

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 20, 2006

11 1:08 p.m.

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13
14 REGULAR SESSION

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18 LT. GOVERNOR MARY O. DONOHUE, President

19 STEVEN M. BOGGESE, 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: With us this
10 afternoon to give the invocation is Pastor
11 Brian K. Norman, from Adirondack Baptist
12 Church in Gloversville, New York.

13 PASTOR NORMAN: Our Heavenly
14 Father, we thank You for the privilege that
15 You've given us today to come here and to be
16 representatives of this great State of
17 New York.

18 Father, we thank You for the
19 privilege of understanding the biblical values
20 that we have in Your word so that we might be
21 able to govern this great state.

22 Father, I pray for this Senate.
23 Lord, I pray that You would give much wisdom,
24 give discernment. Father, That You would give
25 understanding concerning the laws of our land

1 and, Father, concerning those things which
2 will make this state a better state.

3 And Father, we will thank You and
4 praise You for it. Thank You again for this
5 time. In Jesus' name we pray.

6 Amen.

7 THE PRESIDENT: Reading of the
8 Journal.

9 THE SECRETARY: In Senate,
10 Monday, June 19, the Senate met pursuant to
11 adjournment. The Journal of Sunday, June 18,
12 was read and approved. On motion, Senate
13 adjourned.

14 THE PRESIDENT: Without
15 objection, the Journal stands approved as
16 read.

17 Presentation of petitions.

18 Messages from the Assembly.

19 Messages from the Governor.

20 Reports of standing committees.

21 The Secretary will read.

22 THE SECRETARY: Senator Bruno,
23 from the Committee on Rules, reports the
24 following bills:

25 Senate Print 44C, by Senator

1 DeFrancisco, an act to amend the Real Property
2 Law;

3 545, by Senator Padavan, an act to
4 amend the Penal Law;

5 784B, by Senator Fuschillo, an act
6 to amend the Insurance Law;

7 2181A, by Senator Padavan, an act
8 to amend the General Business Law;

9 2319, by Senator Meier, an act to
10 amend the Tax Law;

11 3484A, by Senator Padavan, an act
12 to amend the Administrative Code of the City
13 of New York;

14 3912A, by Senator Volker, an act to
15 amend the Civil Practice Law and Rules;

16 3978A, by Senator Alesi, an act to
17 amend the Civil Practice Law and Rules;

18 4744A, by Senator Farley, an act to
19 amend the Banking Law;

20 5041A, by Senator Leibell, an act
21 to amend the Criminal Procedure Law;

22 5517C, by Senator Johnson, an act
23 to amend the Vehicle and Traffic Law;

24 5656E, by Senator Spano, an act to
25 amend the Public Health Law;

1 5675A, by Senator Wright, an act to
2 amend the Energy Law;

3 5908B, by Senator Rath, an act to
4 amend the Public Health Law;

5 5934A, by Senator Montgomery, an
6 act to amend the General Business Law;

7 6709, by Senator DeFrancisco, an
8 act to amend the Vehicle and Traffic Law;

9 6919, by Senator Alesi, an act in
10 relation to redistributing;

11 7190, by Senator Padavan, an act to
12 amend the Real Property Tax Law;

13 7199A, by Senator Wright, an act to
14 amend the General Municipal Law;

15 7230A, by Senator Skelos, an act to
16 amend the Public Authorities Law;

17 7381B, by Senator Skelos, an act to
18 amend the Education Law;

19 7444B, by Senator Oppenheimer, an
20 act to amend Chapter 654 of the Laws of 1927;

21 7491A, by Senator Hannon, an act to
22 authorize;

23 7501, by Senator Saland, an act to
24 amend the Education Law;

25 7559A, by Senator Young, an act to

1 amend the Agriculture and Markets Law;

2 7636A, by Senator Winner, an act to
3 amend the Environmental Conservation Law;

4 7660A, by Senator Meier, an act to
5 amend the Social Services Law;

6 7666, by Senator Maltese, an act to
7 amend the Public Authorities Law;

8 7674A, by Senator LaValle, an act
9 to authorize;

10 7818C, by Senator Spano, an act to
11 amend the Education Law;

12 7889, by Senator Meier, an act to
13 amend the Penal Law and others;

14 7893, by Senator Balboni, an act to
15 amend the Penal Law;

16 7942B, by Senator Wright, an act in
17 relation to authorizing;

18 7968A, by Senator Meier, an act to
19 amend the Highway Law;

20 7970, by Senator Marchi, an act to
21 amend the Real Property Tax Law;

22 7983, by Senator Volker, an act to
23 amend the Alcoholic Beverage Control Law;

24 8005A, by Senator Bonacic, an act
25 to amend the Private Housing Finance Law;

1 8083, by Senator Johnson, an act to
2 amend the Tax Law;

3 8085, by Senator Johnson, an act to
4 amend the Tax Law;

5 8124, by Senator Fuschillo, an act
6 to amend the General Business Law;

7 8144, by Senator Leibell, an act to
8 amend the Public Authorities Law;

9 8145, by Senator Hannon, an act to
10 amend the New York City Medical Care
11 Facilities Finance Agency Act;

12 8164, by Senator Little, an act to
13 legalize;

14 8171A, by Senator Saland, an act to
15 amend the Education Law;

16 8177A, by the Senate Committee on
17 Rules, an act to amend Chapter 509 of the Laws
18 of 2003;

19 8182A, by Senator Marcellino, an
20 act to amend the Environmental Conservation
21 Law;

22 8190, by Senator Libous, an act to
23 amend the Racing, Pari-Mutuel Wagering and
24 Breeding Law;

25 8196, by Senator Flanagan, an act

1 to amend the State Administrative Procedure
2 Act;

3 8205, by Senator Bruno, an act to
4 amend the Highway Law;

5 8231, by Senator Johnson, an act to
6 amend the Civil Practice Law and Rules;

7 8246, by Senator Bruno, an act
8 authorizing;

9 And Senate Print 8323, by Senator
10 Hannon, an act to amend the Public Authorities
11 Law.

12 All bills ordered direct to third
13 reading.

14 THE PRESIDENT: Senator
15 Fuschillo.

16 SENATOR FUSCHILLO: Move to
17 accept the report of the Rules Committee.

18 THE PRESIDENT: All in favor
19 please signify by saying aye.

20 (Response of "Aye.")

21 THE PRESIDENT: Opposed, nay.

22 (No response.)

23 THE PRESIDENT: The report is
24 accepted.

25 The Secretary will read.

1 THE SECRETARY: Senator Johnson,
2 from the Committee on Finance, reports the
3 following bills:

4 Senate Print 8295, by Senator
5 Spano, an act to amend the Civil Service Law;

6 Senate Print 8296, by Senator
7 DeFrancisco, an act relating to an impasse;

8 And Senate Print 8381, by Senator
9 Padavan, an act to amend the Education Law.

10 All bills ordered direct to third
11 reading.

12 THE PRESIDENT: All bills ordered
13 direct to third reading.

14 The Secretary will continue to
15 read.

16 THE SECRETARY: Senator Johnson,
17 from the Committee on Finance, reports the
18 following nominations.

19 As a member of the Board of
20 Trustees of the City University of New York,
21 Benno C. Schmidt, Jr., of Riverdale.

22 As a member of the Adirondack Park
23 Agency, Cecil Wray, Esquire, of New York City.

24 As a member of the Metropolitan
25 Transportation Authority, Andrew Saul, of

1 Katonah.

2 As director of the State of New
3 York Mortgage Agency, Joseph Strasburg,
4 Esquire, of Staten Island.

5 As a member of the New York Job
6 Development Authority, Nicholas Yunis, of
7 Elmira.

8 As a member of the New York State
9 Energy Research and Development Authority,
10 George Akel, Jr., of Binghamton.

11 As a member of the Ogdensburg
12 Bridge and Port Authority, Mary M. Farley,
13 Esquire, of Gouverneur.

14 As a member of the Port Authority
15 of New York and New Jersey, Charles A.
16 Gargano, of New York City.

17 As member of the Port of Oswego
18 Authority, Robert B. Burtch, Jr., of Oswego.

19 As trustees of the Power Authority
20 of the State of New York, Frank S. McCullough,
21 Jr., Esquire, of Rye; Joseph J. Seymour, of
22 Bethlehem Center; and Michael J. Townsend,
23 Esquire, of Fairport.

24 As a member of the Small Business
25 Advisory Board, Steven J. Sunshine, of

1 Williamsville.

2 As a member of the Board of
3 Directors of the Great Lakes Protection Fund,
4 Matthew J. Millea, of Clifton Park.

5 As a public member of the State
6 Banking Board, James E. Higgins, of New York
7 City.

8 As a member of the State Board for
9 Historic Preservation, Christina R. Davis, of
10 New York City.

11 As a member of the Board of
12 Trustees of Cornell University, Edward V.K.
13 Cunningham, Jr., of LaGrangeville.

14 As a member of the Albany Pine Bush
15 Preserve Commission, Aaron Mair, of Rotterdam.

16 As members of the Empire State
17 Plaza Art Commission, Christine M. Benedict,
18 of Albany; Jonathan Dale Farkas, of New York
19 City; and Hilary Dunne Ferrone, of
20 Spencertown.

21 As a member of the Central New York
22 State Park, Recreation and Historic
23 Preservation Commission, Fred L. Reuter, of
24 Ohio.

25 As a member of the Finger Lakes

1 State Park, Recreation and Historic
2 Preservation Commission, Carol C. Reeves, of
3 Ithaca.

4 As a member of the Genesee State
5 Park, Recreation and Historic Preservation
6 Commission, Peter G. Humphrey, of Warsaw.

7 As a member of the Long Island
8 State Park, Recreation and Historic
9 Preservation Commission, Anthony J. Bonomo,
10 Esquire, of Manhasset.

11 As a member of the Niagara Frontier
12 State Park, Recreation and Historic
13 Preservation Commission, Harvey N. Albond, of
14 Niagara Falls.

15 As a member of the Taconic State
16 Park, Recreation and Historic Preservation
17 Commission, Arthur L. Gellert, of
18 Poughkeepsie.

19 As members of the Fire Fighting and
20 Code Enforcement Personnel Standards and
21 Education Commission, Peter A. Caruso, of
22 Utica; Bruce E. Heberer, of Johnstown; and
23 Leon Szczerbinski, of North Tonawanda.

24 As a member of the Interstate
25 Environmental Commission, Gerard Kassar, of

1 Brooklyn.

2 As a member of the State Athletic
3 Commission, Marc B. Cornstein, of New York
4 City.

5 As members of the State Commission
6 on Quality of Care and Advocacy for Persons
7 with Disabilities, Bruce G. Blower, of
8 Huntington Station; Gary O'Brien, of Latham;
9 and Patricia M. Okoniewski, of Fulton.

10 As a member of the Veterans'
11 Affairs Commission, Terry J. Bresina, of
12 Norwich.

13 As members of the Medical Advisory
14 Committee, Steven E. Barnes, of Silver Creek,
15 and Russell Nicholas Ake Cecil, M.D., of
16 Amsterdam.

17 As members of the Board of
18 Directors of the New York Convention Center
19 Operating Corporation, David M. Schwartz, of
20 Brooklyn, and James Whelan, of Bellerose.

21 As a member of the Board of
22 Trustees of the New York Higher Education
23 Services Corporation, Angela Van Dekker, of
24 Hastings-on-Hudson.

25 As director of the New York State

1 Environmental Facilities Corporation, Lawrence
2 F. DiGiovanna, Esquire, of Breezy Point.

3 As members of the Advisory Council
4 on Agriculture, Leslie Cole, Jr., of Livonia;
5 Joy D. Crist, of Walden; Daniel W. Sievert, of
6 Burt; and James L. Vincent, of Byron.

7 As members of the State Council on
8 the Arts, Betty Levin, of New York City; Linda
9 E. Mondello, of Oyster Bay; and Dennis M.
10 Penman, of Amherst.

11 As members of the Continuing Care
12 Retirement Community Council, Robert M. Chur,
13 of Clarence, and Edward C. Weeks, of Buffalo.

14 As a member of the Mental Health
15 Services Council, Kathleen Coyne Plum, Ph.D.,
16 of Mumford.

17 As a member of the Minority Health
18 Council, Richard G. Younge, M.D., of White
19 Plains.

20 As members of the Passenger Tramway
21 Advisory Council, Gerald R. Fielding, of
22 Monticello; Daniel Frank, of Windham; and
23 James R. Ruhl, Ph.D., of Ballston Lake.

24 As members of the Public Health
25 Council, Robert W. Hurlbut, of Rochester, and

1 William F. Streck, M.D., of Cooperstown.

2 As members of the State Hospital
3 Review and Planning Council, Frederick B.
4 Cohen, Esquire, of Buffalo; Ingrid Jiminez, of
5 Flushing; James X. Kennedy, of Geneva; Joyce
6 A. Salimeno, of Rock Hill; and Lucille K.
7 Sheedy, of Lockport.

8 As a member of the State Insurance
9 Fund, Charles L. Loiodice, of Woodbury.

10 As a member of the Board of
11 Visitors of the New York State Home for
12 Veterans and their Dependents at Batavia,
13 Linda M. Janelli, of Amherst.

14 As members of the Board of Visitors
15 of the Broome Developmental Disabilities
16 Services Office, Kathryn Paddock, of
17 Binghamton, and Luella Rogers, of Walton.

18 As a member of the Board of
19 Visitors of the Buffalo Psychiatric Center,
20 Lisa Michaelson, of Lockport.

21 As members of the Board of Visitors
22 of the Capital District Developmental
23 Disabilities Services Office, Cheryl A.
24 Walther, of Hudson Falls, and Patricia K.
25 Wright, of Waterford.

1 As a member of the Board of
2 Visitors of the Creedmoor Psychiatric Center,
3 Judy Grubin, of Jackson Heights.

4 As members of the Board of Visitors
5 of the Finger Lakes Developmental Disabilities
6 Services Office, Mary Hope Derby, of Geneseo,
7 and Quentin J. Masolotte, of Dansville.

8 As a member of the Board of
9 Visitors of the Metro New York Developmental
10 Disabilities Services Office, Josephine
11 Maldonado, of the Bronx.

12 As a member of the Board of
13 Visitors of the New York State Home for
14 Veterans and their Dependents at Montrose,
15 Mary Edith Meeks, of Beacon.

16 As a member of the Board of
17 Visitors of the New York State Home for
18 Veterans and Their Dependents at Oxford, Mary
19 Smack, of Binghamton.

20 As a member of the Board of
21 Visitors of the Rockland Psychiatric Center,
22 Nunzio Pomara, M.D., of Rye Brook.

23 As a member of the Board of
24 Visitors of the Rockland Children's
25 Psychiatric Center, Eugene P. McMahon, Ed.D.,

1 of Pearl River.

2 As a member of the Board of
3 Visitors of the St. Lawrence Psychiatric
4 Center, Bonnie Barkley, of Ogdensburg.

5 As members of the Board of Visitors
6 of the Sunmount Developmental Disabilities
7 Services Office, William R. Cuthbert, of
8 Potsdam; Dawn P. Lavigne, of Massena; and
9 Carolyn Smith, of Messina.

10 As members of the Board of Visitors
11 of the Taconic Developmental Disabilities
12 Services Office, Joan E. Klink, of Fishkill;
13 Ronald S. Lehrer, of Poughkeepsie; and Ralph
14 Vinichiarello, of Wassaic.

15 As a member of the Board of
16 Visitors of the Western New York Developmental
17 Disabilities Services Office, Penny F.
18 Zeplowitz, of Williamsville.

19 And as a member and chairman of the
20 Metropolitan Transportation Authority, Peter
21 S. Kalikow, of New York City.

22 THE PRESIDENT: Senator Johnson.

23 SENATOR JOHNSON: Move the
24 nominations.

25 THE PRESIDENT: All in favor of

1 the nominations as read by the Secretary
2 please indicate by saying aye.

3 (Response of "Aye.")

4 THE PRESIDENT: Opposed, nay.

5 (Response of "Nay.")

6 SENATOR HASSELL-THOMPSON: Point
7 of order, Madam President.

8 THE PRESIDENT: Senator
9 Hassell-Thompson.

10 SENATOR HASSELL-THOMPSON: Yes.

11 Is Mr. Kalikow's appointment on the floor?

12 THE PRESIDENT: Yes, it is,
13 Senator.

14 SENATOR HASSELL-THOMPSON: There
15 are some members who would like to be heard on
16 Mr. Kalikow's nomination.

17 THE PRESIDENT: If they will so
18 indicate.

19 SENATOR HASSELL-THOMPSON: While
20 I'm standing, Madam President, I would like to
21 vote no on Joseph Strasburg.

22 THE PRESIDENT: The record will
23 so reflect your vote, Senator.

24 SENATOR HASSELL-THOMPSON: Thank
25 you, Madam President.

1 THE PRESIDENT: Senator Ada
2 Smith.

3 SENATOR ADA SMITH: Thank you,
4 Madam President.

5 I will be voting no on all
6 nominations that have a term that expires
7 after 2008, because I do not feel that it is
8 appropriate for the Governor to put people
9 into office that will go long after his term
10 of office.

11 And the only ones that I will be
12 voting yes on that have terms past that limit
13 are the Boards of Visitors.

14 Thank you.

15 THE PRESIDENT: The record will
16 so reflect your vote, Senator Ada Smith.

17 Senator Montgomery.

18 SENATOR MONTGOMERY: Yes, Madam
19 President, I would like the record to show
20 that I am voting no.

21 I would like to be recorded in the
22 negative because I too, like Senator Smith,
23 find it just unreasonable that many of these
24 appointments go out six, seven and more years.
25 In fact, they go out further than the term of

1 office of the next governor. And
2 notwithstanding who that may be -- it may be
3 Faso, it may be Suozzi, it may be Spitzer --
4 whoever it is, we are now putting in place a
5 government that will go beyond that
6 administration.

7 I think that is unfair and
8 unreasonable. We should not be doing that.
9 And so I'm going to vote no on this list of
10 nominees.

11 THE PRESIDENT: The record will
12 so reflect your vote, Senator.

13 SENATOR MARCELLINO: Madam
14 President.

15 THE PRESIDENT: Senator
16 Marcellino.

17 SENATOR MARCELLINO: I think the
18 record should reflect that this kind of
19 appointment or the appointments being done now
20 and the fact that they will extend beyond the
21 Governor's term is not an atypical thing that
22 has happened just unique to the Pataki
23 administration. It happened under Mario Cuomo
24 before him and under governors before that.

25 This is not new. This has gone on

1 for many, many governors as they pass and make
2 appointments. So I don't know if the outrage
3 was here when Mario did the same thing when he
4 left office.

5 I'll be voting aye on all the
6 appointments.

7 THE PRESIDENT: And the record
8 will so reflect your vote, Senator Marcellino.
9 Senator Farley.

10 SENATOR FARLEY: Thank you, Madam
11 President. I rise to support all the
12 nominees.

13 But I want to speak at least on
14 one, Ron Rabinowitz, who is the chairman of
15 our State Athletic Commission, boxing
16 commissioner, better known professionally as
17 Ron Stevens. And also known, I think,
18 throughout the United States as one of the
19 finest boxing commissioners there is in the
20 country.

21 He has raised the status of boxing
22 in New York State to a level that is truly
23 respected nationally. He's a personal friend
24 of mine and a personal friend of Senator
25 Bruno, who's an undefeated boxer, and one that

1 I know that Ron Rabinowitz, Esquire -- as I
2 said, who's better known as Ron Stevens -- his
3 appointment does go through '09. I wish it
4 went on a lot longer.

5 But he certainly is a credit not
6 only to New York State but to our reputation
7 for an industry that is a huge tourist
8 attraction and one that he's given a lot of
9 time and effort to.

10 And moving on on this huge list,
11 I've got a number of constituents, but Gary
12 O'Brien is also, I see, up there, from the
13 Commission on Quality of Care, and I'd like to
14 say what a fine job he's done with the
15 Commission on Quality of Care.

16 Ron Rabinowitz I believe has been
17 nominated already, has he not? No? Not yet?
18 Well, all the words I've said about Ron
19 Stevens, Ron Rabinowitz will have to go into
20 the record for when he's nominated.

21 Thank you very much.

22 THE PRESIDENT: Thank you,
23 Senator Farley.

24 Senator Ada Smith.

25 SENATOR ADA SMITH: Thank you,

1 Madam President.

2 To correct the record, Mario Cuomo
3 was not -- did not have the ability to appoint
4 the last few days of session, because he had
5 no idea that he would be leaving office.

6 Therefore, please correct the
7 record to make it stand.

8 THE PRESIDENT: Senator Gonzalez.

9 SENATOR GONZALEZ: Thank you,
10 Madam President.

11 While we're supporting the -- I'm
12 supporting the nominees, I would take note
13 that those as they go beyond the new term will
14 consider that they serve at the pleasure of
15 the next governor, whoever that may be.

16 However, even with that support, I
17 have some group that is witnessing this here
18 from the Bronx, PS 66, and they're the future
19 of whatever we're deciding here. And they
20 happen to be witnessing, and I'm glad that I
21 have this opportunity while I'm supporting the
22 nominations that I recognize PS 66.

23 Thank you.

24 THE PRESIDENT: Senator Morahan.

25 SENATOR MORAHAN: Thank you,

1 Madam President.

2 I too rise in support of the
3 nominations, in particular Dr. Edward McMahon
4 for the Rockland Psychiatric Center Board of
5 Visitors.

6 But as to the point raised by some
7 of my colleagues as to the length and the
8 appropriateness of making appointments with an
9 outgoing governor, let me just point out that
10 these terms would go even beyond the new
11 governor who comes in here January 1st,
12 Governor Faso.

13 So I tend to think that it's
14 designed that way so that governors won't have
15 supercontrol over those agencies or those
16 appointees, because they are generally beyond
17 any governor's term. Even those that are
18 being appointed today will go beyond the next
19 governor's terms, unless there's a dynasty
20 where the person is elected three or four
21 times.

22 So that's by design that those
23 appointments go beyond the gubernatorial
24 nominations and this confirmation process, so
25 they will not be under the control or the

1 influence of anyone and that they can do the
2 job with their best will, their best effort,
3 and free of any political pressure.

4 Thank you, Madam President.

5 THE PRESIDENT: Senator Maltese.

6 SENATOR MALTESE: Madam
7 President, I rise in favor of all the nominees
8 and wish to comment that, aside from the
9 objection of some of my esteemed colleagues as
10 to the length of the terms, this is set forth
11 in the constitution and this is something that
12 assures the continuity of government for both
13 parties and is something I think that should
14 be lauded rather than criticized.

15 I rise especially to commend the
16 Governor on his nomination of Peter Kalikow as
17 chairman of the Metropolitan Transportation
18 Authority. Earlier today I had the privilege
19 of being at the hearing held by the Finance
20 Committee for Mr. Kalikow.

21 As a majority member representing a
22 portion of the City of New York, I deal on an
23 almost daily basis with the transit system,
24 the Metropolitan Transportation Authority --
25 buses, subways bridges -- and do want to

1 commend Mr. Kalikow on his expert stewardship.
2 The fact that 9/11 passed without a single
3 fatality, and the evacuation of the subway
4 systems despite difficulties with
5 communication were handled so efficiently.

6 But I think, even in addition to
7 that, the fact that we in Queens County have
8 passed through a period where private lines
9 were taken over by the Metropolitan
10 Transportation Authority and the fact that
11 this was done with a minimum of complaints.

12 But I think more important for my
13 constituents and the constituents in the City
14 of New York is the fact that we can readily
15 reach officials, high officials, reaching
16 right up to Mr. Kalikow, when we have
17 difficulties or problems. And I must say that
18 they proceed very quickly to alleviate or
19 correct problems that we have. And I think
20 this is laudatory.

21 I also want to commend a steward
22 who has led a system with over 70,000
23 employees, a system involving billions and
24 billions of dollars through a period that has
25 never taken place before in the history of the

1 city, where equipment is literally being
2 replaced en masse and almost completely. And
3 I think this is done with an eye toward
4 economy, an eye toward efficiency, and done as
5 expeditiously and as efficiently as possible.

6 So I rise to commend the Governor
7 for his appointment and to commend Mr. Kalikow
8 for what he has achieved thus far and
9 hopefully will achieve in the future.

10 I vote aye.

11 THE PRESIDENT: Senator LaValle.

12 SENATOR LaVALLE: Thank you,
13 Madam President.

14 I rise also to compliment the
15 Governor on the nominees. The nominees in
16 higher education were excellent and went
17 through the Higher Ed Committee with unanimous
18 approval.

19 But I rise here today to speak on
20 the nomination of Peter Kalikow, as did
21 Senator Maltese.

22 And this nominee is truly one of
23 the great leaders that we've had in the
24 position as chairman of the Metropolitan
25 Transportation Authority. He has shown

1 leadership after the 9/11 crisis. He has
2 shown that the monies that have been raised
3 for capital in improving the system have been
4 used. Legislation that we passed on public
5 authorities, the MTA was one of the first
6 authorities to move forward towards greater
7 transparency, establishing a code of ethics.
8 And you could go on and on and on.

9 But one of the things that I think
10 I was really touched when Chairman Kalikow
11 appeared before the Finance Committee was the
12 fact that he talked about not only the
13 accomplishments but those things that needed a
14 greater effort to accomplish the goal. And
15 also his commitment to the employees, the
16 70-plus-thousand people that work for the MTA.

17 So I think he is a true leader and
18 we are very fortunate to have him in his
19 capacity.

20 Thank you, Madam Chairman.

21 THE PRESIDENT: Senator Skelos.

22 SENATOR SKELOS: Thank you, Madam
23 President.

24 I join and congratulate the
25 Governor in renominating Peter Kalikow as

1 chairman of the MTA.

2 Serving on the MTA Capital Review
3 Board, I've had the pleasure to work with
4 Chairman Kalikow on so many critical
5 mass-transportation issues, whether it's for
6 the subway system, the Metro North, or the
7 Long Island Railroad.

8 And I think we've seen under his
9 tenure, and quite frankly under all the
10 chairmen appointed by Governor Pataki,
11 tremendous understanding of the need for
12 improving the infrastructure of our
13 mass-transportation system in the downstate
14 region and also an understanding that service
15 is critically important for all, because this
16 is a matter of quality of life.

17 We've had our disagreements at
18 times, but at no time can I say that Chairman
19 Kalikow has shut me down and not listened to
20 what my opinion has been. We've agreed
21 sometimes, we've disagreed sometimes, but
22 that's healthy. Because I believe that in the
23 end, for the ridership, whether it's on the
24 rails or the subway system in the city or our
25 bus system, that there's been tremendous

1 amount of progress, and I'm hopeful through
2 his continued tenure.

