your vote.

23 SENATOR HASSELL-THOMPSON: Yes,
24 thank you, Madam President.

25 Six years ago, when I first came to

1 the State Senate, one of the first people that
2 I found to be very open and friendly and
3 supportive was Pat McGee.

4 You always commented to the fact
5 that she was the person who made sure that
6 your resolutions were seconded. Well, she
7 just was that way for all of us, and certainly
8 for me.

9 And she and I became personal
10 friends, and she gave me a lot of guidance.
11 And I really miss that. And I thank you,
12 Senator Young, for this tribute and the
13 opportunity to vote on something very special
14 for someone that I think is a very special
15 woman.

16 THE PRESIDENT: You will be
17 recorded as voting in the affirmative, Senator
18 Hassell-Thompson.

19 Senator Volker, to explain your
20 vote.

21 SENATOR VOLKER: Madam President,
22 I just want to comment quickly.

23 The memorial service this morning
24 probably was one of the more difficult ones
25 for me, because there were so many people who

1 were really close to me who died in the past
2 year, with the recent death of Betty Connelly
3 and obviously Pat McGee and Sandra Lee Wirth
4 and so many.

5 But let me just say I want to thank
6 Senator Young for working this out. The
7 interesting part of it is that there were so
8 many highways that people wanted to name after
9 Senator McGee -- part of 219, if I remember
10 right, 352, and all sorts of things. I think
11 that's one of the reasons why it took a little
12 time to finally come up with Route 16, which I
13 think really, really a fitting tribute for
14 her. I thank you for doing that.

15 And one of the things that I firmly
16 believe is that people do not realize the
17 value and the importance of the people who
18 have been in this chamber and in the other
19 chamber to the lives of the people of this
20 state.

21 And one of the things is -- and
22 when I go down to Long Island and I get on the
23 expressway down there -- and in the middle of
24 the night one night I was driving along, and
25 there was the Norman Levy Expressway. And it

1 kind of just jars you when you see that and
2 realize that it's someone that you knew so
3 well.

4 So thank you, Senator Young, and I
5 vote in the affirmative.

6 THE PRESIDENT: You will be
7 recorded as voting in the affirmative, Senator
8 Volker.

9 The Secretary will announce the
10 results.

11 THE SECRETARY: Ayes, 54.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1430, by Senator Rath, Senate Print 6423, an
16 act to amend the Real Property Tax Law.

17 THE PRESIDENT: Read the last
18 section.

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

21 THE PRESIDENT: Call the roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 54.

24 THE PRESIDENT: The bill is
25 passed.

1 THE SECRETARY: Calendar Number
2 1474, by Senator Flanagan, Senate Print 7911,
3 an act to amend Chapter 237 of the Laws of
4 2005 amending the Election 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, 54.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1477, by Senator Morahan, Senate Print 7063,
16 an act authorizing the Greenwood Lake Union
17 Free School District.

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, 54.

25 THE PRESIDENT: The bill is

1 passed.

2 THE SECRETARY: Calendar Number
3 1481, by Senator Saland, Senate Print 7696, an
4 act to amend the Education Law.

5 THE PRESIDENT: Read the last
6 section.

7 THE SECRETARY: Section 5. This
8 act shall take effect September 1, 2006.

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

11 THE SECRETARY: Ayes, 54.

12 THE PRESIDENT: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1486, by Senator LaValle, Senate Print 4803,
16 an act --

17 SENATOR WRIGHT: Lay it aside for
18 the day, please.

19 THE PRESIDENT: The bill is laid
20 aside for the day.

21 THE SECRETARY: Calendar Number
22 1500, substituted earlier today by Member of
23 the Assembly Destito, Assembly Print Number
24 9284A, an act --

25 SENATOR WRIGHT: Lay it aside for

1 the day, please.

2 THE PRESIDENT: The bill is laid
3 aside for the day.

4 THE SECRETARY: Calendar Number
5 1528, by Senator Larkin, Senate Print 7156, an
6 act to authorize the City of Kingston.

