NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 20, 2007

3:06 p.m.

REGULAR SESSION

LT. GOVERNOR DAVID A. PATERSON, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

We would ask all assembled to join us in reciting the Pledge of Allegiance.

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

THE PRESIDENT: In the absence of clergy, we will observe a moment of silence.

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

THE PRESIDENT: The reading of the Journal.

THE SECRETARY: In Senate, Monday, March 19, the Senate met pursuant to adjournment. The Journal of Sunday, March 18, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and report from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Mr. President, I move that we adopt the Resolution Calendar at this time.

THE PRESIDENT: All in favor.

(Response of "Aye.")

THE PRESIDENT: Opposed.

(No response.)

THE PRESIDENT: The Resolution Calendar is adopted.

Senator Skelos.

SENATOR SKELOS: Mr. President, I wish to call up Print Numbers 2100B, 2101A, 2102A, 2103B, 2105B, 2106B, 2107B, 2109B, and 2110B, recalled from the Assembly, which are now at the desk.

THE PRESIDENT: There are nine bills, Senator Skelos. The Secretary will read.

SENATOR SKELOS: I challenge you to read all of those numbers back, Mr.

President.

(Laughter.)

THE SECRETARY: Calendar Number 297, Senate Budget Bill, Senate Print 2100B, an act making appropriations for the support of government;

298, Senate Budget Bill, Senate Print 2101A, an act making appropriations for the support of government;

299, Senate Budget Bill, Senate Print 2102A, an act making appropriations for the legal requirements;

300, Senate Budget Bill, Senate Print 2103B, an act making appropriations for the support of government;

301, Senate Budget Bill, Senate Print 2105B, an act making appropriations for the support of government;

302, Senate Budget Bill, 2106B, an act to amend the Civil Service Law and the State Finance Law;

303, Senate Budget Bill, Senate Print 2107B, an act to amend the Education Law;

304, Senate Budget Bill, 2109B, an

act to authorize funding;

And Calendar Number 305, Senate Budget Bill, Senate Print 2110B, an act to amend the Tax Law.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Mr. President, I now move to reconsider the vote by which these bills were passed.

THE PRESIDENT: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

SENATOR SKELOS: Mr. President, I now move to recommit the bills to the Committee on Rules.

THE PRESIDENT: Without objection, the bills will be restored to the Third Reading Calendar.

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

THE PRESIDENT: The recommitment is so ordered.

The Secretary will now conduct the noncontroversial reading of the calendar.

THE SECRETARY: Calendar Number 96, by Senator Saland, Senate Print 1773, an act to amend the Education Law, in relation to streamlining.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 28. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 38.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 213, by Senator Robach, Senate Print 1710, an act to amend the Civil Service Law, in relation to requiring annual reports.

THE PRESIDENT: The Secretary will read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 218, by Senator Skelos, Senate Print 437, an act to amend the Correction Law, in relation to the duty of sex offenders.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 238, by Senator Flanagan, Senate Print 841, an act to amend the Mental Hygiene Law, in relation to disclosure.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 180th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: The Secretary will announce the results.

THE SECRETARY: Ayes, 38. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 245, by Senator Young --

SENATOR SKELOS: Lay it aside temporarily, please.

THE PRESIDENT: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 246, by Senator LaValle, Senate Print --

SENATOR SKELOS: Please lay it aside temporarily.

THE PRESIDENT: The bill is laid aside temporarily by the Acting Majority Leader, Senator Skelos.

THE SECRETARY: Calendar Number 254, by Senator Leibell, Senate Print 2391, an act to amend the Labor Law, in relation to requiring.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 40.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 289, by Senator Fuschillo, Senate Print 2891, an act to amend the General Business Law, in relation to listing.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 40.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 290, by Senator Robach, Senate Print 2978, an act to amend the Executive Law and the Social

Services Law, in relation to authorizing.

THE PRESIDENT: The Secretary will please read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 41.

THE PRESIDENT: The bill is passed.

This is what is commonly referred to in literature and culture as a pregnant pause.

(Laughter.)

THE PRESIDENT: The Secretary will now read Calendar Number 245.

THE SECRETARY: Calendar Number 245, by Senator Young, Senate Print 440, an act to amend the Education Law, in relation to requiring disclosure.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 245 are Senators Duane and Huntley.

Ayes, 41. Nays, 2.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 246, by Senator LaValle, Senate Print 1244, an act to amend the Education Law, in relation to inclusion.

THE PRESIDENT: The Secretary will read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 43.

THE PRESIDENT: The bill is passed.

That completes the reading of the calendar, Senator Libous.

SENATOR LIBOUS: Mr. President,

is there any further business at the desk?

THE PRESIDENT: No, there is not, Senator Libous, unless there's something that you would like to disclose to this chamber.

SENATOR LIBOUS: Mr. President, in consultation with the Minority Leader, Senator Bruno hands up the following committee changes and asks that they be filed in the Journal, please.

THE PRESIDENT: They will be so filed. Thank you, Senator Libous.

SENATOR LIBOUS: And, Mr. President, before we adjourn until Wednesday, March 21st, at 11:00 p.m., I would like to remind all the members --

SENATOR DUANE: A.m. A.m.

SENATOR LIBOUS: A.m. Did I say p.m.? I just wanted to see if you were listening.

Mr. President, they were listening, and I'm quite pleased with that.

But I want to remind the members that tomorrow is West Point Day, and we want to start promptly at 11:00 a.m. And if the members could be here promptly, it would be

greatly appreciated, to pay respect to our men and women from the military academy.

There being no further business, Mr. President, I think that could be it.

THE PRESIDENT: There being no further business, the Senate stands adjourned until tomorrow, March 21st, at 1100 hours.

Adjourned.

(Whereupon, at 3:17 p.m., the Senate adjourned.)