3 And I think it's important that he
4 stay on as chairman so that many of these
5 projects will be seen through with his
6 experience and knowledge to make sure our
7 transit system, which was neglected for years
8 many years ago, will not be neglected in the
9 future and that we will have a
10 state-of-the-art mass transit system, whether
11 it's Long Island, Metro North, or the subway
12 system, but also a secure, a secure system.

13 And I know that Chairman Kalikow
14 has been deeply involved in this, in making
15 sure that our constituents, those who ride the
16 subways, those who ride the trains who are so
17 dependent upon it will be riding in a secure
18 system.

19 So this is not a time for change.
20 This is a time for the continued steady
21 leadership of Chairman Kalikow. So I'm
22 honored to be supportive of his renomination.

23 THE PRESIDENT: Senator
24 Hassell-Thompson.

25 SENATOR HASSELL-THOMPSON: Thank

1 you, Madam President.

2 On behalf of Senator David
3 Paterson, I have been asked to register a no
4 vote on all of the candidates.

5 THE PRESIDENT: The record will
6 so reflect.

7 SENATOR HASSELL-THOMPSON: Thank
8 you, Madam President.

9 THE PRESIDENT: Senator Larkin.

10 SENATOR LARKIN: Madam President,
11 thank you.

12 I just witnessed what I consider a
13 disgrace. I looked at all of these candidates
14 and many of these candidates are in positions
15 of trust, responsibility, and commitment.
16 They serve, many without any remuneration, and
17 the remuneration they get is trying to make
18 something happen in our great state, something
19 that will be of benefit to all the residents
20 of this state.

21 And to just arbitrarily say we
22 don't want them -- where were all the votes,
23 where were all the people talking about these
24 individuals since their names first arose for
25 nomination? What message do we say to those

1 individuals coming down the line?

2 And everybody worrying about a next
3 governor -- why don't we worry about today?
4 Maybe we ought to take a step back in life and
5 realize that on Sunday it will be 56 years
6 since North Korea invaded South Korea, and
7 many young Americans -- here we have an
8 opportunity to see democracy in action,
9 because people came forward, said yes, you
10 want me, I'll serve.

11 But what are we are saying to the
12 next group? Don't be a fool and apply to do
13 that, because they're going to tar and feather
14 you? For what? Because you're a good
15 citizen? Because you're a business? Because
16 you're a judge or a lawyer or what you might
17 be?

18 For me, I say thank you very much.
19 I appreciate the fact that many of you have
20 come here to witness your confirmation and
21 you'll walk out of here with the thought of
22 that's pretty darn nice, somebody stands up
23 and says none of you are any good.

24 I don't believe that. I thank you
25 for your service. And I will vote yes.

1 THE PRESIDENT: The question now
2 is on the confirmation of all the nominees
3 as -- Senator Krueger would like to be heard
4 first.

5 Senator Krueger.

6 SENATOR LIZ KRUEGER: Thank you,
7 Madam President.

8 I rise to clarify that there are
9 several nominees that I will be voting no for
10 and the reasons why.

11 I will be voting no for
12 Mr. Kalikow, not out of lack of respect for
13 the work that he does. But in committee, when
14 the question was asked "If the next governor
15 asks you to step down as the chair of the MTA,
16 will you?" his answer was no.

17 And while I respect the importance
18 of independence of people who are appointed to
19 boards, I frankly think that there has been so
20 much information out there on the need to
21 reform our public authorities, on the need to
22 find a new path for many of our authorities,
23 to hold them more accountable, that it is
24 critical that the new governor, whoever they
25 may be, has the ability to choose to change

1 leadership of such critical public authorities
2 as the MTA.

3 And the new governor, whoever they
4 are, may choose not to ask for a resignation
5 of any given chair of a public authority. But
6 I was not comfortable with that answer, and so
7 I will be voting no on Mr. Kalikow.

8 I will also be voting no on
9 Mr. Strasburg for the chairperson of SONYMA,
10 because for the record -- and I have written
11 this in a letter to the Governor -- I do not
12 believe that paid registered lobbyists should
13 serve on public authority boards whether or
14 not they are paid in that position.

15 And I believe that the Governor's
16 own Millstein Commission report that came out
17 just about a month ago concluded the same
18 analysis, that the rules of New York State
19 should be clarified and that if you are a paid
20 registered lobbyist, which is a valuable and
21 important job, you should not also be making
22 decisions on public authority boards about how
23 the state's money is being used.

24 I will also be voting no on the
25 renomination of Mr. Gargano to the Port

1 Authority of New York and New Jersey.

2 Thank you, Madam President.

3 THE PRESIDENT: Senator Savino.

4 SENATOR SAVINO: Thank you, Madam
5 President.

6 I rise today to let the record
7 reflect that while I am voting in favor of the
8 vast majority of the nominees here today, and
9 I want to pay particular attention to two
10 judges, Judge Ajello from Staten Island and
11 Judge --

12 THE PRESIDENT: Senator, the
13 judges have not been nominated yet.

14 SENATOR SAVINO: Okay, thank you.

15 I do want to rise, though, and
16 voice my objection to the point of Peter
17 Kalikow as chair of the MTA.

18 The MTA serves the needs of
19 millions of New Yorkers every day, and the
20 appointment properly belongs with the next
21 governor, whoever that person may be.

22 In Italian we have a expression
23 that translates to "the fish stinks from the
24 head." And this agency certainly is in
25 disarray and has been for a long time.

1 In 2001 the Comptroller of the
2 State of New York, Alan Hevesi, found that the
3 MTA hid more than a half a billion dollars
4 from the public by keeping two sets of
5 financial plans, one public and one secret.
6 More than five years after 9/11, the MTA still
7 lacks an antiterrorism plan. In fact, their
8 own surveillance plan system will not be
9 operational for another two and a half years.

10 More than 2 million people ride the
11 subways every day, and yet the MTA cannot
12 figure out to how to keep the subway system
13 from flooding, as it did last week,
14 inconveniencing millions of New Yorkers.

15 I represent Staten Island, the most
16 underserved county by the MTA, and people who
17 have the longest commute of any in the
18 country. Peter Kalikow is responsible for the
19 failures of the MTA to Staten Island, and as a
20 result he does not deserve to be renominated.

21 So I am objecting to his
22 reappointment, and I want the record to
23 reflect that.

24 THE PRESIDENT: Senator Parker.

25 SENATOR PARKER: Madam President,

1 on the nominations.

2 While I also am rising to actually
3 confirm most of the nominations, I do have
4 some objections to a few people, including
5 Joseph Strasburg, Peter Kalikow, Gerard
6 Kassar, and Joseph Gargano. And I want to
7 vote no on those particular nominations.

8 I do share some of my colleagues'
9 concerns that some of these nominations are
10 far too long.

11 I think that, in reference to
12 Senator Larkin's comments, that in fact this
13 is the height of democracy, that in fact the
14 whole idea that you can have a dissent over
15 something and it can still go through and
16 pass, but that there isn't a tyranny of the
17 majority and in fact there can be some voices
18 that dissent and should be on the record as
19 dissenting.

20 And representing the people of my
21 district, I note that the votes that I'm
22 casting here today are what they would want.
23 It is reflective of the issues and the
24 concerns of those people that I represent and,
25 I think, frankly, the vast majority of the

1 people of the State of New York.

2 That being as it may, I want to
3 again agree with my colleagues who have said
4 that the incoming governor, no matter who it
5 is, should in fact have an opportunity to put
6 his imprint on the government by in fact
7 having opportunities to appoint people at
8 least sometime in their term. To have people
9 who are going to even go beyond the term of
10 the incoming governor doesn't seem right,
11 correct, fair or transparent. And so for
12 those reasons, I'm going to be voting no.

13 As relates to particularly the
14 nomination of Peter Kalikow, who I think
15 overall has done a great job, I think that
16 it's time for some new leadership there.

17 As I indicated to him in the
18 Finance Committee, I was, as the son of a
19 retired MTA worker, highly disappointed in how
20 the negotiations were handled this December.
21 I think that it is time to bring some folks in
22 who are going to come to this process with
23 some fairness, with some sincerity, and people
24 who are going to negotiate with goodwill. And
25 so I'm going to be voting no on that

1 nomination.

2 Thank you.

3 THE PRESIDENT: Senator Sabini.

4 SENATOR SABINI: Thank you, Madam
5 President.

6 I'm going to be voting aye on most
7 of the appointments. I just want to reflect
8 the record of my colleagues on the
9 Transportation Committee in the minority.
10 Since I serve as ranker, I want to reflect
11 their opinion as well.

12 I think the renomination of
13 Chairman Kalikow is one that I have to
14 question. I think he's been a quintessential
15 New Yorker. He's actually done things for the
16 system against the wishes of the
17 administration and has been sometimes a friend
18 of the ridership. I wish the strike was
19 handled a little differently, especially the
20 weeks leading up to the strike. But I
21 subscribe to the comments that Senator Krueger
22 made that perhaps the new governor should have
23 some say in running what is one of the most
24 critical authorities that we have.

25 You know, we're always complaining

1 in this house, both sides of the aisle, that
2 the authorities are out of control. And I
3 think the appointment is too long, into two
4 terms of the next governor, to stand up.

5 I would prefer if Mr. Kalikow would
6 say that he'd like to work with the new
7 governor and perhaps work out an arrangement
8 where, if the new governor had some other
9 plans, that that could be worked out, because
10 I think Mr. Kalikow is a reasonable man.

11 But from what transpired at the
12 Finance Committee, and to reflect the wishes
13 of my colleagues on Transportation, I'm going
14 to be voting no on his renomination. Again,
15 not specifically for his stewardship, which I
16 think has been mostly for the good, except
17 pre-strike time, but also because I think the
18 term is too long and is not really where we
19 want to go in changing the way our authorities
20 are run.

21 So I'll be voting yes on all except
22 that one. Thank you.

23 THE PRESIDENT: Senator
24 Schneiderman.

25 SENATOR SCHNEIDERMAN: Thank you,

1 Madam President.

2 I really just want to call
3 attention to two things. The first is the
4 fact that, as indicated by Senator
5 Hassell-Thompson, our leader, David Paterson,
6 is making a statement of voting no for all of
7 the nominees. And I think it's important to
8 understand that this is not meant a criticism
9 of the individual nominees, although there may
10 be some individual issues.

11 The point is very simply this. The
12 governor has the power to make appointments.
13 Some are for terms of years that go into the
14 next governor's administration. But the point
15 that we're trying to make today is that the
16 exercise of power requires the exercise of
17 discretion, and that in our view discretion
18 must be exercised in a different way.

19 The effort in particular to appoint
20 people to more than one term, which the
21 Governor has undertaken in this process, is
22 completely objectionable and in my view, and
23 Senator Ada Smith mentioned this before,
24 unconstitutional.

25 But the key policy-making positions

1 that the Governor is seeking to fill here at
2 the very end of the legislative session, with
3 87 nominations sailing through Finance -- and
4 by the end of the week we're probably going to
5 act on more than 100 appointments -- this is
6 not the way to do things. This is not the
7 right way to do things.

8 The point is that if we're ever
9 going to reform ourselves, if we're ever going
10 to rise out of this rubber-stamp role, we have
11 to do things differently. The nominees are to
12 critical positions. They need to be
13 considered on an individual basis. And there
14 has to be more openness and debate in the
15 Senate.

16 Our power of confirmation is one of
17 our most serious responsibilities, and I think
18 in the view of many of us here we're not
19 exercising that responsibility in a proper
20 manner with this group of nominees.

21 In particular, I personally have to
22 note my old and respected adversary,
23 Mr. Kalikow, as in my capacity as lawyer for
24 the Straphangers Campaign, long before I was
25 in the Senate, I've had the opportunity to be

1 in litigation with the MTA quite a few times.
2 And I would like to remind my colleagues here
3 of several things that I think would indicate
4 that perhaps a new governor wants to take a
5 new direction and have a new chairman of the
6 MTA and a new board of the MTA.

7 The first is the effort that was
8 undertaken in 2001 to close token booths,
9 without hearings, which we had to go to court
10 to stop because the MTA was required by law to
11 hold hearings before putting the public at
12 risk by eliminating the number-one safety
13 feature in the system, which is token-booth
14 clerks with emergency response systems. And
15 I'm sure that -- we did, actually, we won that
16 case, so we ended up not getting the token
17 booths closed.

18 The second, which was referred to
19 by Senator Savino and others, was the question
20 in 2002 of the MTA coming out with public
21 records saying they had a \$600 million deficit
22 and then within a week changing -- as soon as
23 the election was over, actually, in 2002 --
24 changing it and all of a sudden there was
25 another half-billion-dollar deficit.

1 And that was the maneuvering that
2 led both Bill Thompson, the New York City
3 comptroller, and Alan Hevesi, the state
4 comptroller, to assert publicly that the MTA
5 was keeping two sets of books.

6 We won that in the district court;
7 we lost in the appellate division. But the
8 city comptroller, Mr. Thompson, said of that
9 decision that, quote: "It's fine to lie,
10 according to this court." And it's not fine
11 to lie. I think the MTA can do better.

12 I will say that Mr. Kalikow and
13 Katie Lapp, under his authority, have made
14 significant progress. It's much easier for
15 those of us who are critics of the system to
16 understand where the money is being hidden
17 now. It's still being hidden, but it's being
18 hidden with a great deal more transparency.
19 And I do think that there has been progress
20 made. I don't mean to suggest that this is an
21 entirely objectionable administration.

22 But I would suggest that the MTA
23 does need new leadership. We can do better.
24 And again, the point that my colleagues keep
25 coming back to is this. You have to use some

1 restraint and discretion when you're talking
2 about having the dead hand of an old
3 administration limiting the ability of the new
4 administration to act. There is a reason for
5 there to be terms of years and for some
6 appointees not to serve at the pleasure of the
7 governor.

8 But this requires some restraint.
9 Eighty-seven appointments rolling out of
10 Finance today, coming to the floor, is not the
11 way to do business. This is the kind of
12 procedure that has people thinking that Albany
13 is dysfunctional, we don't listen to the
14 people, that the Legislature can be a rubber
15 stamp at times.

16 Let's not play into that. Let's
17 consider this more carefully. Let's do it
18 differently, and let's let the new governor
19 choose who he wants in his key policy-making
20 roles.

21 And as Senator Smith has pointed
22 out, there are people whose terms haven't even
23 expired who we could leave for the new
24 governor who would serve as recess
25 appointments if we would leave it for the new

1 governor.

2 I am going to be voting no on
3 Mr. Kalikow's appointment. I will not be
4 voting no on all the other appointments. But
5 I just wanted to explain why some of my
6 colleagues will be speaking out right now,
7 later today, and as the week goes on, on the
8 issue of how we proceed with appointments.

9 Thank you, Madam President.

10 THE PRESIDENT: Senator Stavisky.

11 SENATOR STAVISKY: Yeah, very
12 briefly.

13 Let me add one other point that has
14 me troubled. And I don't think it concerns
15 any of today's appointments but, rather,
16 appointments for the future. We have some
17 very, very fine nominees coming up later in
18 the week, and this is in no way directed
19 toward them.

20 I am troubled, though, when the
21 Mayor and the Governor appoint members of
22 their staff to various boards and commissions
23 and so forth.

24 I think this is -- this has been
25 going on for a number of years, quite a while.

1 I think it's wrong. And I wish the record to
2 so reflect that I think they ought to go
3 beyond their office.

4 The problem as far as I'm concerned
5 is one of accountability. To whom is the
6 person accountable, the person who signs their
7 paycheck or the people whom they are supposed
8 to serve?

9 Thank you, Madam President.

10 THE PRESIDENT: Senator Johnson.

11 SENATOR JOHNSON: I find it very
12 interesting to see that the quality of the
13 nominees is not in question, but the ability
14 of a supposed future governor who may object
15 to not having the opportunity to appoint these
16 members himself.

17 John Faso never complained to me
18 about it, and I don't know why Eliot Spitzer
19 is complaining to them about it. He's saying
20 these positions because they want to fill
21 those positions. Well, that's not
22 appropriate.

23 This governor has the authority to
24 make these nominations, and we act upon those
25 appropriately and confirm them if we have the

1 numbers, which I'm sure we do, and that's the
2 end of the argument.

3 Move the nominations.

4 THE PRESIDENT: The question now
5 is on the nominees' confirmation as read last
6 by the Secretary. All in favor of the
7 confirmations please signify by saying aye.

8 (Response of "Aye.")

9 THE PRESIDENT: Opposed, nay.

10 (Response of "Nay.")

11 THE PRESIDENT: The nominees are
12 hereby confirmed.

13 I'd like also to recognize and
14 acknowledge that Peter S. Kalikow with us this
15 afternoon.

16 Congratulations, Mr. Kalikow, to
17 you and to all of the nominees who were just
18 confirmed. Best wishes.

19 (Applause.)

20 THE PRESIDENT: The Secretary
21 will continue to read.

22 THE SECRETARY: As chairman of
23 the State Athletic Commission, Ronald
24 Rabinowitz, Esquire, of Brooklyn.

25 SENATOR JOHNSON: Move the

1 nomination.

2 THE PRESIDENT: Senator Farley.

3 SENATOR FARLEY: Yes, I've
4 already spoken to ease the way for Ron
5 Rabinowitz, who's better known as Ron Stevens,
6 as our boxing commissioner and for the State
7 Athletic Commission.

8 Incidentally, as I said before, we
9 have a number of boxers in this chamber.
10 Senator Balboni, I don't know if he's still
11 here -- there he is. And also Senator Bruno,
12 who was undefeated. And Senator Marchi, who
13 once sparred or boxed with Gus Lesvenich. Am
14 I right on that? And I used to take a few
15 punches too.

16 But let me say that Ron Rabinowitz,
17 who's better known as Ron Stevens, is truly an
18 asset to the Boxing Commission and recognized
19 nationally as an outstanding commissioner, and
20 it is with enthusiasm that I support his
21 nomination.

22 THE PRESIDENT: All in favor of
23 the nomination of Ronald Rabinowitz, Esquire,
24 of Brooklyn, as chairman of the State Athletic
25 Commission for a term please signify by saying

1 aye.

2 (Response of "Aye.")

3 THE PRESIDENT: Opposed, nay.

4 (Response of "Nay.")

5 THE PRESIDENT: The nominee is
6 hereby confirmed. And we wish him the best.

7 (Applause.)

8 THE PRESIDENT: And he is here
9 with us this afternoon. Congratulations, and
10 best wishes to you.

11 Senator Fuschillo.

12 SENATOR FUSCHILLO: Madam
13 President, may we please return to the order
14 of motions and resolutions and adopt the
15 Resolution Calendar, with the exception of
16 Resolutions 5875, 6068, 6120, and 6135.

17 THE PRESIDENT: Motions and
18 resolutions.

19 All in favor of so adopting the
20 Resolution Calendar please signify by saying
21 aye.

22 (Response of "Aye.")

23 THE PRESIDENT: Opposed, nay.

24 (No response.)

25 THE PRESIDENT: The Resolution

1 Calendar is so adopted.

2 Senator Fuschillo.

3 SENATOR FUSCHILLO: Madam
4 President, there's a Resolution 5875 at the
5 desk, by Senator Breslin. May we please have
6 it read in its entirety and move for its
7 immediate adoption.

8 THE PRESIDENT: The Secretary
9 will read.

10 THE SECRETARY: By Senator
11 Breslin, Legislative Resolution Number 5875,
12 paying tribute to the life and distinguished
13 career of Detective Kenneth P. Wilcox.

14 "WHEREAS, It is the sense of this
15 Legislative Body to convey its heartfelt
16 regret in recognition of the loss of a police
17 officer who dedicated his purposeful life and
18 career in faithful service to his family,
19 community, and the Albany Police Department;
20 and

21 "WHEREAS, Detective Kenneth P.
22 Wilcox, of Colonie, New York, died on
23 Wednesday, April 26, 2006, at the age of 39;
24 and

25 "WHEREAS, Known to many as K-Will,

1 Kenneth P. Wilcox joined the Albany Police
2 Department in 1988 as a patrol officer. He
3 lived his life with great dignity and genuine
4 grace, always demonstrating a deep and
5 continuing concern for the welfare of others,
6 and, in doing so, he inspired others to do the
7 same; and

8 "WHEREAS, One of the department's
9 most decorated detectives, Kenneth P. Wilcox
10 proved to be an invaluable asset to the Albany
11 Police Department. In 1994, he was awarded
12 the key to the City of Albany for rescuing a
13 baby from a burning building. Furthermore, he
14 joined the crisis negotiation team and earned
15 the department's Combat Cross for heroism in
16 1996, and also established a local chapter of
17 the National Black Police Association; and

18 "WHEREAS, Recognized in the
19 community as a caring and compassionate man,
20 Detective Kenneth P. Wilcox was always present
21 to lend a helping hand and offer a genuine
22 smile, treating all those he came in contact
23 with with dignity and respect; and

24 "WHEREAS, Detective Kenneth P.
25 Wilcox's record of unimpeachable fairness will

1 endure as an inspiration and living legacy to
2 all who had the privilege and honor of knowing
3 him; and

4 "WHEREAS, The family of Detective
5 Kenneth P. Wilcox -- including his wife,
6 Phillippa Garland-Wilcox; daughter, Phiana;
7 parents, Raymond, Sr., and Sarah; in-laws,
8 Benjamin and Jeanette Garland; brothers,
9 Raymond, Jr., and Ricky; sisters, Carolyn and
10 Amy; and many aunts, uncles, nieces and
11 nephews -- as well as the members of the
12 Albany Police Department, have lost an eminent
13 father, police officer and friend. He was
14 recognized as a pillar within his home
15 community of Albany County and will be greatly
16 missed by many; now, therefore, be it

17 "RESOLVED, That this Legislative
18 Body pause in its deliberations to pay tribute
19 to the life and distinguished career of
20 Detective Kenneth P. Wilcox, recognizing his
21 loving labors and purposeful life, and
22 conveying its sincere condolences to his
23 family and friends; and be it further

24 "RESOLVED, That a copy of this
25 resolution, suitably engrossed, be transmitted

1 to the family of Kenneth P. Wilcox."

2 THE PRESIDENT: Senator Breslin.

3 SENATOR BRESLIN: Thank you,
4 Madam President.

5 This past April, when we lost
6 Detective Ken Wilcox, we lost someone who was
7 so valued by the Albany Police Department, who
8 had spent over half of his relatively short
9 life on the police department.

10 And his loss obviously is greatest
11 to his family, who's here -- his wife,
12 Phillippa; his daughter, Phiana; his mother,
13 Sarah; his other relatives and friends who are
14 here with us -- to his Albany police
15 community; to our mayor, Jerry Jennings; to
16 our police chief, Jim Tuffey; to his friends
17 and fellow policemen; and to the entire city
18 of Albany.

19 It seemed as though his personality
20 permeated the police department. You know,
21 from starting the national police chapter
22 here, National Black Police chapter here, to
23 getting Policeman of the Year, to the other
24 awards. When you would pick up the paper and
25 there would be a major investigation, and who

1 would be right in the center: Detective
2 Wilcox.

3 And I think probably the most
4 important thing -- and I've had a number of
5 conversations with his good friend El-Wise,
6 who works here in the Senate and is deeply
7 saddened by the loss. But when you talk to
8 El-Wise and others, you find out the real
9 value of a Ken Wilcox. And that was his role
10 as a role model -- throughout the Albany
11 community, but in particular in the black
12 community. That he served as a role model for
13 the young. He served as a role model for
14 things can and will be better.

15 And we will never, ever get over
16 the loss of Ken Wilcox. He is a role model
17 that we all should treasure, we all should
18 emulate. And we take this day to honor his
19 memory.

20 Thank you, Madam President.

21 THE PRESIDENT: All in favor of
22 the resolution please signify by saying aye.

23 (Response of "Aye.")

24 THE PRESIDENT: Opposed, nay.

25 (No response.)

1 THE PRESIDENT: The resolution is
2 adopted.

3 And you have our deep sympathy for
4 a tremendous personal loss as well as a
5 tremendous community loss.

6 Senator Fuschillo.

7 SENATOR FUSCHILLO: Madam
8 President may we return to reports of standing
9 committees and take up the Judiciary report.

10 THE PRESIDENT: Reports of
11 standing committees.

12 The Secretary will read.

13 THE SECRETARY: Senator
14 DeFrancisco, from the Committee on Judiciary,
15 reports the following nominations.

16 As a judge of the Court of Claims,
17 Catherine M. Bartlett, of Goshen.

18 THE PRESIDENT: Senator
19 DeFrancisco.

20 SENATOR DeFRANCISCO: Thank you,
21 Madam President.

22 We had 17 judicial nominees in the
23 Judiciary Committee today. If there are
24 Senators out there that want to speak on these
25 nominations, I would appreciate if they would

1 come to chambers.

2 Each of these 17, we reviewed their
3 submittals to the Governor's office, we
4 reviewed all the materials provided for them
5 and on their behalf. They appeared before the
6 committee and they were unanimously
7 recommended to come before the full Senate for
8 confirmation.

9 And as to the first nominee,
10 Catherine M. Bartlett, of Goshen, as a judge
11 of the Court of Claims, I would move the
12 nomination and request that you call on
13 Senator Larkin to second the nomination.

14 Apparently Senator Larkin is not
15 here. He didn't hear my voice over the
16 intercom. But we'll wait a moment because he
17 can't be too far.

18 THE PRESIDENT: Senator Larkin.

19 SENATOR LARKIN: Thank you, Madam
20 President.

21 I stand here to nominate Catherine
22 Bartlett to the Court of Claims.

23 I have known Cathy for 15 years.
24 She's a distinguished woman, Madam President.
25 She is a credit to her community. She is a

1 credit to the profession. She is a credit to
2 the bench that she's been sitting on as a town
3 judge and now at the Court of Claims.

4 Cathy is the type of an individual
5 who brings to the court the realism of what
6 the case is all about, the realism about the
7 life that we face today, and she adjudges
8 those issues with honesty, sincerity and
9 dedication.

10 I could stand here for another 30
11 minutes, Madam President, and tell you all the
12 things that she does for our community. But
13 there are a lot of other people here would
14 like to speak on their judges.

15 But I just want to say when the
16 Governor nominated Cathy Bartlett, he made
17 sure that that round peg went into the round
18 hole, because Cathy is second to none in her
19 knowledge of the court system and her ability
20 to make decisions that are in the best
21 interest of all the people of the State of New
22 York.

