NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 31, 2007

11:04 a.m.

REGULAR SESSION

SENATOR CARL L. MARCELLINO, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT MARCELLINO: The Senate will come to order.

I ask everyone present to rise and repeat with me the Pledge of Allegiance.

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

ACTING PRESIDENT MARCELLINO: The invocation today will be given by the Reverend Peter G. Young, of the Mother Theresa Community in Albany.

REVEREND YOUNG: Let us pray.

New Yorkers saw the christening of the American flag when the Stars and the Stripes were first flown in battle at the defense of Fort Stanwick in Rome.

It's with great pride that we are able to serve as Senators in this district in this patriotic tradition as the elected leaders to fulfill Your call.

O God, we ask all of these men to be blessed in their leadership to the citizens of New York State.

Amen.

ACTING PRESIDENT MARCELLINO:

Thank you, Reverend Young.

May we have the reading of the Journal.

THE SECRETARY: In Senate, Tuesday, January 30, the Senate met pursuant to adjournment. The Journal of Monday, January 29, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT MARCELLINO: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

The chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President, I have a resolution at the desk, Number 285. I ask that the title be read and move for its immediate adoption.

ACTING PRESIDENT MARCELLINO: The Secretary will read the title of the resolution.

THE SECRETARY: By Senator Skelos, Legislative Resolution Number 285, honoring Frank Sarro upon the occasion of his designation as recipient of the Citizen of the Year Award by the Inwood Civic Association.

ACTING PRESIDENT MARCELLINO: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MARCELLINO: Opposed, nay.

(No response.)

ACTING PRESIDENT MARCELLINO: The resolution is adopted.

Senator Skelos.

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

ACTING PRESIDENT MARCELLINO: The Secretary will read the noncontroversial calendar.

THE SECRETARY: Calendar Number

5, by Senator Padavan, Senate Print 85, an act to amend the Penal Law, in relation to establishing.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 6, by Senator Padavan, Senate Print 90, an act to amend the Penal Law, in relation to trademark counterfeiting.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 27, by Senator Larkin, Senate Print 224, an act to amend the Penal Law, in relation to obscene sexual performance.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 29, by Senator Morahan, Senate Print 248, an act to amend the Penal Law, in relation to establishing.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 40.

ACTING PRESIDENT MARCELLINO: The bill is passed.

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

SENATOR SKELOS: Mr. President, is there any further business at the desk?

ACTING PRESIDENT MARCELLINO: No, Senator, there is not.

SENATOR SKELOS: There being none, I move we stand adjourned until Monday, February 5th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT MARCELLINO: On motion, the Senate stands adjourned until Monday, February 5th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 11:09 a.m., the Senate adjourned.)