7 THE PRESIDENT: There is a
8 home-rule message at the desk.

9 Read the last section.

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

12 THE PRESIDENT: Call the roll.
13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 54.

15 THE PRESIDENT: The bill is
16 passed.

17 THE SECRETARY: Calendar Number
18 1582, substituted earlier today by Member of
19 the Assembly Silver, Assembly Print Number
20 11496A, an act to amend the Public Health Law.

21 THE PRESIDENT: Read the last
22 section.

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

25 THE PRESIDENT: Call the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 54.

3 THE PRESIDENT: The bill is
4 passed.

5 THE SECRETARY: Calendar Number
6 1583, substituted earlier today by Member of
7 the Assembly Silver, Assembly Print Number
8 11497A, an act to amend the Public Health Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 54.

16 THE PRESIDENT: The bill is
17 passed.

18 Senator Wright, that completes the
19 reading of the calendar.

20 SENATOR WRIGHT: Thank you, Madam
21 President.

22 I'd like to announce an immediate
23 meeting of the Rules Committee to be convened
24 in the Majority Conference Room.

25 THE PRESIDENT: There will be an

1 immediate meeting of the Rules Committee in
2 the Majority Conference Room.

3 SENATOR WRIGHT: And for the
4 members' information, we anticipate that upon
5 completion of the Rules Committee meeting we
6 will accept a Rules report for Monday and then
7 we will adjourn.

8 THE PRESIDENT: Senator
9 Fuschillo.

10 SENATOR FUSCHILLO: Madam
11 President, on behalf of Senator Golden, on
12 page number 68 I offer the following
13 amendments to Calendar Number 1372, Senate
14 Print Number 6622, and ask that said bill
15 retain its place on Third Reading Calendar.

16 THE PRESIDENT: The amendments
17 are received, and the bill will retain its
18 place on the Third Reading Calendar.

19 The Senate will stand at ease.

20 (Whereupon, the Senate stood at
21 ease at 11:53 a.m.)

22 (Whereupon, the Senate reconvened
23 at 12:09 p.m.)

24 SENATOR BALBONI: Madam
25 President.

1 ACTING PRESIDENT LITTLE: Senator
2 Balboni.

3 SENATOR BALBONI: May we please
4 return to the reports of standing committees.

5 I believe there's a report of the
6 Rules Committee at the desk.

7 ACTING PRESIDENT LITTLE: Reports
8 of standing committees.

9 The Secretary will read.

10 THE SECRETARY: Senator Bruno,
11 from the Committee on Rules, reports the
12 following bills:

13 Senate Print 198, by Senator
14 Trunzo, an act to amend the Public Authorities
15 Law;

16 1029, by Senator Sampson, an act to
17 amend the Penal Law;

18 1263, by Senator Padavan, an act to
19 amend the Criminal Procedure Law;

20 1373, by Senator Seward, an act to
21 amend the Real Property Tax Law;

22 1977, by Senator Nozzolio, an act
23 to amend the Executive Law and the Military
24 Law;

25 2369A, by Senator Marcellino, an

1 act to require;

2 2431B, by Senator Padavan, an act
3 to amend the Tax Law;

4 3304C, by Senator Winner, an act to
5 amend the Education Law;

6 3332B, by Senator Seward, an act
7 authorizing;

8 3335, by Senator Maziarz, an act in
9 relation to authorizing;

10 3704, by Senator Alesi, an act to
11 amend the Executive Law;

12 3927A, by Senator Rath, an act to
13 amend the Tax Law;

14 4169A, by Senator Skelos, an act to
15 amend the Tax Law;

16 4674C, by Senator Spano, an act to
17 authorize;

18 4722, by Senator Leibell, an act to
19 amend the Public Authorities Law;

20 4912B, by Senator Little, an act to
21 grant;

22 4936A, by Senator Rath, an act to
23 amend the Correction Law;