23 Thank you, Madam President.

24 THE PRESIDENT: Senator Bonacic.

25 SENATOR BONACIC: Thank you,

1 Madam President. I also rise in support of
2 the confirmation of Catherine Bartlett.

3 When the Governor first proposed
4 her name, I believe last year, I talked about
5 all of her qualities, why she would be an
6 excellent judge, having followed her career
7 for many, many years. Now everyone in the
8 State of New York knows that she conducts
9 herself in an exemplary and professional way,
10 and we in Orange County are very proud of her.

11 Thank you very much, Madam
12 President.

13 THE PRESIDENT: Senator Morahan.

14 SENATOR MORAHAN: Thank you,
15 Madam President. I too rise in support of the
16 nomination and the effort to confirm Catherine
17 Bartlett, from Orange County.

18 She currently serves, she was
19 appointed last year. It was a great
20 appointment by the Governor. She has served
21 in great stead as a Court of Claims judge, and
22 she's substituted for Supreme Court. She's
23 done it all in a fantastic way.

24 She's a credit to the profession, a
25 credit to the judiciary, and I am happy to

1 second her nomination and confirmation.

2 Thank you, Madam President.

3 THE PRESIDENT: All in favor of
4 the nomination of Catherine M. Bartlett as a
5 judge of the Court of Claims please signify by
6 saying aye.

7 (Response of "Aye.")

8 THE PRESIDENT: Opposed, nay.

9 (No response.)

10 THE PRESIDENT: The nominee is
11 hereby confirmed.

12 I know Judge Bartlett, of her
13 excellence, and this is a well-deserved
14 tribute and accomplishment. Best wishes.

15 (Applause.)

16 THE PRESIDENT: The Secretary
17 will continue to read.

18 THE SECRETARY: As a judge of the
19 Court of Claims, Russell P. Buscaglia, of
20 Grand Island.

21 THE PRESIDENT: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: I would
24 move the nomination of Russell P. Buscaglia as
25 a judge of the Court of Claims and request

1 that you recognize Senator Rath, who is
2 seconding the nomination.

3 SENATOR RATH: Thank you, Madam
4 President.

5 I rise to second the nomination of
6 Judge Russell Buscaglia to the Court of Claims
7 and congratulate the Governor on the wisdom of
8 his choice.

9 Judge Buscaglia is held in
10 extremely high regard and respect by both the
11 bench and the bar in Western New York. He's a
12 conscientious, dedicated judge, and I'd like
13 to congratulate him on the nomination.

14 Thank you.

15 THE PRESIDENT: All in favor of
16 the nomination of Russell P. Buscaglia, of
17 Grand Island, as a judge of the Court of
18 Claims please signify by saying aye.

19 (Response of "Aye.")

20 THE PRESIDENT: Opposed, nay.

21 (No response.)

22 THE PRESIDENT: The nominee is
23 hereby confirmed.

24 Congratulations, and best wishes.

25 He is here today with Sue Intihar.

1 And Judge Bartlett is accompanied
2 by her husband, William L. DeProspero.

3 Congratulations, and best wishes.

4 (Applause.)

5 THE PRESIDENT: The Secretary
6 will continue to read.

7 THE SECRETARY: As a judge of the
8 Court of Claims, Francis T. Collins, of
9 Saratoga Springs.

10 THE PRESIDENT: Senator
11 DeFrancisco.

12 SENATOR DeFRANCISCO: Madam
13 President, I move the nomination of Francis T.
14 Collins for the Court of Claims position for
15 which he's been nominated. And I'd ask you to
16 call on Senator Farley to second the
17 nomination.

18 THE PRESIDENT: Senator Farley.

19 SENATOR FARLEY: Thank you,
20 Senator DeFrancisco.

21 Actually, I'm substituting for
22 Senator Bruno, who has known Timmy Collins,
23 Francis Timothy Collins, and I think thinks of
24 him almost like a son.

25 Timmy Collins is a graduate, if you

1 will, of our house. He has worked for the
2 chairman of the Elections Committee, who was
3 Senator Bruno, and also for the Standing
4 Committee on Commerce and Economic
5 Development, which was Senator Bruno, in small
6 business, and he was the executive counsel to
7 Senator Bruno.

8 Now, Senator Bruno and I share the
9 city of Saratoga Springs, where I think Timmy
10 lives. I don't know whether he's in my
11 district or Joe's -- probably Joe's. Senator
12 Bruno has asked me to second his nomination.

13 You know, Tim Collins has served in
14 one of the most difficult jobs that you can
15 find here -- saying no, doing many things for
16 the Majority as the executive counsel -- and
17 he did it with not only distinction but with
18 grace. I've never known anybody that ever had
19 a bad word to say against Tim Collins. A real
20 gentleman, a fine judge.

21 And, you know, so often -- and I
22 think our President knows this so well, one of
23 the most important things about any judge is
24 judicial temperament. And Tim Collins has
25 that temperament which exemplifies the very

1 best in the judiciary.

2 It's a great deal of pleasure and
3 an honor to see somebody do so well. Timmy,
4 congratulations. We wish you well.

5 THE PRESIDENT: All in favor of
6 the nomination of Francis T. Collins, of
7 Saratoga Springs, as a judge of the Court of
8 Claims please signify by saying aye.

9 (Response of "Aye.")

10 THE PRESIDENT: Opposed, nay.

11 (No response.)

12 THE PRESIDENT: The nominee is
13 hereby confirmed.

14 Judge Collins, congratulations for
15 another excellent achievement on your part.
16 Best wishes.

17 (Applause.)

18 THE PRESIDENT: The Secretary
19 will continue to read.

20 THE SECRETARY: As a judge of the
21 Court of Claims, Diane L. Fitzpatrick, of
22 Tully.

23 THE PRESIDENT: Senator
24 DeFrancisco.

25 SENATOR DeFRANCISCO: I rise to

1 move the nomination of Diane Fitzpatrick to a
2 Court of Claims position, and I'd like to
3 speak concerning her for a moment, since she's
4 a constituent and friend of mine.

5 What I think is really important
6 about this nominee is that she came from the
7 trenches. Doing trial work myself, and being
8 involved in the court system when I'm not
9 enjoying myself here, it's a very difficult
10 job. And it's a difficult job on the
11 litigants, the clients, as well as the judges.

12 And I think you get a special
13 appreciation when you're in the trenches as to
14 how people should be treated and how decisions
15 should be made. And Diane Fitzpatrick has
16 that background.

17 She also served as a confidential
18 law clerk for one of the criminal court judges
19 in our community and served extremely well in
20 that position, a very difficult position
21 dealing with criminal cases and the criminal
22 law.

23 But I think probably the most
24 important thing about Diane is that she is
25 fair and she has got impeccable judicial

1 temperament. No matter what your side is in a
2 case -- unfortunately, I can't appear before
3 Court of Claims judges -- but whatever your
4 side is in the case, you know you're going to
5 be treated fairly and you're going to be given
6 a fair shake. And that's all anyone can
7 expect from a judge.

8 So I'm very, very pleased to move
9 the nomination of Diane Fitzpatrick for a
10 reappointment for another term as a Court of
11 Claims judge.

12 THE PRESIDENT: Senator Meier.

13 SENATOR MEIER: Very briefly,
14 Madam President.

15 Judge Fitzpatrick and I have
16 something in common that's maybe a little
17 unusual. Her husband was my law school
18 roommate. So Judge Fitzpatrick I know -- and
19 actually, from actually having tried a case
20 with her, I know that before going to the
21 bench she was a great lawyer. By her
22 reputation, she is a wonderful judge. And I
23 know from other background and experience
24 personally that she is unfailingly patient.

25 So congratulations, Judge.

1 THE PRESIDENT: All in favor of
2 the nomination of Diane Fitzpatrick, of Tully,
3 as a judge of the Court of Claims please
4 signify by saying aye.

5 (Response of "Aye.")

6 THE PRESIDENT: Opposed, nay.

7 (No response.)

8 THE PRESIDENT: The nominee is
9 hereby confirmed.

10 Judge Fitzpatrick, whom I know both
11 her and her husband personally, I know of your
12 excellence, and this is a great nomination and
13 excellent confirmation. Best wishes for
14 continued success.

15 (Applause.)

16 THE PRESIDENT: Judge Fitzpatrick
17 is accompanied by Janet Higgins.

18 The Secretary will continue to
19 read.

20 THE SECRETARY: As a judge of the
21 Court of Claims, Michael E. Hudson, of
22 Amherst.

23 THE PRESIDENT: Senator
24 DeFrancisco.

25 SENATOR DeFRANCISCO: I move the

1 nomination of Michael E. Hudson for the Court
2 of Claims position and ask you to please call
3 on Senator Rath to second the nomination.

4 THE PRESIDENT: Senator Rath.

5 SENATOR RATH: Thank you, Madam
6 President.

7 I rise with great pleasure to
8 second the nomination of Judge Michael Hudson
9 for the Court of Claims.

10 Judge Hudson worked with my husband
11 for many years as his court clerk, and I
12 always said made my husband look
13 extraordinarily good as a judge because of the
14 work that Mike Hudson did. He gained the
15 respect of the bench and the bar in those
16 days. And his judicial temperament, his even
17 and constant disposition, and his reputation
18 for fairness is second to none in Erie County.

19 And when Judge Hudson was first
20 nominated a few years ago, there was a former
21 Senator here who had been the chairman of the
22 Judiciary Committee who was reading through
23 the nominees as they were going through at
24 that time. And I don't know that I related
25 this story even to Judge Hudson, but I'm proud

1 to say here that this former Senator stopped
2 me in the hallway after I had made a seconding
3 speech and said: "Senator Rath, I wish that
4 we saw more and more and more people with the
5 kinds of qualifications that this young man
6 has to serve as a judge in New York State."

7 So I'm proud to be here to second
8 the nomination for Judge Hudson.

9 Congratulations.

10 THE PRESIDENT: All in favor of
11 the nomination of Michael E. Hudson, of
12 Amherst, as a judge of the Court of Claims
13 please signify by saying aye.

14 (Response of "Aye.")

15 THE PRESIDENT: Opposed, nay.

16 (No response.)

17 THE PRESIDENT: The nominee is
18 hereby confirmed.

19 Congratulations and best wishes to
20 you, Judge Hudson.

21 (Applause.)

22 THE PRESIDENT: Judge Hudson is
23 accompanied by his wife, Dale.

24 The Secretary will continue to
25 read.

1 THE SECRETARY: As a judge of the
2 Court of Claims, Jill Konviser-Levine, of
3 New York City.

4 THE PRESIDENT: Senator
5 DeFrancisco.

6 SENATOR DeFRANCISCO: I move the
7 nomination of Jill Konviser-Levine for the
8 position of Court of Claims. I'd also like to
9 speak briefly concerning her nomination.

10 I had the pleasure of working with
11 her on a major piece of legislation -- this is
12 a criminal judgeship we're talking about here
13 in the Court of Claims -- and it dealt with
14 Jenna's Law, the law that ended up eliminating
15 parole for violent offenders. She was there
16 from day one when the law was first discussed.
17 In fact, I introduced her to the parents of
18 the victim in Syracuse, New York, when she
19 came with the Governor. A really important
20 bill.

21 And ironically, today, this
22 afternoon, we have the Women of Distinction
23 awards. And ironically, without any
24 forethought, Janice Grieshaber, the mother of
25 the victim, is going to be here today and be

1 honored as one of the many Women of
2 Distinction in the State of New York.

3 So her qualifications for this
4 position are just impeccable. I'm really
5 pleased that she's been renominated and that's
6 she's going to continue to be a Court of
7 Claims judge.

8 THE PRESIDENT: All in favor of
9 the nomination of Jill Konviser-Levine, of
10 New York City, as a judge of the Court of
11 Claims please signify by saying aye.

12 (Response of "Aye.")

13 THE PRESIDENT: Opposed, nay.

14 (No response.)

15 THE PRESIDENT: The nominee is
16 hereby confirmed.

17 Congratulations, Judge
18 Konviser-Levine, for all of your successes,
19 and best wishes.

20 (Applause.)

21 THE PRESIDENT: The Secretary
22 will continue to read.

23 THE SECRETARY: As a judge of the
24 Court of Claims, Alan C. Marin, of New York
25 City.

1 THE PRESIDENT: Senator
2 DeFrancisco.

3 SENATOR DeFRANCISCO: I move the
4 nomination of Alan C. Marin to the Court of
5 Claims position for which he is nominated.

6 Judge Marin, soon to be Judge
7 Marin, has impeccable qualifications. He has
8 a broad spectrum of background that will serve
9 well in a civil court judgeship.

10 He's demonstrated fairness,
11 objectivity, and I'm sure he will be a great
12 Judge. And I'm proud to move his nomination.

13 THE PRESIDENT: Senator Connor.

14 SENATOR CONNOR: Yes, Madam
15 President. I rise to second the nomination of
16 Judge Marin for reappointment.

17 Although he lives a few blocks out
18 of my district in Senator Duane's district,
19 I've known Judge Marin for many, many years.
20 He was the counsel to the Assembly Labor
21 Committee and later was special counsel and
22 special counsel for Labor in the Assembly.

23 In certainly my first 16 years in
24 the Senate, when I was the ranking member on
25 the Civil Service and Pensions Committee and

1 also served on the Labor Committee, and back
2 in the old days when bills were passed on
3 their merits in this house, I and my staff at
4 the time had many, many dealings with Alan
5 Marin. A superb intellect, a fine
6 professional.

7 He has served for these past, I
8 guess, eight or nine years with distinction as
9 a Court of Claims judge. And I urge his
10 confirmation for reappointment to another term
11 as a judge of the Court of Claims.

12 Thank you.

13 THE PRESIDENT: All in favor of
14 the nomination of Alan C. Marin, of New York
15 City, as a judge of the Court of Claims please
16 signify by saying aye.

17 (Response of "Aye.")

18 THE PRESIDENT: Opposed, nay.

19 (No response.)

20 THE PRESIDENT: The nominee is
21 hereby confirmed.

22 Congratulations, Judge Marin, and
23 best wishes for continued success.

24 (Applause.)

25 THE PRESIDENT: The Secretary

1 will continue to read.

2 THE SECRETARY: As a judge of the
3 Court of Claims, Renee Forgensi Minarik, of
4 Webster.

5 THE PRESIDENT: Senator
6 DeFrancisco.

7 SENATOR DeFRANCISCO: I move the
8 nomination of Renee Minarik for the Court of
9 Claims position and request that you please
10 call on Senator Nozzolio for a second.

11 THE PRESIDENT: Senator Nozzolio.

12 SENATOR NOZZOLIO: Thank you,
13 Madam President. On the nomination.

14 Madam President and my colleagues,
15 I proudly rise to wholeheartedly endorse the
16 nomination for a second term of Judge Renee
17 Minarik to the Court of Claims.

18 Judge Minarik has been an excellent
19 judge, and for many of the reasons that have
20 been described in discussing the entire panel
21 that is being nominated today, each of them
22 bringing a characteristic to the bench that
23 suits the citizens of the state very well in
24 having a broad, diverse background of judges.

25 What is so unique about Renee

1 Minarik is that she brings to the bench a
2 broad background in state and local government
3 and particularly in local government.

4 Although serving as a regional director of the
5 Department of Environmental Conservation, also
6 as an assistant attorney general at the state
7 level, that she also worked in town
8 government, in local government, and as an
9 elected official in her own right as a county
10 legislator representing Webster, which is the
11 fastest-growing community in Monroe County,
12 representing that constituency in the county
13 legislature. Doing an excellent job in each
14 of the tasks that she has undertaken.

15 We're all very proud of her, her
16 accomplishments, and that this renomination
17 certainly is something that made all the sense
18 in the world.

19 I'd also like to point out another
20 aspect of Judge Minarik that may not be as
21 well known. That's as a graduate of Wells
22 College in Aurora, New York, she has been
23 certainly serving as a role model for
24 graduates of that school and is very active in
25 alumni affairs.

1 She is a trustee, an alumni trustee
2 on the Wells College board, that she has been
3 involved in many college activities, helping
4 young people from this state and other states
5 who are attending Wells College understand
6 that here is a graduate that has reached one
7 of the highest positions in her field. That
8 is a very important role that Judge Minarik
9 has played.

10 That I'm very proud to second this
11 nomination. She is an excellent judge. And
12 that I know in this next term she will
13 continue to serve this state with distinction.

14 Madam President, I support this
15 nomination.

16 THE PRESIDENT: All in favor of
17 the nomination of Renee Forgensi Minarik, of
18 Webster, as a judge of the Court of Claims
19 please signify by saying aye.

20 (Response of "Aye.")

21 THE PRESIDENT: Opposed, nay.

22 (No response.)

23 THE PRESIDENT: The nominee is
24 hereby confirmed.

25 Congratulations, Judge Forgensi

1 Minarik, and best wishes to you.

2 (Applause.)

3 THE PRESIDENT: Judge Minarik is
4 accompanied by her husband, Steve, this
5 afternoon.

6 The Secretary will continue to
7 read.

8 THE SECRETARY: As a judge of the
9 Court of Claims, Richard A. Molea, of
10 Ossining.

11 THE PRESIDENT: Senator
12 DeFrancisco.

13 SENATOR DeFRANCISCO: I move the
14 nomination of Richard A. Molea as a Court of
15 Claims judge, and I request that you call on
16 Senator Leibell for a second.

17 THE PRESIDENT: Senator Leibell.

18 SENATOR LEIBELL: Thank you,
19 Madam President.

20 And I know that our colleague
21 Senator Spano had hoped to be here to speak on
22 this nomination, but unfortunately he's in a
23 meeting right now.

24 I'm very pleased, though, to stand
25 and speak on this, because the judge and I go

1 way back. We both started out as young
2 lawyers. We were blessed to start with Carl
3 Vergari in the Westchester DA's office. And
4 the judge had a long and distinguished career
5 in that office and served the people of the
6 County of Westchester with great distinction.

7 As well as you know somebody, you
8 sometimes don't know them as completely. And
9 when I saw this resume, I realized how much
10 more extensive the judge's career had been
11 than I even had known.

12 But I'm very pleased to stand up
13 and second this excellent nomination. I know
14 the judge will continue to serve this state
15 with great distinction.

16 THE PRESIDENT: All in favor of
17 the nomination of Richard A. Molea, of
18 Ossining, as a judge of the Court of Claims
19 please signify by saying aye.

20 (Response of "Aye.")

21 THE PRESIDENT: Opposed, nay.

22 (No response.)

23 THE PRESIDENT: The nominee is
24 hereby confirmed.

25 Congratulations, Judge Molea, and

1 best wishes.

2 (Applause.)

3 THE PRESIDENT: The Secretary
4 will continue to read.

5 THE SECRETARY: As a judge of the
6 Court of Claims, Michael F. Mullen, of
7 Huntington.

8 THE PRESIDENT: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: I move the
11 nomination of Michael F. Mullen for the Court
12 of Claims and request that you call on Senator
13 Balboni to second the nomination.

14 THE PRESIDENT: Senator Balboni.

15 SENATOR BALBONI: Yes, Madam
16 President. The year was 1986. I was a
17 brand-new counsel to the Senate Judiciary
18 Committee. Didn't know much. Folks might
19 argue that hasn't changed much. And I arrived
20 in the offices of a midtown Manhattan law firm
21 that we were using to go through a whole raft
22 of judges who were going to respond to the
23 crack epidemic.

24 And here I am, this young counsel,
25 I get brought into this room, and I'm given

1 three judges that I'm going to inquire about
2 as to whether or not they fit the
3 qualifications to become a member of the Court
4 of Claims. And one of them was Michael
5 Mullen. And little did I know what that first
6 meeting would bring about, because I've gotten
7 a chance to follow Judge Mullen's incredibly
8 distinguished career.

9 First of all, he came from this
10 world; he was a former counsel up here in
11 Albany. But he has always applied himself
12 with distinction and with judicial
13 temperament.

14 He's also been a part of some of
15 the major, major cases in the history of
16 Suffolk County. He was with the Lizzie
17 Grubman case, he had that one. Jamal Starks,
18 who had held up an armored car. Farnd Farmer,
19 who served 25 years to life for a horror spree
20 of crime where he hijacked a car full of
21 people, put them in the trunk, and drove them
22 out to a forest and left them for dead.

23 He has also been involved with the
24 case of Faustino Chavez, a murderer; Daniel
25 Cifonelli; and Brian Tuohey and Howard Zeis,

1 all cases of notoriety, of intense pressure.
2 But this jurist did it with aplomb,
3 understanding, and with great justice and
4 acumen.

5 It is such a pleasure to second the
6 nomination of Judge Mullen. He is a tribute
7 to our bench.

8 THE PRESIDENT: Senator LaValle.

9 SENATOR LaVALLE: Thank you,
10 Madam President. I too rise to second Judge
11 Mullen's nomination.

12 As Senator Balboni indicated, he
13 served here on staff in the Senate, first with
14 Senator B.C. Smith, doing environmental work
15 as counsel, and then for our Senate Majority,
16 under Majority Leader Warren Anderson, where
17 he handled education and higher education.

18 As Senator Balboni indicated, he
19 has truly handled some very, very difficult
20 cases in the Tenth Judicial District, and he
21 has done so with great fairness, great
22 intellect.

23 And there is another aspect of
24 Judge Mullen -- and we chatted a little bit
25 today -- and that is a person who feels he is

1 very, very fortunate doing what he was meant
2 to do and meant to be, and that is a judge.

3 And he has done an outstanding,
4 outstanding job, and we are very fortunate to
5 have him dealing with the kinds of cases that
6 are very difficult, to use the law, to use the
7 intellect, to use his heart, to use good
8 judgment and fairness.

9 And I wish you good luck as you
10 continue on your judicial career,
11 Judge Mullen.

12 THE PRESIDENT: Senator
13 Marcellino.

14 SENATOR MARCELLINO: Thank you,
15 Madam President. I rise to second the
16 nomination of Judge Mullen.

17 Madam President, as you know, I'm
18 not a lawyer, so I have no reason to suck up
19 to the judge as some of my colleagues may
20 have.

21 (Laughter.)

22 SENATOR MARCELLINO: I have no
23 intention of becoming a defendant, to appear
24 in front of him, so we're going to keep it
25 that way.

1 And one other thing is I had never
2 met the gentleman before today.

3 However, I have heard nothing but
4 high praise about his capabilities, both on
5 and off the bench, from people I respect, not
6 only in this chamber but outside, who have
7 called me and told me that this gentleman's
8 nomination was up and that he was a good
9 fellow and that I should speak well of him and
10 vote for him.

11 So, Judge, I give you high praise
12 for the people who praise you and care about
13 you, because they speak very well of you, and
14 that's great. It's good to have somebody on
15 the bench who has people outside the
16 profession who care about him and like him.
17 That says, in my mind, lots about you.

18 So God bless, good luck, and keep
19 up the good work.

20 THE PRESIDENT: All in favor of
21 Michael F. Mullen, of Huntington, as a judge
22 of the Court of Claims please signify by
23 saying aye.

24 (Response of "Aye.")

25 THE PRESIDENT: Opposed, nay.

1 (No response.)

2 THE PRESIDENT: The nominee is
3 hereby confirmed.

4 Judge Mullen, congratulations and
5 best wishes for continued success.

6 (Applause.)

7 THE PRESIDENT: The Secretary
8 will continue to read.

9 THE SECRETARY: As a judge of the
10 Court of Claims, Terry J. Ruderman, of
11 Scarsdale.

12 THE PRESIDENT: Senator
13 DeFrancisco.

14 SENATOR DeFRANCISCO: I move the
15 nomination of Terry J. Ruderman for a Court of
16 Claims position and request that you call on
17 Senator Leibell for a second.

18 THE PRESIDENT: Senator Leibell.

19 SENATOR LEIBELL: Thank you,
20 Madam President.

21 And once again, I'm sorry that my
22 colleague Senator Spano is in a meeting right
23 now and could not be here.

24 But I have had the good fortune to
25 know Judge Ruderman and her family for many

1 years now, and I can attest to what a fine
2 attorney she is, both in private and a long
3 and distinguished career in government
4 service. This is a great nomination to have
5 before this body. She has served the people
6 of Westchester County and the people of the
7 State of New York very well and will continue
8 to do.

9 I'd like to move the nomination.

10 THE PRESIDENT: All in favor of
11 the nomination of Terry J. Ruderman, of
12 Scarsdale, as a judge of the Court of Claims
13 please signify by saying aye.

14 (Response of "Aye.")

15 THE PRESIDENT: Opposed, nay.

16 (No response.)

17 THE PRESIDENT: The nominee is
18 hereby confirmed.

19 She is here with her husband,
20 Jerold Ruderman. I know both of them
21 professionally, and I know of her excellent
22 accomplishments. A great nomination, great
23 confirmation.

24 Best wishes for continued success.

25 (Applause.)

1 THE PRESIDENT: The Secretary
2 will continue to read.

3 THE SECRETARY: As a judge of the
4 Court of Claims, Thomas H. Scuccimarra, of
5 Garrison.

6 THE PRESIDENT: Senator
7 DeFrancisco.

8 SENATOR DeFRANCISCO: I rise to
9 move the nomination of Thomas H. Scuccimarra
10 and again call on our professional seconder,
11 Senator Leibell.

12 THE PRESIDENT: Senator Leibell.

13 SENATOR LEIBELL: Thank you.
14 Thank you very much.

15 And once again, I am pleased to
16 speak on a nomination. And also I've known
17 Judge Scuccimarra and his family for many
18 years.

19 In fact, I have a picture in my
20 office here in Albany of my last term in the
21 Assembly where the judge, when he was serving
22 as a town judge in the town of Philipstown, in
23 Putnam County, administered the oath of office
24 for my last term. I don't know how many of
25 you would consider that to be a

1 recommendation. I like to think it is.

2 But certainly the judge has had a
3 great and distinguished career also, one of
4 the most prominent private practitioners in
5 Westchester and Putnam counties. We're most
6 fortunate that he went onto the bench. I know
7 that he will continue to serve all the people
8 of this state with great dignity and
9 professionalism.

10 I'd like to move the nomination.

11 THE PRESIDENT: All in favor of
12 the nomination of Thomas H. Scuccimarra, of
13 Garrison, as a judge of the Court of Claims
14 please signify by saying aye.

15 (Response of "Aye.")

16 THE PRESIDENT: Opposed, nay.

17 (No response.)

18 THE PRESIDENT: The nominee is
19 hereby confirmed.

20 Judge Scuccimarra, congratulations
21 and best wishes for success.

22 (Applause.)

23 THE PRESIDENT: The Secretary
24 will continue to read.

25 THE SECRETARY: As a judge of the

1 Court of Claims, Norman I. Siegel, of
2 New Hartford.

3 THE PRESIDENT: Senator
4 DeFrancisco.

5 SENATOR DeFRANCISCO: I move the
6 nomination of Norman Siegel for a Court of
7 Claims position and ask you to call on Senator
8 Meier to second.

9 THE PRESIDENT: Senator Meier.

10 SENATOR MEIER: Thank you, Madam
11 President.

12 Senator Leibell desperately wanted
13 to second this, but he's just exhausted, poor
14 man.

15 (Laughter.)

16 SENATOR MEIER: I have known Norm
17 Siegel for a long time. And I think it speaks
18 volumes about Norm and helps you understand
19 him if you know that despite his many
20 accomplishments in the community and as a
21 lawyer, I think he's proudest and finds the
22 most satisfaction in life in being Ann's
23 husband and in being the father to his
24 daughters and the grandfather to his beautiful
25 grandchildren and a friend to many people.

1 And I'm proud to count myself among the
2 legions of people who are fortunate enough to
3 be in that company.

4 And I can also say, Madam
5 President, that as a lawyer I know Norm Siegel
6 just about any way you could know a lawyer.
7 He was once, when I was corporation counsel in
8 the City of Rome, my adversary, and to my
9 chagrin he took large amounts of money out of
10 the City of Rome in the form of certiorari
11 proceedings, where he was renowned as a
12 practitioner.

13 And I've also known Norm Siegel as
14 a client. Because when I was the county
15 executive of the County of Oneida, when it
16 came time to hire a county attorney and to
17 find someone who was the very best in terms of
18 legal talent and judgment and in whose advice
19 I could take great confidence, I asked Norm to
20 serve in that capacity.

21 And then I've been privileged for a
22 few years to practice law with him in the same
23 law firm.

24 For obvious reasons, I did not have
25 the pleasure of practicing in front of him

1 while he's been sitting these last few years
2 on the Court of Claims, but I know many
3 lawyers who have, and they have found him to
4 be unfailingly fair and courteous.

5 Norm referred to himself today when
6 he appeared before the Judiciary Committee as
7 being lawyer-friendly, and I think a lot of
8 lawyers sometimes kind of look with dismay at
9 some of their former colleagues who seem to
10 change character a little bit when they go on
11 the other side of the bench. And that has
12 never been the way Norm has conducted his
13 life.

14 I always tell young lawyers, you
15 can find law in law books, but that's not
16 where you go to find justice. You find
17 justice in a courtroom that's presided over by
18 a judge who doesn't just know the law but who
19 has broad experience in life and who brings
20 common sense and compassion and a sense of
21 fair play that can only be found here, in
22 someone's heart.

23 That's the kind of judge Norm
24 Siegel is. That's the kind of man he is. And
25 I'm proud to second his nomination today.

1 THE PRESIDENT: All in favor of
2 the nomination of Norman I. Siegel, of
3 New Hartford, as a judge of the Court of
4 Claims please signify by saying aye.

5 (Response of "Aye.")

6 THE PRESIDENT: Opposed, nay.

7 (No response.)

8 THE PRESIDENT: The nominee is
9 hereby confirmed.

10 Congratulations, Judge Siegel.
11 Best wishes to you.

12 (Applause.)

13 THE PRESIDENT: The Secretary
14 will continue to read.

15 THE SECRETARY: As a justice of
16 the Supreme Court of the Second Judicial
17 District, Michael V. Ajello, of Staten Island.

18 ACTING PRESIDENT YOUNG: Senator
19 DeFrancisco.

20 SENATOR DeFRANCISCO: I move the
21 nomination of Michael Ajello, of Staten
22 Island, as a justice of the Supreme Court of
23 the Second Judicial District, and request that
24 you please call on Senator Maltese to second
25 the nomination.

1 ACTING PRESIDENT YOUNG: Thank
2 you, Senator DeFrancisco.

3 Senator Maltese.

4 SENATOR MALTESE: Madam
5 President, I rise to second the nomination of
6 Michael Ajello as a justice of the Supreme
7 Court.

8 First of all, I've known Justice
9 Ajello for many, many years. He has
10 previously served as a justice of the Supreme
11 Court in an interim term and has been
12 commended by all, bench and bar, in that
13 capacity.

14 In addition, he has run for the
15 office of Supreme Court many times and been
16 approved unanimously by all the bar
17 associations that had or considered his
18 nominations.

19 Further, he was in the field of
20 private practice for 38 years. And the
21 background that that gives you I think well
22 prepares you for the tasks before you on the
23 bench.

24 In addition, he served as an
25 arbitrator in small claims court and served as

1 a special assistant district attorney. So
2 both civil and criminal, he has excelled.

3 I commend the Governor on this
4 nomination and am proud to second the
5 nomination of Michael Ajello as justice of the
6 Supreme Court.

7 ACTING PRESIDENT YOUNG: Thank
8 you, Senator Maltese.

9 The question is on the nomination
10 of Michael V. Ajello, of Staten Island, as a
11 justice of the Supreme Court of the Second
12 Judicial District. All in favor signify by
13 saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT YOUNG: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT YOUNG: Michael
19 Ajello, of Staten Island, is hereby confirmed
20 as a justice of the Supreme Court of the
21 Second Judicial District.

22 Congratulations.

23 (Applause.)

24 ACTING PRESIDENT YOUNG: Judge
25 Ajello is accompanied by his wife, Mary Ann,

1 and his sister-in-law, Margie Panzera.

2 Congratulations.

3 The Secretary will read.

4 THE SECRETARY: As a justice of
5 the Supreme Court of the Second Judicial
6 District, Anthony I. Giacobbe, of Staten
7 Island.

8 ACTING PRESIDENT YOUNG: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: I move the
11 nomination of Anthony Giacobbe for justice of
12 the Supreme Court, Second Judicial District.

13 I should have mentioned before the
14 last nominee, and pertaining to this nominee,
15 that Senator Marchi wanted to be here, he was
16 here earlier and he had to step out of the
17 chambers, or he would -- he definitely wanted
18 to speak on both of these nominations.

19 But in his absence, I would request
20 that you recognize Senator Golden to second
21 the nomination.

22 ACTING PRESIDENT YOUNG: Thank
23 you.

24 Senator Golden.

25 SENATOR GOLDEN: Madam President,

1 I thank the Senator for allowing me to speak
2 as a second here and for Senator Marchi as
3 well, who is a great Senator and a great man
4 and couldn't be here at this moment.

5 Anthony Giacobbe is a good friend
6 of ours and a good friend of John Fusco, Judge
7 Fusco, and of many on Staten Island and in
8 Brooklyn, and has done a great job.

9 And if you take a look at this
10 man's resume, from the United States Army, as
11 a judge advocate, to working in the Kings
12 County, of New York City, working with another
13 judge, Mark Constantino, as his law secretary,
14 going in private practice, working in Richmond
15 County in the district attorney's office,
16 being on the City Council as a city councilman
17 at large in the City of New York, working with
18 the borough president of Staten Island,
19 working with the New York State Assembly,
20 being an adjunct professor at St. John's
21 University, working at the City Planning
22 Commission of the City of New York from 1990
23 to the year 2000, from having his own law
24 practice to sitting on the bench since 2000.
25 Well-rounded, well-studied, very fair, very

1 honest, and the eminence in professionalism.

2 We congratulate this great man and
3 his family, and the County of Staten Island
4 and County of Richmond is lucky to have both
5 of these great judges.

6 And congratulations to you, and I
7 second this nomination.

8 ACTING PRESIDENT YOUNG: Thank
9 you, Senator Golden.

10 The question is on the nomination
11 of Anthony I. Giacobbe, of Staten Island, as a
12 justice of the Supreme Court of the Second
13 Judicial District. All in favor signify by
14 saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT YOUNG: Opposed,
17 nay.

18 (No response.)

19 ACTING PRESIDENT YOUNG: Anthony
20 I. Giacobbe is hereby confirmed as a justice
21 of the Supreme Court of the Second Judicial
22 District.

23 Judge Giacobbe is accompanied by
24 his son, Mark; his aunt, Gemma Caramenta; Joy
25 Spinelli and her mother, Elena Spinelli.

1 Congratulations.

2 (Appause.)

3 ACTING PRESIDENT YOUNG: The
4 Secretary will read.

5 THE SECRETARY: As a judge of the
6 Nassau County Family Court, Merik R. Aaron, of
7 Hewlett Harbor.

8 ACTING PRESIDENT YOUNG: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: I move the
11 nomination of Merik Aaron as a judge of the
12 Nassau County Family Court and request that
13 you recognize Senator Skelos to second the
14 nomination.

15 ACTING PRESIDENT YOUNG: Senator
16 Skelos.

17 SENATOR SKELOS: Thank you, Madam
18 President.

19 And thank you, Senator DeFrancisco,
20 for affording me the opportunity and pleasure
21 to move the nomination of Merik Aaron as a
22 Family Court judge in the County of Nassau.

23 I think we all know the sensitivity
24 and the tough issues that our Family Courts
25 deal with throughout the state. I'm confident

1 that Rick, with his -- I guess I'm probably
2 going to have to call him "Judge" after this.
3 That's probably the last time I'm going to be
4 calling you "Rick."

5 But he has the sensitivity and
6 certainly the knowledge and the desire to
7 serve as a judge, and he will serve well as a
8 Family Court judge.

9 His qualifications, whether it's as
10 a teacher, whether it's as an adjunct
11 professor, whether as a practicing attorney or
12 working within the Town of Hempstead, he has
13 an exemplary record in terms of service to our
14 community.

15 And certainly his entire family --
16 and I know his wife, Karen, is here -- are
17 active participants, constantly giving back to
18 the Five Towns community which I represent and
19 other areas of our great County of Nassau.

20 So it's my pleasure to support
21 Senator DeFrancisco and move the nomination of
22 Merik Aaron as a Family Court judge, County of
23 Nassau.

24 ACTING PRESIDENT YOUNG: Thank
25 you, Senator Skelos.

1 Senator Balboni.

2 SENATOR BALBONI: Yes, Madam
3 President. I rise because I want to echo the
4 sentiments of Senator Skelos but also make
5 note of the fact that we have, in Judge Aaron,
6 the kind of sensitivity and appreciation for
7 the human condition that will make him an
8 optimal Family Court judge.

9 He brings a lot to the table
10 legally and intellectually, but he also has
11 this wonderful personality. And he really
12 appreciates the differing backgrounds that
13 people have. And I think he'll be one of the
14 true voices of reason in what can oftentimes
15 be a maelstrom of emotions in the Family
16 Court.

17 I second the nomination.

18 Thank you, Madam President.

19 ACTING PRESIDENT YOUNG: Thank
20 you, Senator Balboni.

21 Senator Fuschillo.

22 SENATOR FUSCHILLO: Yes, Madam
23 President, briefly. I just want to echo the
24 sentiments of Senator Skelos and Senator
25 Balboni.

1 You know, Rick, I never thought
2 this day would come where I'd be sitting in
3 the Senate and you'd be sitting up there. As
4 somebody who grew up next to you as a kid in
5 Carle Place, Westbury, where you were the
6 chair in Carle Place High School. Times have
7 certainly changed.

8 And I congratulate you. And I
9 think Senator Skelos said it best, that you
10 have the right temperament to deal with the
11 critical issues that come before the Family
12 Court.

13 Congratulations to you and your
14 family.

15 ACTING PRESIDENT YOUNG: Thank
16 you, Senator Fuschillo.

17 Senator Marcellino.

18 SENATOR MARCELLINO: Thank you,
19 Madam President.

20 I also rise to congratulate Rick
21 Aaron on his elevation to the Family Court, a
22 most difficult court, one that sees families
23 most of the time at their worst. So we need
24 judges who have the right temperament and the
25 ability to see things as they should be and to

1 make it work.

2 So I congratulate the Governor on
3 this appointment. It's a good one.

4 And, Rick, do a great job. I know
5 you will. God bless.

6 ACTING PRESIDENT YOUNG: Thank
7 you, Senator.

8 The question is on the nomination
9 of Merik R. Aaron, of Hewlett Harbor, as a
10 judge of the Nassau Family Court. All in
11 favor signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT YOUNG: Opposed,
14 nay.

15 (No response.)

16 ACTING PRESIDENT YOUNG: Merik R.
17 Aaron is hereby confirmed as a judge of the
18 Nassau County Family Court.

19 Judge Aaron is accompanied by his
20 wife, Karen, and his daughter, Stacy.

21 Congratulations.

22 (Applause.)

23 ACTING PRESIDENT YOUNG: The
24 Secretary will read.

25 THE SECRETARY: As a judge of the

1 Rockland County Court, Karen Amanda Riley, of
2 Suffern.

3 ACTING PRESIDENT YOUNG: Senator
4 DeFrancisco.

5 SENATOR DeFRANCISCO: I rise to
6 move the final nomination this morning, or
7 this afternoon -- probably evening. In case
8 there weren't enough today -- we had 17 today,
9 we'll have 18 tomorrow. So don't despair.

10 I move the nomination of Karen
11 Riley as a judge of the Rockland County Court,
12 and request that you call on Senator Morahan
13 to second the nomination.

14 ACTING PRESIDENT YOUNG: Thank
15 you, Senator.

16 Senator Morahan.

17 SENATOR MORAHAN: Thank you,
18 Madam President.

19 I am truly proud to rise to second
20 the nomination of Karen Riley. Karen is an
21 experienced prosecutor, a young woman who has
22 worked her way through college, worked her way
23 through law school at night, worked in the
24 interim in the human resources field, taken a
25 break between her undergraduate work and her

1 law school, where she graduated from Pace
2 University cum laude.

3 She has ten years experience in the
4 Rockland County district attorney's office.
5 In that capacity, she has prosecuted murders,
6 attempted murders, homicides, robberies and
7 sex offenders.

8 I think she comes eminently
9 qualified in this day and age where we have
10 surfaced so many sex crimes in this state, in
11 that she was training other assistant DAs in
12 that form of prosecution. That she has, over
13 the years, prosecuted and represented the
14 district attorney in the prosecution of
15 sex-offender cases.

16 She's admired by all back home.
17 And as her Senator, I am delighted to second
18 her nomination and to welcome Karen and her
19 husband, Christopher, to the chamber today.

20 Thank you.

21 ACTING PRESIDENT YOUNG: Thank
22 you, Senator.

23 The question is on the nomination
24 of Karen Amanda Riley, of Suffern, as a judge
25 of the Rockland County Court. All in favor

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT YOUNG: Opposed,
4 nay.

5 (No response.)

6 ACTING PRESIDENT YOUNG: Karen
7 Amanda Riley is hereby confirmed as a judge of
8 the Rockland County Court.

9 Judge Riley is accompanied by her
10 husband, Christopher.

11 Congratulations.

12 (Applause.)

13 ACTING PRESIDENT YOUNG: Senator
14 Fuschillo.

15 SENATOR FUSCHILLO: Madam
16 President, may we please return to the order
17 of motions and resolutions.

18 And please take up Resolution 6068,
19 by Senator Hassell-Thompson, have its title
20 read only, and please recognize Senator
21 Hassell-Thompson.

22 ACTING PRESIDENT YOUNG: Motions
23 and resolutions.

24 The Secretary will read.

25 THE SECRETARY: By Senator

1 Hassell-Thompson, Legislative Resolution
2 Number 6068, memorializing Governor George E.
3 Pataki to proclaim October 26, 2006, as Walk
4 with Me Day in the State of New York.

5 ACTING PRESIDENT YOUNG: Senator
6 Hassell-Thompson.

7 SENATOR HASSELL-THOMPSON: Thank
8 you, Madam President.

9 Four years ago, the Bronx borough
10 president appointed Naomi Rivera and myself to
11 become the chairs of the task force for
12 domestic violence in the Bronx. And one of
13 the projects that Assemblywoman Rivera brought
14 to the Legislature was a "walk with me"
15 concept that says for men and women to get out
16 and march and to walk against domestic
17 violence.

18 This resolution calls for the
19 Governor to proclaim October 26th as Walk with
20 Me Day. Last year, campuses across the State
21 of New York became involved; 26 college
22 campuses had Walk with Me Days. And we are
23 hoping to increase that number of college
24 campuses across this state, and to neighboring
25 states, to raise the consciousness about

1 domestic violence.

2 So I would appreciate and open this
3 resolution in the State Senate to each of my
4 colleagues and ask for their support for a
5 cause and a condition that plagues and
6 destroys families.

7 One of my other concerns is that we
8 not only look at the punitive side of the
9 issue of domestic violence but we begin to
10 look at how do we treat and change the cycle
11 of domestic violence from one generation to
12 another.

13 So I thank my colleagues, and I
14 thank you for this opportunity to speak on
15 this resolution and would hope that my
16 colleagues would sign on and support it.

17 Thank you, Madam President.

18 ACTING PRESIDENT YOUNG: Thank
19 you, Senator.

20 On the resolution, all in favor
21 signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT YOUNG: Opposed,
24 nay.

25 (No response.)

1 ACTING PRESIDENT YOUNG: The
2 resolution is adopted.

3 Senator Fuschillo.

4 SENATOR FUSCHILLO: Senator
5 Hassell-Thompson has requested to open it up
6 for cosponsorship.

7 To follow the normal rules of the
8 house, put all the members on it. And anybody
9 who wishes not to be on it, please let the
10 desk know.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator. Any member not wishing to be on
13 resolution please notify the desk.

14 Senator Fuschillo.

15 SENATOR FUSCHILLO: Madam
16 President, Resolution 6135, by Senator
17 Maziarz, is at the desk. May we please have
18 it read in its entirety, move for its
19 immediate adoption, and recognize Senator
20 Maziarz.

21 ACTING PRESIDENT YOUNG: The
22 Secretary will read.

23 THE SECRETARY: By Senator
24 Maziarz, Legislative Resolution Number 6135,
25 commending Relax on Cloud Nine, License

1 Monitor, and Matrix Imaging Solutions upon the
2 occasion of their induction into the New York
3 State Small Business Development Center's Hall
4 of Fame.

5 "WHEREAS, It is the sense of this
6 Legislative Body to recognize that small
7 businesses greatly contribute to the economic
8 vitality of communities across New York State;
9 and

10 "WHEREAS, Events which honor small
11 businesses help to enhance the free enterprise
12 system upon which our nation was built; and

13 "WHEREAS, This Legislative Body is
14 justly proud to commend Relax on Cloud Nine,
15 License Monitor, and Matrix Imaging Solutions
16 upon the occasion of their induction into the
17 New York State Small Business Development
18 Center's Hall of Fame at the Awards Banquet on
19 Tuesday, June 20, 2006, at Jack's Oyster
20 House, Albany, New York; and

21 "WHEREAS, The individuals selected
22 for the Small Business Development Center
23 (SBDC) Hall of Fame are the most outstanding
24 clients assisted by the program between 1984
25 and 2006. Their selection is the result of a

1 process that involves the entire organization;
2 and

3 "WHEREAS, The SBDC honors three
4 business owners that embody the best
5 characteristics of entrepreneurs -- vision,
6 confidence, hard work, dedication, creativity,
7 flexibility, drive, and organization -- by
8 inducting them as members of the SBDC Hall of
9 Fame; and

10 "WHEREAS, The New York State Small
11 Business Development Center has, for over two
12 decades, provided the highest-quality,
13 pro bono business counseling, business
14 training, and focused industry-specific
15 business research -- in partnership with the
16 U.S. Small Business Administration and the
17 State University of New York -- to thousands
18 of New Yorkers who want to start a small
19 business or improve the performance of an
20 existing business; and

21 "WHEREAS, Over the course of these
22 20 plus years, the SBDC has emphasized
23 technology and technology-related businesses
24 as a way of achieving greater efficiency and
25 promoting the long-term growth of the New York

1 economy; and

2 "WHEREAS, The SBDC has measured its
3 success one small business client at a time,
4 and has elevated to a special business Hall of
5 Fame over 30 outstanding New York businesses
6 that have had an overwhelmingly positive
7 long-term impact on their communities; and

8 "WHEREAS, The distinguished 32
9 members of the SBDC Hall of Fame have been
10 expanded this year to include three new
11 inductees; and

12 "WHEREAS, Small businesses exert a
13 strong positive influence on our communities,
14 and the future welfare of New York State
15 depends on the continued development of small
16 businesses; now, therefore, be it

17 "RESOLVED, That this Legislative
18 Body pause in its deliberations to commend
19 Relax on Cloud Nine, License Monitor, and
20 Matrix Imaging Solutions upon the occasion of
21 their induction into the New York State Small
22 Business Development Center's Hall of Fame;
23 and be it further

24 "RESOLVED, That copies of this
25 resolution, suitably engrossed, be transmitted

1 to Relax on Cloud Nine, License Monitor, and
2 Matrix Imaging Solutions."

3 ACTING PRESIDENT YOUNG: Senator
4 Maziarz.

5 SENATOR MAZIARZ: Thank you very
6 much, Madam President.

7 It's with a great deal of pride
8 that I want to just join with my colleagues,
9 Senator John Marchi and Senator Tom Morahan,
10 in congratulating these three small businesses
11 in New York State upon their induction into
12 the Hall of Fame.

13 They are truly all Hall of Famers.
14 They've done great jobs in growing a small
15 business in New York State to very profitable
16 status and really assisting a whole lot of
17 people, and are a real example to other small
18 businesses in the State of New York.

19 And I want to commend the Small
20 Business Development Center. Each and every
21 year in our SUNY budget we have money included
22 for small business development centers across
23 the New York. And these three small
24 businesses have all benefited from the dollars
25 that we allocate on an annual basis to the

1 SBDCs across this state.

2 But most particularly -- three
3 great businesses, but I do want to mention
4 particularly Matrix Imaging Solutions, from my
5 Senate district, and the Olivero family that's
6 here today.

7 Alan has grown this business from
8 an idea to a very successful corporation today
9 that's located in two places, in the state of
10 New York and also a subsidiary in the state of
11 Texas. And he really does an excellent job.

12 And I always joke around about this
13 when I mention Alan's business and talk about
14 the success of it today. Regardless of where
15 you live in the United States, or probably
16 around the world, I am certain that all of you
17 get a solicitation on a daily basis from a
18 credit card company or a bank or a financial
19 institution. Those are all printed, mailed,
20 sorted and folded in Niagara County and come
21 from Matrix Imaging Solutions. So there's the
22 guy to blame, right there, for all that mail
23 that you get.

24 On a serious note, Madam President,
25 these three entrepreneurs have really done a

1 great job and are a great example to other
2 entrepreneurs all across New York.

3 Thank you, Madam President.

4 ACTING PRESIDENT YOUNG: Thank
5 you, Senator Maziarz.

6 The question is on the resolution.
7 All those in favor signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT YOUNG: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT YOUNG:
13 Congratulations. The resolution is adopted.

14 (Applause.)

15 ACTING PRESIDENT YOUNG: Senator
16 Fuschillo.

17 SENATOR FUSCHILLO: Madam
18 President, are there any other motions at the
19 desk?

20 ACTING PRESIDENT YOUNG: Senator
21 Fuschillo, yes, there are.

22 Senator Farley.

23 SENATOR FARLEY: Thank you, Madam
24 President.

25 On behalf of Senator Libous, on

1 page 39, I offer the following amendments to
2 Calendar Number 1233, Senate Print 7307A, and
3 I ask that that bill retain its place on the
4 Third Reading Calendar.

5 ACTING PRESIDENT YOUNG: Thank
6 you, Senator Farley.

7 The amendments are received, and
8 the bill will retain its place on the Third
9 Reading Calendar.

10 SENATOR FARLEY: On behalf of
11 Senator Wright, on page 42, I offer the
12 following amendments to Calendar Number 1286,
13 Senate Print 7518A, and I ask that that bill
14 retain its place on the Third Reading
15 Calendar.

16 ACTING PRESIDENT YOUNG: Thank
17 you, Senator Farley.

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

21 SENATOR FARLEY: Madam President,
22 on behalf of Senator Saland, on page 39, I
23 offer the following amendments to Calendar
24 Number 1236, Senate Print Number 7921A, and I
25 ask that that bill retain its place on the

1 Third Reading Calendar.

2 ACTING PRESIDENT YOUNG: Thank
3 you, Senator Farley.

4 The amendments are received, and
5 the bill will retain its place on the Third
6 Reading Calendar.

7 SENATOR FARLEY: Madam President,
8 on behalf of Senator Padavan, on page 18, I
9 offer the following amendments to Calendar
10 Number 628, Senate Print 2164B, and I ask that
11 that bill retain its place on the Third
12 Reading Calendar.

13 ACTING PRESIDENT YOUNG: The
14 amendments are received, and the bill will
15 retain its place on the Third Reading
16 Calendar.

17 SENATOR FARLEY: Madam President,
18 on behalf of Senator Saland, I wish to call up
19 his bill, Print Number 312, recalled from the
20 Assembly and it's now at the desk.

21 ACTING PRESIDENT YOUNG: The
22 Secretary will read.

23 THE SECRETARY: Calendar Number
24 311, by Senator Saland, Senate Print 312, an
25 act to amend the Penal Law.

1 SENATOR FARLEY: I now move to
2 reconsider the vote by which this bill was
3 passed.

4 ACTING PRESIDENT YOUNG: Call the
5 roll on reconsideration.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 SENATOR FARLEY: Madam President,
9 I now offer the following amendments.

10 ACTING PRESIDENT YOUNG: The
11 amendments are received.

12 Senator Bonacic.

13 SENATOR BONACIC: Thank you,
14 Madam President.

15 On behalf of Senator Alesi, I wish
16 to call up Print Number 6365, recalled from
17 the Assembly, which is now at the desk.

18 ACTING PRESIDENT YOUNG: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 175, by Senator Alesi, Senate Print 6365, an
22 act to amend the Public Health Law.

23 SENATOR BONACIC: Madam
24 President, I now move to reconsider the vote
25 by which this bill was passed.

1 ACTING PRESIDENT YOUNG: Call the
2 roll on reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 60.

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

8 ACTING PRESIDENT YOUNG: The
9 amendments are received.

10 SENATOR BONACIC: On behalf of
11 Senator Little, I wish to call up Print Number
12 8092, recalled from the Assembly, which is now
13 at the desk.

14 ACTING PRESIDENT YOUNG: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 1762, by Senator Little, Senate Print 8092, an
18 act to legalize, validate, ratify and confirm.

19 SENATOR BONACIC: Madam
20 President, I now move to reconsider the vote
21 by which this bill was passed.

22 ACTING PRESIDENT YOUNG: Call the
23 roll on reconsideration.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 SENATOR BONACIC: Madam
2 President, I now offer the following
3 amendments.