24 5180, by the Senate Committee on
25 Rules, an act authorizing;

1 5231A, by Senator Flanagan, an act
2 to amend the Correction Law;

3 5681A, by Senator Volker, an act to
4 amend the Tax Law;

5 5772, by Senator Duane, an act to
6 amend the Criminal Procedure Law;

7 6008, by Senator Larkin, an act to
8 amend the Social Services Law and the Real
9 Property Tax Law;

10 6430, by Senator Volker, an act in
11 relation to granting;

12 6515, by Senator Leibell, an act to
13 amend the Real Property Tax Law;

14 6658, by Senator Rath, an act to
15 amend the Tax Law;

16 6681, by Senator Wright, an act to
17 amend the Social Services Law;

18 6688, by Senator Young, an act to
19 authorize;

20 6719, by Senator Padavan, an act to
21 amend the Retirement and Social Security Law;

22 6785A, by Senator Johnson, an act
23 to authorize;

24 6816, by Senator Winner, an act to
25 amend the New York State Urban Development

1 Corporation Act;

2 6819, by Senator Young, an act to

3 amend the Tax Law;

4 6856, by Senator Larkin, an act to

5 authorize;

6 6953A, by Senator Bonacic, an act

7 to amend the Real Property Tax Law;

8 7003, by Senator Morahan, an act to

9 authorize;

10 7016, by Senator Young, an act to

11 exempt;

12 7022, by Senator Wright, an act

13 authorizing;

14 7309, by Senator Flanagan, an act

15 to authorize;

16 7333A, by Senator Marcellino, an

17 act to authorize;

18 And Senate Print 7843, by Senator

19 Morahan, an act to amend the Penal Law and

20 others.

21 All bills ordered direct to third

22 reading.

23 ACTING PRESIDENT LITTLE: Senator

24 Balboni.

25 SENATOR BALBONI: Yes, Madam

1 President. I move that we accept the report
2 of the Rules Committee.

3 ACTING PRESIDENT LITTLE: All
4 those in favor of accepting the report of the
5 Rules Committee say aye.

6 (Response of "Aye.")

7 ACTING PRESIDENT LITTLE: Those
8 opposed?

9 (No response.)

10 ACTING PRESIDENT LITTLE: The
11 report is accepted.

12 SENATOR BALBONI: Madam
13 President, I'd like to at this time call up my
14 bill, Print Number 184, recalled from the
15 Assembly, which is now at the desk.

16 ACTING PRESIDENT LITTLE: Thank
17 you.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 464, by Senator Balboni, Senate Print 184, an
21 act to amend the Executive Law.

22 SENATOR BALBONI: Madam
23 President, I now move to reconsider the vote
24 by which this bill passed the house.

25 ACTING PRESIDENT LITTLE: The

1 Secretary will call the roll to reconsider the
2 vote.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 54.

5 SENATOR BALBONI: Madam

6 President, I now offer the following
7 amendments.

8 ACTING PRESIDENT LITTLE: The
9 amendments are received.

10 SENATOR BALBONI: Madam

11 President, I wish to note that on page number
12 82 I offer the following amendments, on behalf
13 of Senator Volker, to Calendar Number 1512,
14 Senate Print 5124A, and ask that the said bill
15 retain its place on the Third Reading
16 Calendar.

17 ACTING PRESIDENT LITTLE: The
18 amendments are received, and the bill will
19 retain its place on the Third Reading
20 Calendar.

21 SENATOR BALBONI: And with that,
22 Madam President, is there any other
23 housekeeping at the desk?

24 ACTING PRESIDENT LITTLE: No,
25 there is not, Senator Balboni.

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SENATOR BALBONI: There being no further business, I move we adjourn until Monday, June 12th, at 3:00 o'clock, intervening days being legislative days.

ACTING PRESIDENT LITTLE: On motion, the Senate stands adjourned until Monday, June 12th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:14 p.m., the Senate adjourned.)