4 ACTING PRESIDENT YOUNG: The
5 amendments are received.

6 SENATOR BONACIC: Thank you.

7 ACTING PRESIDENT YOUNG: Senator
8 Fuschillo.

9 SENATOR FUSCHILLO: Madam
10 President, are there any substitutions at the
11 desk?

12 ACTING PRESIDENT YOUNG: Yes,
13 there are.

14 SENATOR FUSCHILLO: Please take
15 them up.

16 ACTING PRESIDENT YOUNG: The
17 Secretary will read.

18 THE SECRETARY: On page 16,
19 Senator Padavan moves to discharge, from the
20 Committee on Rules, Assembly Bill Number 8034
21 and substitute it for the identical Senate
22 Bill Number 4658, Third Reading Calendar 555.

23 On page 21, Senator Hannon moves to
24 discharge, from the Committee on Health,
25 Assembly Bill Number 5220A and substitute it

1 for the identical Senate Bill Number 4797A,
2 Third Reading Calendar 759.

3 On page 22, Senator Diaz moves to
4 discharge, from the Committee on Rules,
5 Assembly Bill Number 10085 and substitute it
6 for the identical Senate Bill Number 6640,
7 Third Reading Calendar 772.

8 On page 24, Senator Golden moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill Number 10731A and substitute it
11 for the identical Senate Bill Number 7377A,
12 Third Reading Calendar 843.

13 On page 43, Senator Bruno moves to
14 discharge, from the Committee on Labor,
15 Assembly Bill Number 8840C and substitute it
16 for the identical Senate Bill Number 5728C,
17 Third Reading Calendar 1315.

18 On page 46, Senator Hannon moves to
19 discharge, from the Committee on Health,
20 Assembly Bill Number 10891A and substitute it
21 for the identical Senate Bill Number 7718A,
22 Third Reading Calendar 1356.

23 On page 48, Senator Marcellino
24 moves to discharge, from the Committee on
25 Transportation, Assembly Bill Number 6799B and

1 substitute it for the identical Senate Bill
2 Number 3643C, Third Reading Calendar 1403.

3 On page 53, Senator Balboni moves
4 to discharge, from the Committee on Local
5 Government, Assembly Bill Number 9967 and
6 substitute it for the identical Senate Bill
7 Number 7096, Third Reading Calendar 1527.

8 On page 58, Senator Golden moves to
9 discharge, from the Committee on Aging,
10 Assembly Bill Number 5790 and substitute it
11 for the identical Senate Bill Number 1195,
12 Third Reading Calendar 1789.

13 On page 59, Senator Leibell moves
14 to discharge, from the Committee on Rules,
15 Assembly Bill Number 130 and substitute it for
16 the identical Senate Bill Number 3646, Third
17 Reading Calendar 1794.

18 On page 59, Senator Spano moves to
19 discharge, from the Committee on Crime
20 Victims, Crime and Correction, Assembly Bill
21 Number 7183A and substitute it for the
22 identical Senate Bill Number 5119A, Third
23 Reading Calendar 1797.

24 On page 59, Senator Morahan moves
25 to discharge, from the Committee on Rules,

1 Assembly Bill Number 9147A and substitute it
2 for the identical Senate Bill Number 6310A,
3 Third Reading Calendar 1798.

4 On page 59, Senator Spano moves to
5 discharge, from the Committee on Rules,
6 Assembly Bill Number 9288A and substitute it
7 for the identical Senate Bill Number 6361A,
8 Third Reading Calendar 1799.

9 On page 59, Senator Maziarz moves
10 to discharge, from the Committee on Local
11 Government, Assembly Bill Number 10384 and
12 substitute it for the identical Senate Bill
13 Number 6623, Third Reading Calendar 1801.

14 On page 60, Senator Maziarz moves
15 to discharge, from the Committee on Rules,
16 Assembly Bill Number 11009 and substitute it
17 for the identical Senate Bill Number 7010A,
18 Third Reading Calendar 1803.

19 On page 60, Senator Young moves to
20 discharge, from the Committee on Rules,
21 Assembly Bill Number 10600 and substitute it
22 for the identical Senate Bill Number 7139,
23 Third Reading Calendar 1804.

24 On page 60, Senator Robach moves to
25 discharge, from the Committee on Insurance,

1 Assembly Bill Number 10179 and substitute it
2 for the identical Senate Bill Number 7302,
3 Third Reading Calendar 1806.

4 On page 60, Senator Padavan moves
5 to discharge, from the Committee on Local
6 Government, Assembly Bill Number 11225 and
7 substitute it for the identical Senate Bill
8 Number 7647, Third Reading Calendar 1811.

9 On page 61, Senator Spano moves to
10 discharge, from the Committee on Rules,
11 Assembly Bill Number 10591 and substitute it
12 for the identical Senate Bill Number 7814,
13 Third Reading Calendar 1817.

14 And on page 62, Senator Saland
15 moves to discharge, from the Committee on
16 Rules, Assembly Bill Number 11554 and
17 substitute it for the identical Senate Bill
18 Number 8060, Third Reading Calendar 1827.

19 ACTING PRESIDENT YOUNG:
20 Substitutions ordered.

21 Senator Fuschillo.

22 SENATOR FUSCHILLO: Madam
23 President, at this time may we please have the
24 reading of the noncontroversial calendar.

25 ACTING PRESIDENT YOUNG: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 204, by Senator Leibell, Senate Print 3813A,
4 an act to amend the Not-For-Profit Corporation
5 Law and the Penal Law.

6 ACTING PRESIDENT YOUNG: Read the
7 last section.

8 THE SECRETARY: Section 3. This
9 act shall take effect January 1, 2007.

10 ACTING PRESIDENT YOUNG: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT YOUNG: Announce
14 the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT YOUNG: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 215, by Senator Maziarz, Senate Print 3209B,
20 an act to amend the Workers' Compensation --

21 SENATOR FUSCHILLO: Lay it aside
22 for the day, please.

23 ACTING PRESIDENT YOUNG: The bill
24 is laid aside for the day.

25 THE SECRETARY: Calendar Number

1 229, by Senator Young, Senate Print 6605, an
2 act to amend the Agriculture and Markets Law.

3 ACTING PRESIDENT YOUNG: Read the
4 last section.

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

7 ACTING PRESIDENT YOUNG: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT YOUNG: Announce
11 the results.

12 THE SECRETARY: Ayes, 58. Nays,
13 2. Senators Andrews and Hassell-Thompson
14 recorded in the negative.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 249, by Senator Padavan, Senate Print 3972A,
19 an act to amend the Retirement and Social
20 Security Law.

21 ACTING PRESIDENT YOUNG: There is
22 a home-rule message at the desk.

23 Read the last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 338, by Senator Spano, Senate Print 6005, an
11 act to amend the Arts and Cultural Affairs
12 Law.

13 ACTING PRESIDENT YOUNG: Read the
14 last section.

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

17 ACTING PRESIDENT YOUNG: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT YOUNG: Announce
21 the results.

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT YOUNG: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 553, by Senator Padavan --

2 SENATOR FUSCHILLO: Lay it aside
3 for the day, please.

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

6 THE SECRETARY: Calendar Number
7 554, by Senator Padavan, Senate Print 4575, an
8 act to amend the Administrative Code of the
9 City of New York.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

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

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 555, substituted earlier today by Member of
24 the Assembly Grannis, Assembly Print Number
25 8034, an act to amend the Administrative Code

1 of the City of New York.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 557, by Senator Padavan, Senate Print 4970A,
16 an act to amend the Administrative Code of the
17 City of New York.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 688, by Senator Young, Senate Print 6820C, an
7 act to amend the Parks, Recreation and
8 Historic Preservation Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect immediately.

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 726, by Senator Bonacic, Senate Print 6952C,
23 an act to authorize the City of Port Jervis.

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

1 Read the last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 726: Ayes, 60.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 759, substituted earlier today by Member of
15 the Assembly John, Assembly Print Number
16 5220A, an act to amend the Public Health Law.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

19 THE SECRETARY: Section 8. This
20 act shall take effect on the 120th day.

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 60.
2 ACTING PRESIDENT YOUNG: The bill
3 is passed.
4 THE SECRETARY: Calendar Number
5 772, substituted earlier today by Member of
6 the Assembly Diaz, Assembly Print Number
7 10085, an act to amend the Executive Law.
8 ACTING PRESIDENT YOUNG: Read the
9 last section.
10 THE SECRETARY: Section 2. This
11 act shall take effect immediately.
12 ACTING PRESIDENT YOUNG: Call the
13 roll.
14 (The Secretary called the roll.)
15 ACTING PRESIDENT YOUNG: Announce
16 the results.
17 THE SECRETARY: Ayes, 60.
18 ACTING PRESIDENT YOUNG: The bill
19 is passed.
20 THE SECRETARY: Calendar Number
21 843, substituted earlier today by Member of
22 the Assembly Abbate, Assembly Print Number
23 10731A, an act to amend the Retirement and
24 Social Security Law.
25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 990, by Senator Little, Senate Print 7755A, an
14 act to amend the General Municipal Law and
15 others.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

18 THE SECRETARY: Section 6. This
19 act shall take effect immediately.

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1012, by Senator Seward, Senate Print 7104, an
5 act to amend the --

6 SENATOR HASSELL-THOMPSON: Lay it
7 aside.

8 ACTING PRESIDENT YOUNG: The bill
9 is laid aside.

10 THE SECRETARY: Calendar Number
11 1030, by Senator Farley, Senate Print 7426A,
12 an act to amend the Public Health Law.

13 ACTING PRESIDENT YOUNG: Read the
14 last section.

15 THE SECRETARY: Section 3. This
16 act shall take effect on the same date and in
17 the same manner as a chapter of the Laws of
18 2006.

19 ACTING PRESIDENT YOUNG: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT YOUNG: Announce
23 the results.

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT YOUNG: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1075, by Senator Marchi --

4 SENATOR FUSCHILLO: Lay it aside
5 for the day, please.

6 ACTING PRESIDENT YOUNG: The bill
7 is laid aside for the day.

8 THE SECRETARY: Calendar Number
9 1094, by Senator Larkin, Senate Print 7600A,
10 an act to amend the Alcoholic Beverage Control
11 Law.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

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

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 59. Nays,
22 1. Senator Duane recorded in the negative.

23 ACTING PRESIDENT YOUNG: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1101, by Senator Spano, Senate Print 7816A, an
2 act to amend the Social Services Law.

3 ACTING PRESIDENT YOUNG: Read the
4 last section.

5 THE SECRETARY: Section 4. This
6 act shall take effect on the 90th day.

7 ACTING PRESIDENT YOUNG: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT YOUNG: Announce
11 the results.

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT YOUNG: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1190, by Senator Trunzo, Senate Print 3821, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 60th day.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1315, substituted earlier today by the
7 Assembly Committee on Rules, Assembly Print
8 Number 8840C, an act to amend the Workers'
9 Compensation Law.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

12 THE SECRETARY: Section 3. This
13 act shall take effect April 1, 2006.

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1356, substituted earlier today by Member of
24 the Assembly Gunther, Assembly Print Number
25 10891A, an act to amend the Public Health Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1379, by Senator Volker, Senate Print 879A, an
15 act to amend the Criminal Procedure Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect on the 180th day.

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Senator
24 Volker, to explain his vote.

25 SENATOR VOLKER: I just want

1 everybody to be aware of this bill, which
2 would designate the sergeant-at-arms of the
3 Senate and the Assembly as criminal -- as
4 peace officers. They are already peace
5 officers under other areas of the law.

6 The reason I say that is that both
7 leaders, Senator Bruno and Speaker Silver,
8 have been apprised of this. And this bill
9 will only go to the Governor if both leaders
10 agree.

11 The reason for this bill has
12 nothing to do with guns. We've got to get
13 that out of there, because it doesn't -- the
14 leaders have the decision whether anybody
15 carries a weapon or not. This has to do with
16 liability and authority.

17 We've had several major incidents
18 in both houses involving assaults and so
19 forth, and many people believe that what is
20 necessary is that this should be the peace
21 officer status, which does give additional
22 status under the Criminal Procedure Law,
23 should be given to our -- meaning our people
24 in this chamber and in the other chamber.

25 But the decision as to whether this

1 is done or not will obviously be made by both
2 the Majority Leader and the Speaker. If
3 either one disagrees, then this bill isn't
4 going to go on to the Governor. I just want
5 everybody to understand that.

6 ACTING PRESIDENT YOUNG: Thank
7 you, Senator Volker. You will be recorded in
8 the affirmative.

9 Announce the results.

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1390, by Senator Duane, Senate Print 6619A, an
15 act to amend the Civil Rights Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1403, substituted earlier today by Member of
5 the Assembly Colton, Assembly Print Number
6 6799B, an act to amend the Vehicle and Traffic
7 Law and the State Finance Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1462, by Senator Maltese, Senate Print 6835,
22 an act to amend the Retirement and Social
23 Security Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1480, by Senator Flanagan, Senate Print 7621A,
13 an act to amend the Education Law.

14 ACTING PRESIDENT YOUNG: Read the
15 last section.

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

18 ACTING PRESIDENT YOUNG: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT YOUNG: Announce
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT YOUNG: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1487, by Senator Morahan, Senate Print 6779A,
3 an act relating to school bus travel.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

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

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1497, by Senator Winner, Senate Print 6542A,
18 an act to amend the Tax Law.

19 ACTING PRESIDENT YOUNG: There is
20 a local fiscal impact note at the desk.

21 Read the last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 60. Nays,
5 1. Senator Valesky recorded in the negative.

6 ACTING PRESIDENT YOUNG: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1499, by Senator Skelos, Senate Print 7135A,
10 an act to amend the Public Officers Law and
11 the Civil Practice Law and Rules.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

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

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1527, substituted earlier today by Member of

1 the Assembly DiNapoli, Assembly Print Number
2 9967, an act to amend Chapter 602 of the Laws
3 of 1993.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

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

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1528, by Senator Larkin, Senate Print 7156A,
18 an act to authorize the City of Kingston.

19 ACTING PRESIDENT YOUNG: There is
20 a home-rule message at the desk.

21 Read the last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect immediately.

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT YOUNG: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1537, by Senator Balboni, Senate Print 7570A,
9 an act to authorize the Town of North
10 Hempstead.

11 ACTING PRESIDENT YOUNG: There is
12 a home-rule message at the desk.

13 Read the last section.

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

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1632, by Senator Skelos, Senate Print 6541, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1687, by Senator Larkin, Senate Print 6693B,
16 an act to amend the Agriculture and Markets
17 Law and others.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect immediately.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1721, by Senator Leibell, Senate Print 7713A,
7 an act to amend the Not-For-Profit Corporation
8 Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 60th day.

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1789, substituted earlier today by Member of
23 the Assembly Aubertine, Assembly Print Number
24 5790, an act to amend the Vehicle and Traffic
25 Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1790, by Senator Nozzolio, Senate Print 1270A,
15 an act to amend the Penal Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 62. Nays,
2 0.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1792, by Senator Morahan, Senate Print 3328,
7 an act to amend the Penal Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 60. Nays,
19 2. Senators Duane and Hassell-Thompson
20 recorded in the negative.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1793, by Senator Skelos, Senate Print 3506B,
25 an act to amend the Correction Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

3 THE SECRETARY: Section 31. This
4 act shall take effect immediately.

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Senator
9 Montgomery.

10 SENATOR MONTGOMERY: Yes, Madam
11 President, to explain my vote.

12 I have opposed this legislation in
13 the past, and I continue to oppose it because
14 it includes in the requirement for the new
15 level of registration all of the levels
16 including Level 1. And I would agree with it
17 except it does include Level 1.

18 So I'm going to continue to oppose
19 this legislation. I vote no.

20 ACTING PRESIDENT YOUNG: Thank
21 you, Senator Montgomery. You will be recorded
22 in the negative.

23 Announce the results.

24 THE SECRETARY: Ayes, 60. Nays,
25 2. Senators Duane and Montgomery recorded in

1 the negative.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1794, substituted earlier today by Member of
6 the Assembly Bradley, Assembly Print Number
7 130, an act to amend the Vehicle and Traffic
8 Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1796, by Senator Golden, Senate Print 5031, an
23 act to amend the Executive Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 61. Nays,
9 1. Senator Duane recorded in the negative.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1797, substituted earlier today by Member of
14 the Assembly Paulin, Assembly Print Number
15 7183A, an act authorizing and conferring
16 jurisdiction.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

19 THE SECRETARY: Section 5. This
20 act shall take effect on the same date as
21 Chapter 408 of the Laws of 2005.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1798, substituted earlier by Member of the
7 Assembly Zebrowski, Assembly Print Number
8 9147A, an act to amend the Vehicle and Traffic
9 Law.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

12 THE SECRETARY: Section 3. This
13 act shall take effect on the 180th day.

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1799, substituted earlier today by Member of
24 the Assembly Brodsky, Assembly Print Number
25 9288A, an act to amend the Vehicle and Traffic

1 Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1800, by Senator Little, Senate Print 6504A,
16 an act to amend Chapter 80 of the Laws of 2000
17 amending the Education Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Senator

1 DeFrancisco, to explain his vote.

2 SENATOR DeFRANCISCO: Yes, I'm
3 going to vote yes. And I certainly understand
4 the need for this bill.

5 But on the other hand, there are
6 many, many young people who want to be
7 veterinarians in this state. Unfortunately,
8 there's not enough veterinarian schools or the
9 schools aren't large enough, so we pass bills
10 such as this while we reject kids, young
11 people who are well-qualified to become
12 veterinarians, from going to vet school. It
13 just makes absolutely no sense.

14 In fact, it's more difficult to get
15 into veterinarian school than it is into
16 medicine school, in many instances. So if you
17 have young people from our state ready,
18 willing, able, anxious and dying to become
19 veterinarians, we should expand the ability of
20 them to become it, one, by increasing the
21 educational opportunities rather than having
22 to pass a bill like this because of the
23 drastic need to service underserved areas.

24 Thank you.

25 ACTING PRESIDENT YOUNG: Thank

1 you, Senator.

2 Senator Little, to explain her
3 vote.

4 SENATOR LITTLE: Thank you, Madam
5 President.

6 I agree with Senator DeFrancisco
7 that there is a shortage of veterinarians in
8 New York State. And I appreciate the fact
9 that we are able to extend this provision once
10 again. I thank Senator LaValle and the Higher
11 Education Committee for proceeding with this
12 bill.

13 But what this bill points out is
14 that there is a shortage and that we have
15 farms, particularly in the North Country, in
16 my district, in Franklin and Essex, Clinton
17 County, where they're unable to get
18 veterinarians to service their farms. And
19 therefore, they need to have veterinarians
20 from Canada who come across the border and
21 work on those farms.

22 So yes, we should move forward with
23 a new vet school, and I would certainly
24 support that, or expanding the fine vet
25 schools that we have. But I will vote in the

1 affirmative, and I thank everyone for their
2 support.

3 ACTING PRESIDENT YOUNG: Thank
4 you, Senator Little. You will be recorded in
5 the affirmative.

6 Senator LaValle.

7 SENATOR LaVALLE: Madam
8 President, I rise to explain my vote.

9 I think Senator Little made the
10 case to the committee that many of the upstate
11 farms needed veterinarians and that there was
12 a shortage.

13 One of the concessions and one of
14 the things that was added to the bill is that
15 noncitizens applying for citizenship have to
16 make and show to the Board of Regents that
17 they are making progress towards citizenship.

18 And I think Senator DeFrancisco
19 makes a good case. We really need to expand
20 the opportunities for all individuals in the
21 area of veterinary medicine. It is -- there
22 are very few schools in the entire country.
23 We in this state are very privileged to have
24 Cornell University School of Veterinary
25 Medicine, which produces just excellent and

1 wonderful veterinarians.

2 But we do have to meet the needs of
3 the farm community, and I think Senator Little
4 made that case. And with the amendment, I
5 think it was a good compromise. I vote in the
6 affirmative.

7 ACTING PRESIDENT YOUNG: Thank
8 you, Senator LaValle. You will be recorded in
9 the affirmative.

10 Senator Padavan.

11 SENATOR PADAVAN: Yes, Madam
12 President, to explain my vote.

13 There's no doubt that Senator
14 DeFrancisco makes a valid point. We need --
15 as others have indicated, Senator LaValle in
16 particular, the need for an expansion of that
17 capacity.

18 However, with the increased
19 prevalence of animal-borne diseases, which is
20 international, the need for veterinarians has
21 never been greater. And the simple fact is we
22 have a shortage. Which is why this bill is
23 supported by the veterinarians themselves.
24 One would think that they would not want to
25 expand the numbers competing with them in this

1 state, but they recognize that there's a
2 problem.

3 But keep in mind, this extension is
4 only for several years. So obviously we're
5 not doing this forever. Which will give us
6 time, perhaps, to deal with the underlying
7 issue of numbers.

8 I vote aye.

9 ACTING PRESIDENT YOUNG: Senator
10 Padavan, you will be recorded in the
11 affirmative.

12 I also want to remind the house
13 that we need to have some order here, that the
14 noise level should stay down.

15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1801, substituted earlier today by Member of
21 the Assembly John, Assembly Print Number
22 10384, an act to amend the Volunteer
23 Firefighters Benefit Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1803, substituted earlier today by Member of
13 the Assembly Schimminger, Assembly Print
14 Number 11009, an act to amend the General
15 Business Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1804, substituted earlier today by Member of
5 the Assembly Aubertine, Assembly Print Number
6 10600, an act to amend the Environmental
7 Conservation Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 60. Nays,
18 2. Senators LaValle and Serrano recorded in
19 the negative.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1805, by Senator Farley, Senate Print 7227A,
24 an act in relation to state aid payments.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1806, substituted earlier today by Member of
14 the Assembly Espaillat, Assembly Print Number
15 10179, an act to amend Chapter 19 of the Laws
16 of 1994.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1808, by Senator Morahan, Senate Print 7403A,
6 an act to amend the General Business Law.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 SENATOR MORAHAN: Madam
12 President, to explain my vote.

13 ACTING PRESIDENT YOUNG: Senator
14 Morahan, just one second, please.

15 Call the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Senator
18 Morahan, to explain his vote.

19 SENATOR MORAHAN: Thank you,
20 Madam President.

21 This bill is another bill designed
22 to protect the security information that we
23 have as people, as persons go out and use
24 Internet access, machines and computers, in
25 any of the hotels or Internet cafes, and some

1 others use this as a source to hack into their
2 private information.

3 This requires signs to be put up at
4 that public locations to remind users that
5 they have to use some security measure to
6 protect their information. It goes in line
7 with the bills that were passed earlier this
8 year by Senator Fuschillo and myself on the
9 security card scanner as well as our Social
10 Security number measure.

11 So this is just another step in
12 trying to protect the people from those who
13 would hack in and get personal information and
14 just make life very untenable for people.

15 Thank you.

16 ACTING PRESIDENT YOUNG: Thank
17 you, Senator Morahan. You will be recorded in
18 the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1809, by Senator Seward, Senate Print 7533, an
25 act to amend the Abandoned Property Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1811, substituted earlier today by Member of
15 the Assembly Farrell, Assembly Print Number
16 11225, an act to amend the Local Finance Law.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1813, by Senator Rath, Senate Print 7719, an
6 act to amend the Real Property Law.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 ACTING PRESIDENT YOUNG: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT YOUNG: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1814, by Senator Seward, Senate Print 7736B,
21 an act in relation to creating a state Civil
22 Air Patrol Board.

23 ACTING PRESIDENT YOUNG: Read the
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect immediately.

2 ACTING PRESIDENT YOUNG: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT YOUNG: Announce
6 the results.

7 Senator Hassell-Thompson.

8 SENATOR HASSELL-THOMPSON: Yes,
9 Madam President, thank you. Just to explain
10 my vote.

11 I am voting in favor. It is very
12 interesting that many years ago I belonged to
13 Civil Air Patrol. And it is, I think,
14 somewhat timely that there has been a
15 resurgence of the need for Civil Air Patrol
16 duties. And this board will be quite
17 instrumental in supporting those functions.

18 I just wanted to just add that
19 little quip to the record that those were the
20 days when I thought that a military career was
21 one that I wanted.

22 But I thank you for this bill. And
23 I will support it, Senator Seward.

24 ACTING PRESIDENT YOUNG: Thank
25 you, Senator Hassell-Thompson. You will be

1 recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1815, by Senator Young, Senate Print 7779B, an
8 act authorizing the Village of Westfield.

9 ACTING PRESIDENT YOUNG: There is
10 a home-rule message at the desk.

11 Read the last section.

12 THE SECRETARY: Section 7. This
13 act shall take effect immediately.

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1816, by Senator Flanagan, Senate Print 7781,
24 an act to amend the Penal Law.

25 ACTING PRESIDENT YOUNG: There is

1 a local fiscal impact note at the desk.

2 Read the last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 61. Nays,
11 1. Senator Duane recorded in the negative.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1817, substituted earlier today by Member of
16 the Assembly Paulin, Assembly Print Number
17 10591, an act to amend the Vehicle and Traffic
18 Law.

19 ACTING PRESIDENT YOUNG: Read the
20 last section.

21 THE SECRETARY: Section 7. This
22 act shall take effect on the 180th day.

23 ACTING PRESIDENT YOUNG: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT YOUNG: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1819, by Senator Marcellino, Senate Print
8 7977, an act to amend the Education Law and
9 the Administrative Code of the City of
10 New York.

11 ACTING PRESIDENT YOUNG: Read the
12 last section.

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

15 ACTING PRESIDENT YOUNG: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT YOUNG: Announce
19 the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1820, by Senator Alesi, Senate Print 7986A, an
25 act authorizing the conveyance of several

1 parcels.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

4 THE SECRETARY: Section 8. This
5 act shall take effect immediately.

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1821, by Senator Saland, Senate Print 7988, an
16 act authorizing the Town of Wappinger,
17 Dutchess County.

18 ACTING PRESIDENT YOUNG: There is
19 a home-rule message at the desk.

20 Read the last section.

21 THE SECRETARY: Section 9. This
22 act shall take effect immediately.

23 ACTING PRESIDENT YOUNG: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT YOUNG: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1822, by Senator Bonacic, Senate Print 8006A,
8 an act to amend Chapter 172 of the Laws of
9 2002 amending the Public Authorities Law.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

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

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1823, by Senator Bonacic, Senate Print 8007,
24 an act to amend Chapter 915 of the Laws of
25 1982 amending the Public Authorities Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1824, by Senator Coppola, Senate Print 8010,
15 an act to amend the Real Property Tax Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 (Appause.)

4 THE SECRETARY: Calendar Number
5 1825, by Senator Larkin, Senate Print 8033, an
6 act to remove from the Albert Wisner Memorial
7 Public Library.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 61. Nays,
18 1. Senator Montgomery recorded in the
19 negative.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1826, by Senator Maziarz, Senate Print 8054,
24 an act to amend the State Finance Law.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Senator
8 Coppola, to explain your vote.

9 SENATOR COPPOLA: Madam
10 President, I rise to explain my vote.

11 I want to first thank Senator
12 Maziarz for his long and diligent work on this
13 issue.

14 The Niagara Falls Casino is in the
15 City of Niagara Falls, in my district. And as
16 many of you probably know, it's been a long
17 and difficult process for them to receive the
18 funding that they so deserve and the benefits
19 that they were supposed to get from the casino
20 revenues in their city.

21 Currently, there's long
22 negotiations going on for an MOU that
23 hopefully would release the funding for the
24 last two years that they haven't seen. But
25 what this bill does is it sets up a mechanism

1 so that we don't have to go through this
2 process anymore.

3 I've stated before in this chamber
4 that the casinos were supposed to benefit the
5 local communities in which they're located.
6 Currently, the Niagara Falls community is not
7 getting the benefits that they were supposed
8 to receive from this revenue. They are
9 struggling each and every day in order to get
10 that money through to them.

11 So again, I want to thank Senator
12 Maziarz and others for their work on this
13 bill. And hopefully we won't be back
14 discussing this again because this will
15 finally settle it in the long term.

16 Thank you very much. I vote yes.

17 ACTING PRESIDENT YOUNG: Thank
18 you, Senator Coppola. You will be recorded in
19 the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 61. Nays,
22 1. Senator Duane recorded in the negative.

23 ACTING PRESIDENT YOUNG: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1827, substituted earlier today by Member of
2 the Assembly Magee, Assembly Print Number
3 11554, an act to amend the General Business
4 Law.

5 ACTING PRESIDENT YOUNG: Read the
6 last section.

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

9 ACTING PRESIDENT YOUNG: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT YOUNG: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1828, by Senator DeFrancisco, Senate Print
19 8068, an act to amend the Real Property Law
20 and the Real Property Actions and Proceedings
21 Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1829, by Senator Meier, Senate Print 8078, an
11 act to authorize the County of St. Lawrence.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

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

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1830, by Senator Little, Senate Print 8098, an

1 act to amend the Penal Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

7 ACTING PRESIDENT YOUNG: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT YOUNG: Announce
11 the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT YOUNG: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1831, by Senator Libous, Senate Print 8111, an
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1833, by Senator Volker, Senate Print 8135, an
7 act to amend the Criminal Procedure Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1834, by Senator Marcellino, Senate Print
22 8139, an act to amend the Environmental
23 Conservation Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 61. Nays,
9 1. Senator Serrano recorded in the negative.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1835, by Senator Spano, Senate Print 8158, an
14 act to amend the Real Property Law.

15 ACTING PRESIDENT YOUNG: Read the
16 last section.

17 THE SECRETARY: Section 7. This
18 act shall take effect on the 60th day.

19 ACTING PRESIDENT YOUNG: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT YOUNG: Announce
23 the results.

24 Senator Hassell-Thompson, to
25 explain her vote.

1 SENATOR HASSELL-THOMPSON: Thank
2 you, Madam President.

3 Today I seem to be rising often.
4 But in this case, I rise to commend -- and
5 that's in question marks -- but I rise to
6 commend Senator Spano on this bill, and I
7 appreciate his including me on this bill. And
8 I am supporting it.

9 Thank you, Madam President.

10 ACTING PRESIDENT YOUNG: Thank
11 you, Senator Hassell-Thompson. You will be
12 recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1836, by Senator Little, Senate Print 8162, an
19 act to amend the Real Property Tax Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT YOUNG: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1837, by Senator Trunzo, Senate Print 8168, an
9 act to amend the Executive Law and the State
10 Finance Law.

11 ACTING PRESIDENT YOUNG: Read the
12 last section.

13 THE SECRETARY: Section 27. This
14 act shall take effect immediately.

15 ACTING PRESIDENT YOUNG: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT YOUNG: Announce
19 the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1838, by Senator Fuschillo, Senate Print 8169,
25 an act in relation to permitting.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 61. Nays,
11 1. Senator Bonacic recorded in the negative.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1839, by Senator Fuschillo, Senate Print 8170,
16 an act to amend the General Business Law.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the same date as a
21 chapter of the Laws of 2006.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1842, by Senator Young, Senate Print 8184, an
7 act to direct the assessors in certain
8 counties.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1844, by Senator Maziarz, Senate Print 8202,
23 an act to incorporate.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1854, by Senator Marchi, Senate Print 4782 --

13 SENATOR SKELOS: Lay it aside for
14 the day, please.

15 ACTING PRESIDENT YOUNG: The bill
16 is laid aside for the day.

17 THE SECRETARY: Calendar Number
18 1868, by Senator Morahan, Senate Print 6676,
19 an act to amend the General Municipal Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

22 SENATOR SKELOS: Lay it aside
23 temporarily.

24 ACTING PRESIDENT YOUNG: The bill
25 is laid temporarily.

1 That completes the reading of the
2 noncontroversial calendar.

3 SENATOR SKELOS: Madam President.

4 ACTING PRESIDENT YOUNG: Senator
5 Skelos.

6 SENATOR SKELOS: I believe there
7 are substitutions at the desk. If we could
8 make them at this time.

9 ACTING PRESIDENT YOUNG: The
10 Secretary will read.

11 THE SECRETARY: In relation to
12 Supplemental Calendar Number 59A, on page
13 number 1, Senator Fuschillo moves to
14 discharge, from the Committee on Rules,
15 Assembly Bill Number 699B and substitute it
16 for the identical Senate Bill Number 784B,
17 Third Reading Calendar 1891.

18 On page number 1, Senator Alesi
19 moves to discharge, from the Committee on
20 Codes, Assembly Bill Number 7060A and
21 substitute it for the identical Senate Bill
22 Number 3978A, Third Reading Calendar 1896.

23 On page number 2, Senator Leibell
24 moves to discharge, from the Committee on
25 Rules, Assembly Bill Number 7678A and

1 substitute it for the identical Senate Bill
2 Number 5041A, Third Reading Calendar 1898.

3 On page 2, Senator Spano moves to
4 discharge, from the Committee on Rules,
5 Assembly Bill Number 8846C and substitute it
6 for the identical Senate Bill Number 5656E,
7 Third Reading Calendar 1900.

8 On page 2, Senator Rath moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill Number 9001A and substitute it
11 for the identical Senate Bill Number 5908B,
12 Third Reading Calendar 1902.

13 On page 2, Senator Montgomery moves
14 to discharge, from the Committee on Rules,
15 Assembly Bill Number 6179A and substitute it
16 for the identical Senate Bill Number 5934A,
17 Third Reading Calendar 1903.

18 On page 2, Senator Alesi moves to
19 discharge, from the Committee on Finance,
20 Assembly Bill Number 10269 and substitute it
21 for the identical Senate Bill Number 6919,
22 Third Reading Calendar 1905.

23 On page 2, Senator Padavan moves to
24 discharge, from the Committee on Local
25 Government, Assembly Bill Number 10568 and

1 substitute it for the identical Senate Bill
2 Number 7190, Third Reading Calendar 1906.

3 On page 3, Senator Saland moves to
4 discharge, from the Committee on Rules,
5 Assembly Bill Number 11083 and substitute it
6 for the identical Senate Bill Number 7501,
7 Third Reading Calendar 1912.

8 On page 3, Senator Young moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill Number 10854A and substitute it
11 for the identical Senate Bill Number 7559A,
12 Third Reading Calendar 1913.

13 On page 4, Senator Volker moves to
14 discharge, from the Committee on Rules,
15 Assembly Bill Number 11513 and substitute it
16 for the identical Senate Bill Number 7983,
17 Third Reading Calendar 1924.

18 And on page number 5, Senator
19 Flanagan moves to discharge, from the
20 Committee on Commerce, Economic Development
21 and Small Business, Assembly Bill Number 9598
22 and substitute it for the identical Senate
23 Bill Number 8196, Third Reading Calendar 1936.

24 ACTING PRESIDENT YOUNG:
25 Substitutions ordered.

1 Senator Bruno.

2 SENATOR BRUNO: Madam President,
3 I believe I have a resolution at the desk. I
4 would ask that it be read in its entirety and
5 move for its immediate adoption.

6 ACTING PRESIDENT YOUNG: Thank
7 you.

8 Motions and resolutions.

9 The Secretary will read.

10 THE SECRETARY: By Senator Bruno,
11 Legislative Resolution Number 6120, mourning
12 the death of Barbara Furrer Goodman,
13 distinguished citizen and devoted member of
14 her community.

15 "WHEREAS, It is with great sorrow
16 and deep regret that this Legislative Body
17 records the passing of Barbara Furrer Goodman,
18 noting the significance of her purposeful life
19 and accomplishments; and

20 "WHEREAS, Barbara Furrer Goodman
21 died on June 2, 2006, at the age of 74; and

22 "WHEREAS, Barbara Furrer Goodman
23 was born in Milwaukee, Wisconsin, on July 21,
24 1931. She graduated from the Putney School in
25 Vermont in 1949, and received a Bachelor of

1 Arts degree from Radcliffe College in 1953 and
2 a Master of Arts degree from Teachers
3 College-Columbia University in 1954 in early
4 childhood education; and

5 "WHEREAS, Her training experience
6 included teaching at Agnes Russell Center, a
7 West Side elementary school, and Madison
8 Avenue Presbyterian School. She subsequently
9 taught full-time at the Home School,
10 affiliated with the Child Education
11 Foundation; and

12 "WHEREAS, Barbara Furrer Goodman
13 distinguished herself in her profession and by
14 her sincere dedication and substantial
15 contribution to the welfare of her community;
16 and

17 "WHEREAS, Barbara Goodman's
18 commitment to excellence, and her spirit of
19 humanity, carried over into all fields of
20 enterprise, including charitable and civic
21 endeavors; and

22 "WHEREAS, Barbara Goodman became a
23 member of the Junior League in 1955. She
24 worked as a volunteer in hospitals and
25 settlement houses and on other League

1 committees. In 1961, she was elected to the
2 Junior League Board, became treasurer in 1964,
3 and president from 1968-1970; and

4 "WHEREAS, An active alumna of
5 Radcliffe College, Barbara Goodman served as
6 class secretary from 1962 to 1967, and was a
7 member of the Radcliffe Club Board from 1965
8 to 1967. She was also on the Radcliffe
9 Century Fund Committee in conjunction with her
10 work for the Radcliffe Choral Society; and

11 "WHEREAS, She served on the board
12 of the Lenox Hill Neighborhood Association,
13 Grosvenor Neighborhood House and the Committee
14 for Young Audiences. She was on the Patrons
15 Committee of the Metropolitan Opera
16 Association and also served on the Major Gifts
17 Committee of Stanford University as a parent
18 representative; and

19 "WHEREAS, in 1973, Mrs. Goodman was
20 elected a trustee of Teachers College-Columbia
21 University, where she served on the Education
22 Committee and was chairman of the Development
23 and Nominating Committees. In 1980, she was
24 elected chairman of the trustees and served in
25 that position until 1991. She was also an

1 active member of the Teachers College Board;
2 and

3 "WHEREAS, Barbara Goodman was the
4 loving wife of former State Senator Roy M.
5 Goodman, who is currently the president and
6 CEO of the United Nations Development
7 Corporation; and

8 "WHEREAS, In addition to her
9 husband, Barbara Goodman is survived by three
10 children and five grandchildren; and

11 "WHEREAS, Armed with a humanistic
12 spirit, imbued with a sense of compassion, and
13 comforted by a loving family, Barbara Goodman
14 leaves behind a legacy which will long endure
15 the passage of time and will remain as a
16 comforting memory to all she served and
17 befriended; now, therefore, be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to honor the
20 memory of Barbara Furrer Goodman, salute her
21 accomplishments in bettering her community,
22 state and nation, and to express its deepest
23 condolences to her family; and be it further

24 "RESOLVED, That a copy of this
25 resolution, suitably engrossed, be transmitted

1 to the family of Barbara Furrer Goodman."

2 ACTING PRESIDENT YOUNG: Senator
3 Bruno, on the resolution.

4 SENATOR BRUNO: Thank you, Madam
5 President and colleagues. You just heard the
6 resolution describing in just a few words the
7 life of a great, great lady, Mrs. Roy Goodman,
8 Barbara.

9 Roy served here in the chamber with
10 us, as you all know, some 33, 34 years.
11 Barbara, you heard some description of her
12 dedication to young people, primarily. She
13 was dedicated to being helpful, being of
14 service to children especially because she
15 knew in their formative years that they needed
16 support. She was a community activist for her
17 adult life.

18 Roy Goodman was blessed in their
19 relationship. And Barbara, you talk about a
20 courageous lady, was on dialysis, as you may
21 know, for years and years. And in between
22 sessions, she never lost her upbeat, positive
23 attitude just relating to people. She was
24 truly a beautiful lady with a beautiful
25 spirit.

1 Senator Goodman has been fortunate
2 to have such a partner, such a wife, his
3 children such a mother. And everyone in
4 communities here in New York State who are
5 beneficiaries of her dedication, her
6 commitment, and her service to all of humanity
7 express our condolences to Roy and to his
8 family. And we know that Barbara is at peace
9 and getting her reward in heaven.

10 Thank you, Madam President.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator Bruno.

13 Senator Farley, on the resolution.

14 SENATOR FARLEY: Thank you, Madam
15 President.

16 I rise to pay tribute to Barbara
17 Goodman. Roy Goodman, who served with us for
18 so many, many years -- over 30 -- was truly
19 blessed to have such a wife. A courageous
20 woman.

21 I'm only going to speak to one
22 thing. This was a lady that was on dialysis
23 for 10, 15 years, three times a week, yet it
24 never slowed her up. She was always there, a
25 great mother and a great wife and somebody

1 that really made a difference.

2 Barbara Goodman was a remarkable
3 woman. She never let her handicap of having
4 kidney problems slow her up. And I understand
5 the last few years she had the dialysis three
6 time at week at home. And that's a very hard
7 thing to live with. But she did it with
8 grace. And she was certainly a remarkable
9 woman and a remarkable wife.

10 I think everybody that serves in
11 this chamber knows how tough it is on your
12 spouse, no matter who -- of either sex. And
13 they're really special, because they have to
14 be patient, they're usually in second place
15 sometimes. And it takes a remarkable person
16 to be married to a senator, and Barbara
17 Goodman certainly was that person.

18 ACTING PRESIDENT YOUNG: Thank
19 you, Senator Farley.

20 Senator Paterson.

21 SENATOR PATERSON: Thank you,
22 Madam President. And I'd like to thank the
23 Majority Leader and everybody here for taking
24 a moment out to honor Barbara Goodman.

25 She, in addition to her

1 relationship with Senator Goodman, was very
2 involved in a lot of his work, particularly in
3 philanthropy and the arts and had a great
4 appreciation. They were contributors together
5 to a lot of causes, enlightening all of us on
6 the great artistry and innovation, and in an
7 area that we feel is not featured enough in
8 our educational system, in our school system.
9 And they were both, and Senator Roy Goodman
10 continues to be, an advocate for the arts.

11 In addition, Barbara was involved
12 with support for the New York Public Library
13 and talked about these issues not only
14 personally with people when you'd see her, but
15 assisted in the opening of many libraries.
16 And just a person who, in spite of her own
17 personal challenges and a ten-year illness
18 toward the end of her life, continued her
19 service as a really outstanding citizen of
20 New York State.

21 And we certainly mourn her passing
22 and extend our best wishes to the Goodman
23 family and to our former colleague, who I kind
24 of miss around here. My vocabulary definitely
25 was improved just sitting around listening to

1 Senator Goodman.

2 And it was unfortunate for him that
3 he's had this loss at this time in his life.
4 But as colleagues of his and as friends of
5 his, we all want to send the entire Goodman
6 family our best wishes.

7 ACTING PRESIDENT YOUNG: Thank
8 you, Senator Paterson.

9 Senator Golden, on the resolution.

10 SENATOR GOLDEN: Thank you, Madam
11 President.

12 It's been so eloquently stated here
13 by our leader and by others how great Barbara
14 and the great Senator Goodman were, not only
15 to each other as a couple but to what they
16 were able to do for our city and our state.

17 They entertained kings and queens
18 and presidents from other nations. They
19 entertained the presidents of this nation four
20 or five times, bringing them into the city of
21 New York and working with them and working
22 towards enhancing the arts world in the city
23 and state of New York.

24 They worked with Carnegie Hall and
25 Lincoln Center, the conservancy. They worked

1 with the Central Park and others to enhance
2 their capabilities and to be able to bring
3 arts to other people and all the people that
4 would visit us from around the world.

5 He worked with the City Council and
6 the State Assembly here and the State Senate
7 here and was able to bring many dollars into
8 the communities of the city of New York. He
9 worked for education and public safety, and he
10 made the quality of life for those living in
11 the city and the state of New York that much
12 better.

13 The passing of Barbara and his own
14 sickness has really took a turn for the worse
15 for him. Our prayers go out to him and his
16 family and to Barbara that she is upstairs
17 looking down on him right now and praying for
18 his own safety.

19 Mr. Goodman was a great senator and
20 a great family man and a great man, and
21 Barbara will be truly missed by him and by
22 many here in the city and state of New York.

23 ACTING PRESIDENT YOUNG: Thank
24 you, Senator Golden.

25 Senator Krueger.

1 SENATOR LIZ KRUEGER: Thank you,
2 Madam President. On the resolution.

3 I'm very honored to represent the
4 district that Senator Goodman represented so
5 well for 33 years. And I had the opportunity
6 to visit with him and his wife quite a few
7 times both before I even entered the field of
8 politics and since I became the senator
9 serving the district. And Senator Goodman and
10 I have had many opportunities to talk about
11 issues for our district in the last few years.

12 And people have spoken very
13 eloquently about his wife. And I would also
14 just like to, for the record, say what a
15 valuable contribution the Goodman family made
16 to the city of New York, to the people of
17 New York all these years, and that
18 Mrs. Goodman, while she was less in the
19 limelight than her husband, was always there
20 advocating for important issues, was well
21 known and well loved in our district.

22 And I also want to wish my very
23 best to his family on this loss. I know that
24 it is an enormous one for him and their
25 children and grandchildren, and am very

1 pleased that the Senate would take a few
2 moments from our deliberations today to show
3 our respect for Senator Goodman and his family
4 on the loss of his wife, Barbara.

5 Thank you, Madam President.

6 ACTING PRESIDENT YOUNG: Thank
7 you, Senator Krueger.

8 Senator Maltese.

9 SENATOR MALTESE: Yes, Madam
10 President, I rise to join in this resolution
11 of sorrow and loss and repeat what my
12 predecessors who have spoken today have said.

13 And knowing Barbara as Roy's wife,
14 it's hard to think of Roy without Barbara by
15 his side. In all the contact we have had in
16 the past years, in these many years, with our
17 own wives present and with Barbara there, it's
18 hard to think of Roy without her.

19 And we -- I know that as we spent
20 time together with Barbara, whether it was
21 official functions or at times of joy and at
22 times of official functions and nonofficial
23 functions, she always remained completely
24 joyful. And in recent years, thinking of the
25 burden that she had to bear in sorrow and

1 illness, she still always had a smile, always
2 happy, always pleased. It's hard to believe
3 that we will now, in the future, have to
4 contemplate Roy without Barbara.

5 She had many wonderful qualities,
6 and among them was her endearing charm, her
7 ability to look at the bright side of things,
8 her ability to put up with all of us as
9 colleagues of Senator Goodman.

10 And I join my Senate colleagues in
11 not only extolling her virtues but bemoaning
12 our loss.

13 ACTING PRESIDENT YOUNG: Thank
14 you, Senator Maltese.

15 Senator Johnson, on the resolution.

16 SENATOR JOHNSON: Yes, Madam
17 President. I'd like to express my condolences
18 to Roy and the family.

19 We knew Roy very well, of course,
20 serving about 30 years with him. He was a
21 delight at every luncheon. And every time we
22 happened to go out for a drink or a meal, Roy
23 had a list of jokes and he kept everybody
24 rolling in the aisles. He was really an
25 exciting and interesting person.

1 And as David Paterson said, he
2 taught him a few new words in the English
3 language, which was a function he did for all
4 of us.

5 I think I look forward every year
6 to receiving the Christmas card from the
7 family and seeing the beautiful children. And
8 raising up over the years his children, his
9 grandchildren, I always felt a part of that
10 family.

11 Last year, Roy and Barbara
12 celebrated their 50th wedding anniversary.
13 And I introduced the resolution here and you
14 all voted for it, and I had the opportunity
15 earlier this year to present that to Roy and
16 Barbara in the city. Together with a
17 gathering of 50 or 60 of their friends, we
18 made the presentation of the 50th anniversary
19 resolution of their wedding.

20 And it was really nice to see
21 Barbara. She was still moving around pretty
22 well then. Roy -- they all had little
23 problems, but they were together and they were
24 happy with their friends and we celebrated
25 that anniversary with them. And it made me

1 feel good and I'm sure it made all of you feel
2 good to know that you were one of the sponsors
3 of that resolution of their 50th anniversary.

4 So we celebrate their life and we
5 mourn Barbara's death, and we wish Roy and the
6 family all the best.

7 Thank you.

8 ACTING PRESIDENT YOUNG: Thank
9 you, Senator Johnson.

10 Our deepest sympathies with are
11 with our former colleague, Senator Roy
12 Goodman, and the entire Goodman family.

13 All in favor of the resolution
14 signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT YOUNG: Opposed,
17 nay.

18 (No response.)

19 ACTING PRESIDENT YOUNG: The
20 resolution is adopted.

21 Senator Bruno.

22 SENATOR BRUNO: Madam President,
23 can we open up this resolution to the floor.
24 And anyone that would prefer not to have their
25 name added, just step up privately and let the

1 desk know.

2 Thank you, Madam President.

3 ACTING PRESIDENT YOUNG: Yes,
4 Senator Bruno. Any Senator not wishing to be
5 on the resolution please notify the desk.

6 Senator Bruno.

7 SENATOR BRUNO: Madam President,
8 I believe Resolution Number 6150 was passed in
9 this house earlier today. I would ask that
10 you at this time recognize the sponsor,
11 Senator Connor.

12 ACTING PRESIDENT YOUNG: Senator
13 Connor.

14 SENATOR CONNOR: Thank you, Madam
15 President. Thank you, Senator Bruno.

16 This resolution commemoratives the
17 untimely passing of a former senator and a
18 predecessor of mine, Paul Bookson. Paul
19 served in the State Senate from 1965 to 1974.

20 And last September he was in court
21 practicing law -- he's a retired judge -- and
22 actually was in the courtroom where my wife
23 works, and left for lunch and, crossing the
24 street outside of the courthouse, was hit by
25 an automobile and killed.

1 Paul Bookson, after he served in
2 the State Senate -- and my other predecessor,
3 Carol Bellamy, actually defeated him in a
4 primary in a redistricting before the 1974
5 election year combined the two districts.
6 That's how I come to represent the Lower East
7 Side as well as part of Brooklyn.

8 And he then, a year later, ran for
9 the Civil Court in the City of New York, was
10 elected, served for quite a few years, I guess
11 from -- that would be 1975 until his
12 retirement, served for many years as an acting
13 Supreme Court justice.

14 After his retirement at age 70, he
15 then served as a judicial hearing officer and
16 was also with the firm of Herzfeld & Rubin,
17 practicing law.

18 One of the things that Paul did
19 when he was on the bench and after was he was
20 president of the historic Eldridge Street
21 Synagogue on the Lower East Side, the
22 synagogue that was built -- one of the first,
23 I guess, Rumanian synagogues in America,
24 Eastern European synagogues, and is being
25 restored. A very beautiful building, it's a

1 national historic site. And it still is a
2 synagogue. And it's under restoration back to
3 its 19th century grandeur. And it was quite a
4 beautiful building, built to be a synagogue.

5 Paul was president of that
6 congregation, worked very hard, was
7 instrumental in getting the Friends of the
8 Eldridge Street Synagogue formed some years
9 ago, who have gone on and raised literally
10 millions of dollars toward the restoration.

11 So I would ask all my colleagues to
12 join in sponsoring this resolution mourning
13 the passing of Paul Bookson and transmitting
14 the resolution to his wife and three
15 daughters.

16 So thank you, Madam President.

17 ACTING PRESIDENT YOUNG: Thank
18 you, Senator Connor.

19 Our condolences to Senator
20 Bookson's family. This resolution was
21 previously adopted today.

22 SENATOR CONNOR: Madam President.

23 ACTING PRESIDENT YOUNG: Senator
24 Connor.

25 SENATOR CONNOR: Yes, if we could

1 open it up for sponsorship by all the members
2 of the Senate, I think Senator Bookson's
3 family would appreciate that.

4 Thank you.

5 ACTING PRESIDENT YOUNG: Senator
6 Bruno, may we open this up to the entire
7 membership?

8 SENATOR BRUNO: Madam President,
9 please open up the resolution as the sponsor
10 requests.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator Bruno.

13 Any member not wishing to be on the
14 resolution please notify the desk.

15 Senator Bruno.

16 SENATOR BRUNO: Madam President,
17 can we at this time take up the controversial
18 reading of the calendar.

19 ACTING PRESIDENT YOUNG: The
20 Secretary will ring the bell.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1012, by Senator Seward, Senate Print 7104, an
24 act to amend the Insurance Law.

25 SENATOR LIZ KRUEGER:

1 Explanation.

2 ACTING PRESIDENT YOUNG: Senator
3 Seward, an explanation has been requested.

4 SENATOR SEWARD: Certainly, Madam
5 President.

6 This legislation would permit all
7 health insurers in New York State to offer
8 high-deductible health plans which are coupled
9 with health savings accounts.

10 Now, currently state law
11 specifically prohibits high-deductible plans
12 and HSAs from being offered by HMOs or in the
13 individual market. It's only commercial plans
14 and non-HMO carriers are currently able to
15 offer these types of policies.

16 Now, these high-deductible plans
17 coupled with HSAs generally cost an average,
18 it's estimated, of close to 40 percent less
19 than traditional policies. And obviously by
20 offering this option is an opportunity to help
21 us reduce the nearly 3 million New Yorkers who
22 do not currently have health insurance.

23 Now, it's important to point out
24 that these policies will not be attractive to
25 everyone. It is important, however, to

1 provide, I think, one more option for
2 employers and employees to choose who
3 currently just simply cannot afford health
4 insurance policies.

5 So this bill, in a nutshell, would
6 just offer one more consumer choice by giving
7 employers and their workers more flexibility
8 when it comes to choosing the appropriate
9 health insurance coverage for themselves and
10 their loved ones.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator Seward, for that explanation.

13 Senator Krueger.

14 SENATOR LIZ KRUEGER: Thank you,
15 Madam President. If the sponsor would please
16 yield.

17 ACTING PRESIDENT YOUNG: Senator
18 Seward, do you yield?

19 SENATOR SEWARD: Certainly, Madam
20 President.

21 ACTING PRESIDENT YOUNG: The
22 Senator yields.

23 SENATOR LIZ KRUEGER: Thank you.

24 Is this a variation on the bill you
25 have passed before in this house that was

1 called the "Freedom Health Plan" bill? How is
2 this different?

3 SENATOR SEWARD: Well, Madam
4 President, this bill takes just one provision
5 out of the so-called Freedom Plan which this
6 house has passed in other years. This bill
7 simply includes the high-deductible coupled
8 with the HSA provisions only.

9 The Freedom Health Plan included
10 the flexibility of not including all of the
11 current health insurance mandates. That was
12 in the old bill. And of course we also
13 included the tax credits for small businesses
14 were in the Freedom Plan. Now, we've passed
15 the tax credits as part of our state budget.

16 But to answer your question
17 directly, this includes only the provision
18 dealing with high-deductible policies coupled
19 with HSAs. It's limited to that in this
20 particular legislation.

21 SENATOR LIZ KRUEGER: Thank you.
22 Madam President, if through the sponsor would
23 continue to yield.

24 ACTING PRESIDENT YOUNG: Senator,
25 do you yield?

1 SENATOR SEWARD: Certainly.

2 ACTING PRESIDENT YOUNG: The
3 Senator yields.

4 SENATOR LIZ KRUEGER: Through
5 you, Madam President.

6 There was a recent United Hospital
7 Fund study that showed that two-thirds of the
8 state's nearly 3 million uninsured New Yorkers
9 that Senator Seward referenced actually live
10 in households earning less than 200 percent of
11 the federal poverty level. These are
12 low-income people.

13 You mentioned that you thought that
14 this type of insurance package would allow
15 uninsured New Yorkers to now become insured.
16 How would people who are very low income be
17 able to afford high-deductible insurance
18 policies?

19 SENATOR SEWARD: Well, Madam
20 President, it seems to me to aggressively
21 attack this problem of these 3 million
22 New Yorkers -- as the Senator points out, many
23 of whom are working, they do not qualify for
24 the Medicaid program -- I think it's important
25 certainly for us to continue our effort on a

1 number of fronts, including encouraging those
2 that are eligible to sign up for some of the
3 fine programs we have in New York State, the
4 Family Health Plus, Child Health Plus, and
5 Healthy New York.

6 And this body has gone on record,
7 in terms of the Healthy New York in
8 particular, with the thought of expanding the
9 opportunities for people to sign up for
10 Healthy New York. That's certainly also part
11 of the answer.

12 This particular legislation would
13 be helpful by providing just one more option,
14 one more option.

15 And the fact is because of the
16 savings that come from the high-deductible
17 policies, that savings, a portion of those
18 savings can be placed in this health savings
19 account to cover any medical expenses,
20 spending up to the high-deductible level, or
21 any office visits or medical costs that are
22 not covered by their health insurance plan
23 could be covered through this health savings
24 account.

25 So the pool of money that goes into

1 the health savings account would come from the
2 savings that are derived from these types of
3 policies. Savings from both the employee can
4 contribute and also the employer would receive
5 some savings. And that would provide the
6 resources to place into the HSAs. If that's
7 where your question is directed, where would
8 these resources come from to place into the
9 HSA, it would come from the savings that these
10 types of policies provide.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator Seward.

13 Senator Krueger.

14 SENATOR LIZ KRUEGER: Thank you,
15 Madam President. If the sponsor would
16 continue to yield, please.

17 ACTING PRESIDENT YOUNG: Does the
18 sponsor yield?

19 SENATOR SEWARD: Certainly.

20 ACTING PRESIDENT YOUNG: The
21 Senator yields.

22 SENATOR LIZ KRUEGER: Thank you.

23 I'm not sure you did answer the
24 last question, but I'll move on.

25 My point, though, for the record,

1 was if you are one of the 3 million
2 New Yorkers who does not have health insurance
3 and disproportionately is too low-income to
4 afford even current health insurance plans for
5 yourself, it's not clear to me how you're
6 going to put away, say, the \$2,000 for a
7 family in high deductibles. I believe that's
8 an estimate from the materials on your bill.

9 But to follow through on that, your
10 bill memo also says that these insurance
11 policies would be an estimated 40 percent less
12 in cost than current insurance policies.
13 Where is -- is that a mandate that a health
14 insurance company offering this policy would
15 have to come in at least 40 percent lower than
16 some statewide average? Where does that
17 number come from, or how is it mandated?

18 SENATOR SEWARD: Well, Madam
19 President, obviously it's an estimated number
20 that comes from the experience that we've had
21 in -- these types of policies are being
22 offered to a segment of the market currently.
23 In the commercial plans and in the non-HMO
24 carriers currently offer these policies, and
25 these types of savings have been the

1 experience from those policies that are
2 currently being offered in New York State.

3 What this bill does simply is to
4 allow HMOs and these policies to be available
5 in the individual market. That's all we're
6 doing under this bill is to provide this
7 option to the entire health insurance market
8 in New York rather than just one or segmented
9 pieces of the market.

10 ACTING PRESIDENT YOUNG: Thank
11 you, Senator Seward.

12 Senator Krueger.

13 SENATOR LIZ KRUEGER: Thank you.
14 If the sponsor would continue to yield,
15 please, Madam President.

16 ACTING PRESIDENT YOUNG: Senator
17 Seward will you yield?

18 SENATOR SEWARD: Certainly.

19 ACTING PRESIDENT YOUNG: The
20 Senator yields.

21 SENATOR LIZ KRUEGER: Thank you.

22 My understanding of your bill, at
23 least from previous discussions about the
24 variation on the bill that was, again,
25 slightly different, as I appreciate your

1 explaining, was that these health insurance
2 providers would be able to be exempt from
3 current mandates on types of care that are
4 covered.

5 So I'll ask you, if I was -- and
6 again, you're the Insurance chair, not a
7 physician, I understand. But if I were a
8 family with a child with diabetes, would you
9 recommend I go into a plan that might not
10 cover diabetes because they wouldn't have to
11 under this law?

12 SENATOR SEWARD: Well, Madam
13 President, this bill doesn't get into changing
14 any of the coverages that are required under
15 New York State law. We don't get into that.
16 You're talking about the previous legislation.

17 This bill simply allows for the
18 higher-deductible policies. That's all it
19 changes. Which under federal law is -- the
20 higher-deductible policies are coupled with
21 the HSAs. So that's what the federal law
22 says.

23 And that simply -- that's all we're
24 doing here. It's that simple. We're not
25 adjusting or changing any of the mandates or

1 the coverages that are currently available to
2 people.

3 SENATOR LIZ KRUEGER: Madam
4 President, if through you the sponsor would
5 continue to yield.

6 ACTING PRESIDENT YOUNG: Does the
7 sponsor yield?

8 SENATOR SEWARD: Certainly.

9 ACTING PRESIDENT YOUNG: The
10 Senator yields.

11 SENATOR LIZ KRUEGER: So just to
12 clarify what I think I just heard you say,
13 unlike your previous bill, in this bill we
14 would not be removing any mandated required
15 coverage in New York State insurance law.

16 So this would allow insurance
17 companies to have high-deductible health
18 savings account models but would not allow
19 them to cease to cover mandated coverage
20 existing in New York State insurance law?

21 SENATOR SEWARD: Madam President,
22 the Senator is correct. We're merely
23 adjusting that deductible level and
24 introducing HSAs to the entire health
25 insurance market.

1 SENATOR LIZ KRUEGER: Madam
2 President, on the bill.

3 ACTING PRESIDENT YOUNG: Senator
4 Krueger, on the bill.

5 SENATOR LIZ KRUEGER: Thank you.

6 I appreciate the Senator going
7 through the details of his bill. We have
8 dealt with a variation on this bill several
9 times, and Senator Seward knows that I have
10 disagreed strongly with the Freedom Health
11 insurance bill that he's proposed.

12 As I understand it, in this bill it
13 goes part of the way of his previous bill but
14 not all the way. Although I still have to say
15 that I will end up voting against this bill,
16 because I still think it's a flawed model.

17 And as you read literature coming
18 out of national studies, just going on the
19 Internet today I found any number of brand-new
20 studies of high-deductible insurance policies
21 and health savings accounts. And what has
22 been found is that while it is a reasonable
23 model perhaps for people who are healthy and
24 wealthy, it actually ends up not being a very
25 good model for people who may have illness in

1 their households or who are low-income.

2 And again, when we're talking about
3 trying to address uninsured people, I think we
4 really are talking about disproportionately
5 lower-income New Yorkers and New Yorkers who
6 have sick family members or chronically ill
7 family members.

8 And so even there, under the
9 Senator's analysis, since it would just put
10 another option out there on the table, maybe
11 an option that only healthy and wealthy people
12 might choose to have -- and you could ask the
13 question, well, then, why not? If it's an
14 insurance model and perhaps only healthy and
15 wealthy people will choose it, why not allow
16 that in the market?

17 And I'd say that my concerns tie
18 into the fact that, one, if it's an
19 employer-based model, the employer might
20 choose it for their employees as the only
21 option available, an option that many of their
22 employees would not be able to afford. And in
23 fact we could see as an outcome of this even
24 more New Yorkers not being eligible for health
25 insurance because the only plan they might

1 have available to them is the plan their
2 employer offers, and the only plan their
3 employer might offer is a high-deductible
4 health savings account model. Which, again,
5 might work for you if you're healthy and
6 wealthy, but not for everyone else.

7 So I worry that we actually might
8 find ourselves, as has been found in other
9 states around the nation that have gone down
10 this road, with actually more uninsured people
11 rather than less uninsured people.

12 I also think that there's a
13 fundamental issue of when you start to offer
14 one set of options out there that insurance
15 companies see as perhaps being a higher win
16 for them, that everyone will start to default
17 to that model. That if they can default to a
18 model where they make higher premium rates for
19 themselves and have to pay out less because in
20 a health savings account/higher-deductible
21 scenario, you the insuree end up paying so
22 much of it yourself, that insurance companies
23 in New York State may start to go down the
24 road of doing away with other insurance policy
25 offerings that they have that have been

1 effective and affordable for New Yorkers.

2 When I believe that the projected numbers,
3 based on national studies, are that this type
4 of program would not be affordable to the vast
5 majority of New Yorkers.

6 And just, again, because part of
7 this model allows you to have a tax deduction
8 for putting your money into a health savings
9 account, if you're in the 35 percent tax
10 range, you'd save 35 cents per dollar on your
11 taxes. If you're a working poor person
12 without health insurance who tried to go down
13 this road but was in the 10 percent tax range,
14 you'd only save 10 percent.

15 Or if you were one of the many poor
16 New Yorkers -- in fact, even poor New Yorkers
17 who are working -- who don't owe anything in
18 income taxes because their income is so low in
19 relationship to their expenses, they would
20 have no win, although they would find
21 themselves in a situation where they might put
22 off going to doctors because they couldn't
23 afford the deductibles, they weren't able to
24 invest in the health savings account to pay
25 for illnesses, and they would end up sicker

1 than under current scenarios because they
2 would have put off going to doctors at all
3 because they might end up in this kind of plan
4 versus the other plans that are currently
5 available in New York State.

6 I know that Senator Seward and I do
7 agree that we have a desperate need to make
8 sure that New Yorkers have access to health
9 insurance. And I know that he and I also
10 agree that we would like to have it be the
11 lowest cost possible for the greatest number
12 of people. And I do appreciate that he made
13 some changes to this bill.

14 But again, I think that the
15 research is pretty solid out there that going
16 down the road of high-deductible plans with
17 health savings accounts attached is not the
18 right answer for the people of New York or the
19 State of New York. And while I encourage him
20 to continue to explore new models to expand
21 eligibility for health insurance, and to try
22 to keep the costs reasonable, I think this is
23 the wrong way to go.

24 And I hope my colleagues who have
25 been concerned about the Freedom Plans in the

1 past will see this bill as a variation on the
2 same bill and also share with me their
3 concerns that this isn't the right answer for
4 New York State.

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

7 ACTING PRESIDENT YOUNG: Thank
8 you, Senator Krueger.

9 Any other Senator wishing to be
10 heard?

11 Then the debate is closed.

12 The Secretary will ring the bell.

13 Read the last section.

14 THE SECRETARY: Section 6. This
15 act shall take effect January 1, 2007.

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Those recorded in
22 the negative on Calendar Number 1012 are
23 Senators Andrews, Connor, Coppola, Diaz,
24 Dilan, Duane, Gonzalez, Hassell-Thompson,
25 L. Krueger, Montgomery, Onorato, Oppenheimer,

1 Paterson, Sabini, Sampson, Savino,
2 Schneiderman, Serrano, A. Smith, M. Smith and
3 Stavisky.

4 Absent from voting: Senator C.
5 Kruger.

6 Ayes, 40. Nays, 21.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 That concludes the controversial
10 reading of the calendar.

11 Senator Morahan.

12 SENATOR MORAHAN: Thank you,
13 Madam President. Could we now have the
14 noncontroversial reading of Supplemental
15 Calendar 59A.

16 ACTING PRESIDENT YOUNG: We will
17 now have the noncontroversial reading of
18 Supplemental Calendar Number 59A.

19 SENATOR MORAHAN: I'll make an
20 announcement at this time, just so the members
21 know that at 5:30 we're going to recess for
22 about an hour and then come back. If we
23 haven't finished this supplemental calendar,
24 we'll come back at that time.

25 ACTING PRESIDENT YOUNG: Thank

1 you, Senator.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1890, by Senator Padavan, Senate Print 545, an
5 act to amend the Penal Law.

6 ACTING PRESIDENT YOUNG: Could we
7 have some order in the chamber, please.

8 Read the last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Those recorded in
18 the negative on Calendar Number 1890 are
19 Senators Diaz, Duane, Gonzalez, and Serrano.

20 Ayes, 58. Nays, 4.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1891, substituted earlier by Member of the
25 Assembly Pheffer, Assembly Print Number 699B,

1 an act to amend the Insurance Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect on the first of January
6 next succeeding.

7 ACTING PRESIDENT YOUNG: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT YOUNG: Announce
11 the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT YOUNG: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1892, by Senator Padavan, Senate Print 2181A,
17 an act to amend the General Business Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1893, by Senator Meier, Senate Print 2319, an
7 act to amend the Tax Law.

8 ACTING PRESIDENT YOUNG: There is
9 a local fiscal impact note at the desk.

10 Read the last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the first day of a
13 sales tax quarterly period.

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1894, by Senator Padavan, Senate Print 3484A,
24 an act to amend the Administrative Code of the
25 City of New York.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

3 THE SECRETARY: Section 17. This
4 act shall take effect immediately.

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1895, by Senator Volker, Senate Print 3912A,
15 an act to amend the Civil Practice Law and
16 Rules.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1896, substituted earlier by Member of the
6 Assembly Carrozza, Assembly Print Number
7 7060A, an act to amend the Civil Practice Law
8 and Rules.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1897, by Senator Farley, Senate Print 4744A,
23 an act to amend the Banking Law and others.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

1 THE SECRETARY: Section 5. This
2 act shall take effect February 1, 2007.

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Senator
7 Farley, to explain your vote.

8 SENATOR FARLEY: Just to explain
9 my vote, Madam President.

10 This is a piece of legislation that
11 has been editorialized throughout the state by
12 the Daily News and many other papers on deed
13 theft. I know that Senator Krueger was very
14 interested in this. And so many Senators have
15 asked about this legislation.

16 And it's a positive piece of
17 legislation that prevents deed theft. And I'm
18 pleased to have the support of this house on
19 this bill.

20 Thank you.

21 ACTING PRESIDENT YOUNG: Thank
22 you, Senator Farley. You will be recorded in
23 the affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1898, substituted earlier by Member of the
5 Assembly Stevens, Assembly Print Number 7678A,
6 an act to amend the Criminal Procedure Law.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 ACTING PRESIDENT YOUNG: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT YOUNG: Announce
15 the results.

16 THE SECRETARY: Ayes, 61. Nays,
17 1. Senator Duane recorded in the negative.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1900, substituted earlier by the Assembly
22 Committee on Rules, Assembly Print Number
23 8846C, an act to amend the Public Health Law
24 and the Public Authorities Law.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1902, substituted earlier by the Assembly
14 Committee on Rules, Assembly Print Number
15 9001A, an act to amend the Public Health Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1903, substituted earlier by Member of the
5 Assembly Benjamin, Assembly Print Number
6 6179A, an act to amend the General Business
7 Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1904, by Senator DeFrancisco, Senate Print
22 6709, an act to amend the Vehicle and Traffic
23 Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1905, substituted earlier today by Member of
14 the Assembly Sweeney, Assembly Print Number
15 10269, an act in relation to redistributing.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1906, substituted earlier by Member of the
5 Assembly Rivera, Assembly Print Number 10568,
6 an act to amend the Real Property Tax Law.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 ACTING PRESIDENT YOUNG: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT YOUNG: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1907, by Senator Wright, Senate Print 7199A,
21 an act to amend the General Municipal Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1911, by Senator Hannon, Senate Print 7491A,
11 an act to authorize the Mental Health
12 Association of Nassau County.

13 ACTING PRESIDENT YOUNG: Read the
14 last section.

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

17 ACTING PRESIDENT YOUNG: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT YOUNG: Announce
21 the results.

22 THE SECRETARY: Ayes, 61. Nays,
23 1. Senator Bonacic recorded in the negative.

24 ACTING PRESIDENT YOUNG: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1912, substituted earlier by Member of the
3 Assembly Nolan, Assembly Print Number 11083,
4 an act to amend the Education Law.

5 ACTING PRESIDENT YOUNG: Read the
6 last section.

7 THE SECRETARY: Section 3. This
8 act shall take effect September 1, 2006.

9 ACTING PRESIDENT YOUNG: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT YOUNG: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1913, substituted earlier by Member of the
19 Assembly Magee, Assembly Print Number 10854A,
20 an act to amend the Agriculture and Markets
21 Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect January 1.

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1915, by Senator Meier, Senate Print 7660A, an
11 act to amend the Social Services Law.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

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

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1916, by Senator Maltese, Senate Print 7666,

1 an act to amend the Public Authorities Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1917, by Senator LaValle, Senate Print 7674A,
16 an act to authorize the Commissioner of
17 Environmental Conservation.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

20 THE SECRETARY: Section 6. This
21 act shall take effect immediately.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1918, by Senator Spano, Senate Print 7818C, an
7 act to amend the Education Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1919, by Senator Meier, Senate Print 7889, an
23 act to amend the Penal Law and others.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

1 THE SECRETARY: Section 13. This
2 act shall take effect immediately.

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1920, by Senator Balboni, Senate Print 7893,
13 an act to amend the Penal Law and the Criminal
14 Procedure Law.

15 SENATOR MONTGOMERY: Lay it
16 aside.

17 ACTING PRESIDENT YOUNG: The bill
18 is laid aside.

19 THE SECRETARY: Calendar Number
20 1922, by Senator Meier, Senate Print 7968A, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1923, by Senator Marchi, Senate Print 7970, an
11 act to amend the Real Property Tax Law.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

14 THE SECRETARY: Section 14. This
15 act shall take effect immediately.

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1924, substituted earlier today by Member of

1 the Assembly Kolb, Assembly Print Number
2 11513, an act to amend the Alcoholic Beverage
3 Control Law.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

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

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1925, by Senator Bonacic, Senate Print 8005A,
18 an act to amend the Private Housing Finance
19 Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT YOUNG: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1926, by Senator Johnson, Senate Print 8083,
9 an act to amend the Tax Law.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

12 THE SECRETARY: Section 7. This
13 act shall take effect on the first day of a
14 sales tax quarterly period.

15 ACTING PRESIDENT YOUNG: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT YOUNG: Announce
19 the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1927, by Senator Johnson, Senate Print 8085,
25 an act to amend the Tax Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1928, by Senator Fuschillo, Senate Print 8124,
15 an act to amend the General Business Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1929, by Senator Leibell, Senate Print 8144,
5 an act to amend the Public Authorities Law.

6 ACTING PRESIDENT YOUNG: Read the
7 last section.

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

10 ACTING PRESIDENT YOUNG: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT YOUNG: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT YOUNG: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1930, by Senator Hannon, Senate Print 8145, an
20 act to amend the New York State Medical Care
21 Facilities Finance Agency Act.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1931, by Senator Little, Senate Print 8164, an
11 act to legalize, validate, ratify and confirm.

12 ACTING PRESIDENT YOUNG: Read the
13 last section.

14 THE SECRETARY: Section 5. This
15 act shall take effect immediately.

16 ACTING PRESIDENT YOUNG: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT YOUNG: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1932, by Senator Saland, Senate Print 8171A,

1 an act to amend the Education Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61. Nays,
10 1. Senator LaValle recorded in the negative.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1933, by the Senate Committee on Rules, Senate
15 Print Number 8177A, an act to amend
16 Chapter 509 of the Laws of 2003.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1935, by Senator Libous, Senate Print 8190, an
6 act to amend the Racing, Pari-Mutuel Wagering
7 and Breeding Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 61. Nays,
18 1. Senator Duane recorded in the negative.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1936, substituted earlier today by Member of
23 the Assembly Diaz, Assembly Print Number 9598,
24 an act to amend the State Administrative
25 Procedure Act.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1937, by Senator Bruno, Senate Print 8205, an
15 act to amend the Highway Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

18 THE SECRETARY: Section 4. This
19 act shall take effect immediately.

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1938, by Senator Johnson, Senate Print 8231,
5 an act to amend the Civil Practice Law and
6 Rules.

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

9 Read the last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 61. Nays,
18 1. Senator Valesky recorded in the negative.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1940, by Senator Hannon, Senate Print 8323, an
23 act to amend the Public Authorities Law and
24 the Public Health Law.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 not to answer.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 Senator Morahan, that completes the
13 noncontroversial reading of Senate
14 Supplemental Calendar 59A.

15 SENATOR MORAHAN: Thank you,
16 Madam President. Could we now have the
17 controversial reading of the same supplemental
18 calendar. I believe there's one lay-aside on
19 the floor.

20 ACTING PRESIDENT YOUNG: Thank
21 you, Senator Morahan.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1920, by Senator Balboni, Senate Print 7893,
25 an act to amend the Penal Law and the Criminal

1 Procedure Law.

2 ACTING PRESIDENT YOUNG: Senator
3 Montgomery.

4 SENATOR MONTGOMERY: A brief
5 explanation.

6 ACTING PRESIDENT YOUNG: Senator
7 Balboni, a brief explanation has been
8 requested.

9 SENATOR BALBONI: The bill goes
10 out to the gangs. Thanks.

11 (Laughter.)

12 ACTING PRESIDENT YOUNG: Senator
13 Montgomery.

14 SENATOR MONTGOMERY: Yes, thank
15 you, Madam President.

16 I do want to say that this bill is
17 very, very different from the bill that has
18 been touted with all kinds of draconian
19 measures. And so I wanted to compliment my
20 colleague Senator Balboni and Assemblyman
21 Rivera, because they have, I think, listened
22 to those of us who have tried, to whatever
23 extent possible, to have some balance to this
24 movement around gangs, especially as it
25 relates to those so-called gangs that are made

1 up primarily of teenagers in neighborhoods
2 across the state.

3 And I would hope that we would
4 continue in this vein, that while we certainly
5 need to have some intervention anytime that
6 there is criminal activity that is very
7 disruptive and dangerous and poses a threat to
8 the safety of citizens, we also must, I think,
9 pay much more attention and put much more
10 resources into those activities that divert
11 young people in particular, especially
12 teenagers, from that kind of behavior into
13 more positive and constructive-type
14 activities.

15 So I just did want to make a
16 comment on this legislation that it is not as
17 bad as I had anticipated it might be, that we
18 have -- that I think that my colleagues have
19 listened, and I look forward to continuing to
20 work with them. And therefore, I'm going to
21 vote to support this legislation.

22 ACTING PRESIDENT YOUNG: Senator
23 Sabini.

24 SENATOR SABINI: Thank you, Madam
25 President. On the bill very briefly.

1 I want to compliment the sponsor
2 for once again addressing the problem of gang
3 activity in our neighborhoods, which is
4 something that's concerned me and a number of
5 elected officials, particularly in areas where
6 gangs have come in from outside the country to
7 try and take over neighborhoods.

8 And I want to also compliment the
9 sponsor on his amazingly brief explanation.

10 Thank you. I vote aye.

11 ACTING PRESIDENT YOUNG: Thank
12 you, Senator Sabini.

13 Any other Senator wishing to be
14 heard?

15 Then the debate is closed.

16 The Secretary will ring the bell.

17 Read the last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Senator
25 Balboni, to explain his vote.

1 SENATOR BALBONI: Yes, Madam
2 President. This debate went a lot better than
3 yesterday's. I think I found the right
4 measure. Thank you. I vote aye.

5 ACTING PRESIDENT YOUNG: I agree,
6 Senator Balboni. You will be recorded in the
7 affirmative. Thank you.

8 The Secretary will announce the
9 results.

10 THE SECRETARY: In relation to
11 Calendar Number 1920, voting in the negative:
12 Senator Duane.

13 Absent from voting pursuant to
14 Rule 9: Senators Sampson, Skelos and Volker.

15 Absent from voting: Senator C.
16 Kruger.

17 Ayes, 57. Nays, 1.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 Senator Morahan.

21 SENATOR MORAHAN: If we can just
22 stay the way we are for the next 10 minutes or
23 so. We're going to have a Rules meeting at
24 5:15.

25 That Rules report will be back to

1 the chamber, and we'll vote on accepting those
2 Rules, and then we'll adjourn at 5:30 until
3 6:30, and then we'll be back to vote on the
4 remaining calendar.

5 ACTING PRESIDENT YOUNG: Thank
6 you, Senator Morahan.

7 The Senate will stand at ease.

8 (Whereupon, the Senate stood at
9 ease at 5:03 p.m.)

10 (Whereupon, the Senate reconvened
11 at 5:43 p.m.)

12 ACTING PRESIDENT GOLDEN: Senator
13 Leibell, you ready?

14 SENATOR LEIBELL: Yes,
15 Mr. President.

16 May we please return to the reports
17 of standing committees. I believe there's a
18 report of the Rules Committee at the desk.

19 ACTING PRESIDENT GOLDEN: Reports
20 of standing committees.

21 The Secretary will read.

22 THE SECRETARY: Senator Bruno,
23 from the Committee on Rules, reports the
24 following bills:

25 Senate Print 567A, by Senator

1 DeFrancisco, an act to amend the Village Law;

2 2747C, by Senator Winner, an act to
3 direct;

4 3027B, by Senator Morahan, an act
5 to amend the Tax Law;

6 3803A, by Senator Leibell, an act
7 to amend the Education Law;

8 5042B, by Senator Leibell, an act
9 to make certain parents;

10 5962, by Senator Marchi, an act to
11 amend the Tax Law;

12 6014A, by Senator Golden, an act to
13 amend the Vehicle and Traffic Law;

14 6523, by Senator Breslin, an act in
15 relation to permitting;

16 6593, by Senator Klein, an act to
17 amend Chapter 617 of the Laws of 2003;

18 6839, by Senator DeFrancisco, an
19 act to amend the Penal Law;

20 6977, by Senator Meier, an act to
21 amend the Real Property Tax Law;

22 7075, by Senator Golden, an act to
23 amend the Real Property Tax Law;

24 7341B, by Senator Hannon, an act
25 authorizing;

1 7350B, by Senator Maziarz, an act
2 to amend the Labor Law;

3 7351A, by Senator Rath, an act to
4 establish;

5 7402A, by Senator Morahan, an act
6 to amend the Vehicle and Traffic Law;

7 7531, by Senator Farley, an act to
8 amend the Education Law;

9 7568A, by Senator Nozzolio, an act
10 to amend Tax Law;

11 7710, by Senator Padavan, an act to
12 amend the Private Housing Finance Law;

13 7767, by Senator Bonacic, an act to
14 authorize;

15 7944A, by Senator Alesi, an act to
16 amend the General Business Law;

17 7966, by Senator Saland, an act to
18 amend the Town Law;

19 7973A, by Senator Young, an act to
20 amend the Vehicle and Traffic Law;

21 8013A, by Senator Nozzolio, an act
22 to amend the Vehicle and Traffic Law;

23 8017A, by Senator Winner, an act to
24 amend the Public Authorities Law;

25 8035A, by Senator LaValle, an act

1 to amend the Vehicle and Traffic Law;

2 8105A, by Senator Flanagan, an act
3 to amend the Not-For-Profit Corporation Law;

4 8116, by Senator Leibell, an act to
5 amend the Public Authorities Law;

6 8117, by Senator Leibell, an act to
7 amend the Public Authorities Law;

8 8121A, by Senator Flanagan, an act
9 to authorize;

10 8138A, by Senator Skelos, an act to
11 amend the Correction Law;

12 8198, by Senator Morahan, an act to
13 authorize;

14 8203, by Senator Seward, an act to
15 amend the Insurance Law;

16 8208, by Senator Flanagan, an act
17 to amend the Judiciary Law;

18 8209, by Senator Libous, an act to
19 amend the General Business Law;

20 8213, by Senator Wright, an act to
21 amend the Energy Law;

22 8214, by Senator Marcellino, an act
23 to amend Chapter 122 of the Laws of 2000;

24 8221A, by Senator Hannon, an act to
25 authorize;

1 8223, by Senator Saland, an act to
2 amend Chapter 425 of the Laws of 2002;

3 8224, by Senator Golden, an act to
4 amend the Real Property Tax Law;

5 8244, by Senator Trunzo, an act to
6 amend the Civil Service Law;

7 8247A, by Senator Bruno, an act to
8 authorize;

9 8255, by Senator Padavan, an act to
10 amend the Real Property Tax Law;

11 8299, by the Senate Committee on
12 Rules, an act to amend the Retirement and
13 Social Security Law;

14 And Senate Print 8313, by Senator
15 Saland, an act to amend the Education Law.

16 All bills ordered direct to third
17 reading.

18 ACTING PRESIDENT GOLDEN: Senator
19 Leibell.

20 SENATOR LEIBELL: Move to accept
21 the report of the Rules Committee.

22 ACTING PRESIDENT GOLDEN: All in
23 favor of accepting the report of the Rules
24 Committee signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT GOLDEN:

2 Opposed, nay.

3 (No response.)

4 ACTING PRESIDENT GOLDEN: The
5 report is accepted.

6 Senator Leibell.

7 SENATOR LEIBELL: Mr. President,
8 would the Senate stand at ease until 6:30,
9 please.

10 ACTING PRESIDENT GOLDEN: The
11 Senate stands at ease.

12 (Whereupon, the Senate stood at
13 ease at 5:47 p.m.)

14 (Whereupon, the Senate reconvened
15 at 6:53 p.m.)

16 ACTING PRESIDENT YOUNG: Senator
17 Skelos.

18 SENATOR SKELOS: Madam President,
19 pursuant to Rule 9, I was required to be at a
20 meeting of the Medicaid Fraud Joint Conference
21 Committee and cast my vote as follows for
22 bills on the controversial calendar: Senate
23 Bill 7893, Calendar 1920, I vote aye.

24 ACTING PRESIDENT YOUNG: The
25 record will so reflect.

1 Senator Volker.

2 SENATOR VOLKER: Madam President,
3 pursuant to Rule 9, which I confess I guess I
4 had a part of, I was required to be at a
5 public hearing or meeting of the Medicaid
6 Fraud Conference Committee and cast my votes
7 as follows for bills on the controversial
8 calendar: Senate Bill Number 7893, Calendar
9 Number 1920, I vote aye.

10 Thank you.

11 ACTING PRESIDENT YOUNG: The
12 record will so reflect.

13 Senator Skelos.

14 SENATOR SKELOS: Madam President,
15 if we could now take up Senate Supplemental
16 Calendar 59B, noncontroversial.

17 ACTING PRESIDENT YOUNG: We will
18 now have the noncontroversial reading of
19 Senate Supplemental Calendar 59B.

20 SENATOR PADAVAN: Madam
21 President.

22 ACTING PRESIDENT YOUNG: Senator
23 Padavan.

24 SENATOR PADAVAN: Yes, Madam
25 President, may I request that Calendar Number

1 1983, Senate Bill Print Number 8255, be
2 starred.

3 ACTING PRESIDENT YOUNG: So
4 ordered.

5 Senator Sampson.

6 SENATOR SAMPSON: Yes, Madam
7 President. Pursuant to Rule 9, I was required
8 to be at a public hearing of the Medicaid
9 Fraud Conference Committee. And if I was able
10 to cast a vote on Senate Bill 7893, it would
11 have been aye.

12 ACTING PRESIDENT YOUNG: Thank
13 you, Senator Sampson. The record will so
14 reflect.

15 SENATOR SAMPSON: Thank you.

16 ACTING PRESIDENT YOUNG: Senator
17 Skelos.

18 SENATOR SKELOS: Madam President,
19 I believe there's some housekeeping. If we
20 could take that up at this time prior to going
21 to the next calendar.

22 ACTING PRESIDENT YOUNG: Thank
23 you, Senator Skelos.

24 Senator Bonacic.

25 SENATOR BONACIC: Thank you,

1 Madam President.

2 I'd like to move to amend Senate
3 Bill Number 7351A, on behalf of Senator Rath,
4 by striking out the amendments made on
5 June 19th and restoring it to its original
6 Print Number 7351.

7 ACTING PRESIDENT YOUNG: So
8 ordered.

9 SENATOR BONACIC: And also, on
10 behalf of Senator Maziarz, I wish to call up
11 Print Number 5719B, recalled from the
12 Assembly, which is now at the desk.

13 ACTING PRESIDENT YOUNG: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number
16 876, by Senator Maziarz, Senate Print 5719B,
17 an act to amend the General Business Law.

18 SENATOR BONACIC: Madam
19 President, I now move to reconsider the vote
20 by which the bill was passed.

21 ACTING PRESIDENT YOUNG: Call the
22 roll on reconsideration.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 SENATOR BONACIC: Madam

1 President, I now offer the following
2 amendments.

3 ACTING PRESIDENT YOUNG: The
4 amendments are received.

5 SENATOR BONACIC: Thank you.

6 ACTING PRESIDENT YOUNG: Thank
7 you.

8 Senator Skelos.

9 SENATOR SKELOS: Madam President,
10 are there any substitutions?

11 ACTING PRESIDENT YOUNG: Senator
12 Skelos, we will substitute those as they're
13 called.

14 SENATOR SKELOS: Madam President,
15 if we could take up the Supplemental Calendar
16 59B, noncontroversial.

17 ACTING PRESIDENT YOUNG: The
18 Secretary will read.

19 THE SECRETARY: In relation to
20 Calendar Number 1941, Senator DeFrancisco
21 moves to discharge, from the Committee on
22 Rules, Assembly Bill Number 315B and
23 substitute it for the identical Senate Bill
24 Number 567A, Third Reading Calendar 1941.

25 ACTING PRESIDENT YOUNG:

1 Substitution ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1941, by Member of the Assembly Paulin,
5 Assembly Print Number 315B, an act to amend
6 the Village Law.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 ACTING PRESIDENT YOUNG: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT YOUNG: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1942, by Senator Winner, Senate Print 2747C,
21 an act to direct the Department of Economic
22 Development.

23 ACTING PRESIDENT YOUNG: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT YOUNG: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT YOUNG: Announce
6 the results.

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT YOUNG: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1943, by Senator Morahan, Senate Print 3027B,
12 an act to amend the Tax Law.

13 ACTING PRESIDENT YOUNG: There is
14 a local fiscal impact note at the desk.

15 Read the last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the first day of the
18 sales tax quarterly period.

19 ACTING PRESIDENT YOUNG: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT YOUNG: Announce
23 the results.

24 THE SECRETARY: Ayes, 61. Nays,
25 1. Senator Duane recorded in the negative.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: In relation to
4 Calendar Number 1944, Senator Leibell moves to
5 discharge, from the Committee on Education,
6 Assembly Bill Number 877A and substitute it
7 for the identical Senate Bill Number 3803A,
8 Third Reading Calendar 1944.

9 ACTING PRESIDENT YOUNG:
10 Substitution ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1944, by Member of the Assembly Tokasz,
14 Assembly Print Number 877A, an act to amend
15 the Education Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1945, by Senator Leibell, Senate Print 5042B,
5 an act to make certain parents, widows and
6 children of certain firefighters.

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

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

11 ACTING PRESIDENT YOUNG: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT YOUNG: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1946, by Senator Marchi, Senate Print 5962, an
21 act to amend the Tax Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the same date and in

1 the same manner as Chapter 508 of the Laws of
2 2005.

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: In relation to
12 Calendar Number 1948, Senator Breslin moves to
13 discharge, from the Committee on Rules,
14 Assembly Bill Number 9629 and substitute it
15 for the identical Senate Bill Number 6523,
16 Third Reading Calendar 1948.

17 ACTING PRESIDENT YOUNG:
18 Substitution ordered.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1948, by Member of the Assembly Canestrari,
22 Assembly Print Number 9629, an act in relation
23 to permitting.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 60. Nays,
9 2. Senators Bonacic and Larkin recorded in
10 the negative.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: In relation to
14 Calendar Number 1949, Senator Klein moves to
15 discharge, from the Committee on Local
16 Government, Assembly Bill Number 9753 and
17 substitute it for the identical Senate Bill
18 Number 6593, Third Reading Calendar 1949.

19 ACTING PRESIDENT YOUNG:
20 Substitution ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1949, by Member of the Assembly Paulin,
24 Assembly Print Number 9753, an act to amend
25 Chapter 617 of the Laws of 2003.

1 ACTING PRESIDENT YOUNG: There is
2 a home-rule message at the desk.

3 Read the last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1950, by Senator DeFrancisco, Senate Print
16 6839, an act to amend the Penal Law.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: In relation to
6 Calendar Number 1951, Senator Meier moves to
7 discharge, from the Committee on Rules,
8 Assembly Bill Number 10250 and substitute it
9 for the identical Senate Bill Number 6977,
10 Third Reading Calendar 1951.

11 ACTING PRESIDENT YOUNG:
12 Substitution ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1951, by Member of the Assembly Destito,
16 Assembly Print Number 10250, an act to amend
17 the Real Property Tax Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: In relation to
6 Calendar Number 1952, Senator Golden moves to
7 discharge, from the Committee on Local
8 Government, Assembly Bill Number 4360A and
9 substitute it for the identical Senate Bill
10 Number 7075, Third Reading Calendar 1952.

11 ACTING PRESIDENT YOUNG:
12 Substitution ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1952, by Member of the Assembly Weprin,
16 Assembly Print Number 4360A, an act to amend
17 the Real Property Tax Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

20 THE SECRETARY: Section 4. This
21 act shall take effect on the first of January.

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1953, by Senator Hannon, Senate Print 7341B,
7 an act authorizing.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 60. Nays,
18 2. Senators Bonacic and Larkin recorded in
19 the negative.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1957, by Senator Farley, Senate Print 7531, an
24 act to amend the Education Law.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect April 1, 2007.

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: In relation to
13 Calendar Number 1958, Senator Nozzolio moves
14 to discharge, from the Committee on Rules,
15 Assembly Bill Number 10859A and substitute it
16 for the identical Senate Bill Number 7568A,
17 Third Reading Calendar 1958.

18 ACTING PRESIDENT YOUNG:
19 Substitution ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1958, by Member of the Assembly Magee,
23 Assembly Print Number 10859A, an act to amend
24 the Tax Law.

25 ACTING PRESIDENT YOUNG: Read the

1 last section.

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

4 ACTING PRESIDENT YOUNG: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT YOUNG: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1958: Ayes, 61. Nays, 1.
11 Senator Young recorded in the negative.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1959, by Senator Padavan, Senate Print 7710,
16 an act to amend the Private Housing Finance
17 Law.

18 ACTING PRESIDENT YOUNG: Read the
19 last section.

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

22 ACTING PRESIDENT YOUNG: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT YOUNG: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT YOUNG: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1960, by Senator Bonacic, Senate Print 7767,
7 an act to authorize the Village of Sidney,
8 County of Delaware.

9 ACTING PRESIDENT YOUNG: There is
10 a home-rule message at the desk.

11 Read the last section.

12 THE SECRETARY: Section 5. This
13 act shall take effect immediately.

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1962, by Senator Saland, Senate Print 7966, an
24 act to amend the Tax Law.

25 ACTING PRESIDENT YOUNG: There is

1 a home-rule message at the desk.

2 Read the last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1965, by Senator Winner, Senate Print 8017A,
15 an act to amend the Public Authorities Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

18 THE SECRETARY: Section 4. This
19 act shall take effect immediately.

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: In relation to
4 Calendar Number 1967, Senator Flanagan moves
5 to discharge, from the Committee on Rules,
6 Assembly Bill Number 10774A and substitute it
7 for the identical Senate Bill Number 8105A,
8 Third Reading Calendar 1967.

9 ACTING PRESIDENT YOUNG:
10 Substitution ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1967, by Member of the Assembly Weisenberg,
14 Assembly Print Number 10774A, an act to amend
15 the Not-For-Profit Corporation Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1968, by Senator Leibell, Senate Print 8116,
5 an act to amend the Public Authorities Law.

6 ACTING PRESIDENT YOUNG: Read the
7 last section.

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

10 ACTING PRESIDENT YOUNG: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT YOUNG: Announce
14 the results.

15 THE SECRETARY: Ayes, 61. Nays,
16 1. Senator Duane recorded in the negative.

17 ACTING PRESIDENT YOUNG: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1969, by Senator Leibell, Senate Print 8117,
21 an act to amend the Public Authorities Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 THE SECRETARY: In relation to
10 Calendar Number 1970, Senator Flanagan moves
11 to discharge, from the Committee on Rules,
12 Assembly Bill Number 11293B and substitute it
13 for the identical Senate Bill Number 8121A,
14 Third Reading Calendar 1970.

15 ACTING PRESIDENT YOUNG:
16 Substitution ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1970, by Member of the Assembly Englebright,
20 Assembly Print Number 11293B, an act to
21 authorize the Three Village Historical
22 Society.

23 ACTING PRESIDENT YOUNG: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT YOUNG: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT YOUNG: Announce
6 the results.

7 THE SECRETARY: Ayes, 60. Nays,
8 2. Senators Bonacic and Larkin recorded in
9 the negative.

10 ACTING PRESIDENT YOUNG: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1971, by Senator Skelos, Senate Print 8138A,
14 an act to amend the Correction Law.

15 ACTING PRESIDENT YOUNG: Read the
16 last section.

17 THE SECRETARY: Section 3. This
18 act shall take effect on the 60th day.

19 ACTING PRESIDENT YOUNG: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT YOUNG: Announce
23 the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT YOUNG: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1972, by Senator Morahan, Senate Print 8198,
4 an act to authorize.

5 ACTING PRESIDENT YOUNG: Read the
6 last section.

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

9 ACTING PRESIDENT YOUNG: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT YOUNG: Announce
13 not to answer.

14 THE SECRETARY: In relation to
15 Calendar Number 1972, those recorded in the
16 negative are Senators Bonacic, Larkin and
17 Rath.

18 Ayes, 59. Nays, 3.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1973, by Senator Seward, Senate Print 8203, an
23 act to amend the Insurance Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

1 THE SECRETARY: Section 6. This
2 act shall take effect on the 90th day.

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1974 --

13 SENATOR SKELOS: Please lay it
14 aside temporarily.

15 ACTING PRESIDENT YOUNG: The bill
16 is laid aside temporarily.

17 THE SECRETARY: Calendar Number
18 1976, by Senator Wright, Senate Print 8213, an
19 act to amend the Energy Law and the Tax Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

22 THE SECRETARY: Section 25. This
23 act shall take effect immediately.

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT YOUNG: The bill
6 is passed.

7 THE SECRETARY: In relation to
8 Calendar Number 1977, Senator Marcellino moves
9 to discharge, from the Committee on Rules,
10 Assembly Bill Number 11305 and substitute it
11 for the identical Senate Bill Number 8214,
12 Third Reading Calendar 1977.

13 ACTING PRESIDENT YOUNG:
14 Substitution ordered.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 1977, by Member of the Assembly O'Donnell,
18 Assembly Print Number 11305, an act to amend
19 Chapter 122 of the Laws of 2000, amending the
20 Environmental Conservation Law.

21 ACTING PRESIDENT YOUNG: Read the
22 last section.

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

25 ACTING PRESIDENT YOUNG: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT YOUNG: Announce
4 the results.

5 THE SECRETARY: Ayes, 61. Nays,
6 1. Senator Duane recorded in the negative.

7 ACTING PRESIDENT YOUNG: The bill
8 is passed.

9 Senator Skelos.

10 SENATOR SKELOS: Madam President,
11 if we could return to Calendar Number 1974.

12 ACTING PRESIDENT YOUNG: The
13 Secretary will read.

14 THE SECRETARY: In relation to
15 Calendar Number 1974, Senator Flanagan moves
16 to discharge, from the Committee on Rules,
17 Assembly Bill Number 11763A and substitute it
18 for the identical Senate Bill Number 8208,
19 Third Reading Calendar 1974.

20 ACTING PRESIDENT YOUNG:
21 Substitution ordered.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1974, by the Assembly Committee on Rules,
25 Assembly Print Number 11763A, an act to amend

1 the Judiciary Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT YOUNG: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1978, by Senator Hannon, Senate Print 8221A,
16 an act to authorize.

17 ACTING PRESIDENT YOUNG: Read the
18 last section.

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

21 ACTING PRESIDENT YOUNG: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT YOUNG: Announce
25 the results.

1 THE SECRETARY: Ayes, 60. Nays,
2 2. Senators Bonacic and Larkin recorded in
3 the negative.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1979, by Senator Saland, Senate Print 8223, an
8 act to amend Chapter 425 of the Laws of 2002.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 Senator Skelos.

22 SENATOR SKELOS: Madam President,
23 if we could return to Calendar Number 1955.

24 ACTING PRESIDENT YOUNG: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 1955, by Senator Rath, Senate Print 7351, an
3 act to establish.

4 ACTING PRESIDENT YOUNG: There is
5 a home-rule message at the desk.

6 Read the last section.

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

9 ACTING PRESIDENT YOUNG: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT YOUNG: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: In relation to
18 Calendar Number 1980, Senator Golden moves to
19 discharge, from the Committee on Rules,
20 Assembly Bill Number 11797 and substitute it
21 for the identical Senate Bill Number 8224,
22 Third Reading Calendar 1980.

23 ACTING PRESIDENT YOUNG:
24 Substitution ordered.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1980, by the Assembly Committee on Rules,
3 Assembly Print Number 11797, an act to amend
4 the Real Property Tax Law.

5 ACTING PRESIDENT YOUNG: Read the
6 last section.

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

9 ACTING PRESIDENT YOUNG: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT YOUNG: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1981, by Senator Trunzo, Senate Print 8244, an
19 act to amend the Civil Service Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT YOUNG: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1982, by Senator Bruno, Senate Print 8247A, an
9 act to authorize an extension.

10 ACTING PRESIDENT YOUNG: Read the
11 last section.

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

14 ACTING PRESIDENT YOUNG: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT YOUNG: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT YOUNG: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1984, by the Senate Committee on Rules, Senate
24 Print Number 8299, an act to amend the
25 Retirement and Social Security Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1985, by Senator Saland, Senate Print 8313, an
15 act to amend the Education Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT YOUNG: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT YOUNG: The bill
2 is passed.

3 That completes the reading of
4 Supplemental Calendar 59B.

5 Senator Skelos.

6 SENATOR SKELOS: Madam President,
7 is there any further business at the desk at
8 this time?

9 ACTING PRESIDENT YOUNG: No,
10 there isn't.

11 SENATOR SKELOS: For the benefit
12 of the members, there will be a meeting of the
13 Rules Committee in the Majority Conference
14 Room at 7:30. We will then take the report of
15 the Rules Committee, not bring it up for a
16 vote, and adjourn.

17 And I'm not making a formal motion
18 yet, but session tomorrow will be at
19 11:00 a.m.

20 So if we could stand at ease, and
21 there will be a meeting of the Rules Committee
22 at 7:30 p.m.

23 ACTING PRESIDENT YOUNG: The
24 Senate will stand at ease.

25 There's a meeting of the Rules

1 Committee at 7:30.

2 (Whereupon, the Senate stood at
3 ease at 7:17 p.m.)

4 (Whereupon, the Senate reconvened
5 at 7:51 p.m.)

6 ACTING PRESIDENT STACHOWSKI:
7 Senator Skelos.

8 SENATOR SKELOS: If we could
9 return to reports of standing committees,
10 there's a report of the Rules Committee at the
11 desk. I ask that it be read at this time.

12 ACTING PRESIDENT STACHOWSKI:
13 Reports of standing committees.

14 The Secretary will read.

15 THE SECRETARY: Senator Bruno,
16 from the Committee on Rules, reports the
17 following bills:

18 Senate Print 2522A, by Senator
19 Krueger, an act to authorize;

20 7352A, by Senator Saland, an act to
21 amend the Penal Law;

22 8148, by Senator Skelos, an act to
23 amend the Retirement and Social Security Law;

24 8156A, by Senator Oppenheimer, an
25 act authorizing;

1 8217, by Senator Little, an act to
2 amend the Real Property Tax Law;

3 8218, by Senator Meier, an act to
4 amend the Social Services Law;

5 8239, by Senator DeFrancisco, an
6 act to authorize;

7 8240, by Senator Marcellino, an act
8 to amend the Agriculture and Markets Law;

9 8242, by Senator Padavan, an act to
10 amend the Education Law;

11 8263, by Senator Fuschillo, an act
12 to amend the Penal Law;

13 8264A, by Senator Morahan, an act
14 to authorize;

15 8266A, by Senator Wright, an act to
16 amend the Public Authorities Law;

17 8268, by Senator Morahan, an act to
18 amend the Environmental Conservation Law;

19 8274, by Senator Robach, an act to
20 amend the Civil Service Law;

21 8276, by Senator Spano, an act to
22 amend Chapter 761 of the Laws of 1976;

23 8278A, by Senator Hannon, an act to
24 authorize;

25 8280, by Senator Balboni, an act to

1 amend the Executive Law;

2 8282, by Senator DeFrancisco, an
3 act to amend the General Municipal Law;

4 8284, by Senator Golden, an act to
5 amend the Penal Law;

6 8286A, by the Senate Committee on
7 Rules, an act to amend the Real Property Tax
8 Law;

9 8289, by Senator Maziarz, an act to
10 amend the Labor Law;

11 8290, by Senator Golden, an act to
12 amend the Penal Law;

13 8297A, by Senator Spano, an act to
14 amend the Tax Law;

15 8302, by Senator Skelos, an act to
16 authorize;

17 8305, by Senator Bonacic, an act
18 relating to authorizing;

19 8311, by Senator Larkin, an act
20 authorizing;

21 8328, by Senator Marcellino, an act
22 to amend the Tax Law;

23 8333, by Senator Bruno, an act
24 proposing;

25 8334, by Senator Bruno, an act to

1 amend the State Finance Law;

2 8338, by Senator Saland, an act to
3 authorize;

4 8339A, by Senator Robach, an act to
5 amend the Retirement and Social Security Law;

6 8348, by Senator Marchi, an act to
7 amend the Workers' Compensation Law;

8 8362, by the Senate Committee on
9 Rules, an act to amend the Real Property Tax
10 Law;

11 8382, by Senator Spano, an act to
12 amend the Labor Law;

13 8387, by Senator Rath, an act to
14 allow;

15 8389, by Senator Balboni, an act to
16 amend the Public Authorities Law;

17 And Senate Print 8390, by Senator
18 Alesi, an act to provide.

19 All bills ordered direct to third
20 reading.

21 ACTING PRESIDENT STACHOWSKI:
22 Senator Skelos.

23 SENATOR SKELOS: Mr. President, I
24 move that we accept the Rules report.

25 ACTING PRESIDENT STACHOWSKI: All

1 in favor of accepting the report of the Rules
2 Committee signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT STACHOWSKI:
5 Opposed, nay.

6 (No response.)

7 ACTING PRESIDENT STACHOWSKI: The
8 report is accepted.

9 Senator Skelos.

10 SENATOR SKELOS: Is there any
11 further business at the desk?

12 ACTING PRESIDENT STACHOWSKI: No
13 further business.

14 SENATOR SKELOS: Mr. President,
15 there being no further business to come before
16 the Senate, I move we stand adjourned until
17 Wednesday, June 21st, at 11:00 a.m.

18 ACTING PRESIDENT STACHOWSKI: On
19 motion, the Senate stands adjourned until
20 Wednesday, June 21st, at 11:00 a.m.

21 (Whereupon, at 7:55 p.m., the
22 Senate adjourned.)
23
24
25