NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 4, 2007

3:15 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.

I would ask all assembled to please rise with me and recite our Pledge of Allegiance.

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

THE PRESIDENT: Our invocation today will be delivered by the Reverend Peter G. Young, of Mother Theresa Community, right here in Albany.

REVEREND YOUNG: Let us pray.

Dear God, it's my privilege today to dedicate the prayer to a man who served here in this chamber for 35 years, Senator Anderson, who was a good friend and a very, very strong, dedicated leader of our state.

Almighty Eternal God, You have revealed Your glory to all nations. God of Power, almighty wisdom and justice comes to our Senators through their authority with prayer, that Your laws are enacted and judgments are decreed, with our citizens benefitting from the dedication of our session

today.

We pray that You will remember that important example of Warren to all of those that are here in this dedicated chamber.

Amen.

THE PRESIDENT: And all those members just joining us in the past few years, if you never had the opportunity to meet Senator Anderson, he was as distinguished a gentleman that ever graced this chamber, and one whose dedication and goodwill transcended both sides of the aisle of this institution.

The reading of the Journal.

THE SECRETARY: In Senate, Sunday, June 3, the Senate met pursuant to adjournment. The Journal of Saturday, June 2, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Mr. President.

Amendments are offered to the following Third Reading Calendar bills:

Senator Winner, on page 34, Calendar 874, Senate Print 3317;

For Senator Padavan, on page 36, Calendar Number 928, Senate Print 881;

On behalf of Senator Golden, on page 36, Calendar Number 930, Senate Print 3333A;

On behalf of Senator LaValle, on page 40, Calendar 981, Senate Print 5328;

On behalf of Senator Seward, on page 43, Calendar Number 1018, Senate Print 3150;

On behalf of the Majority Leader, Senator Bruno, on page 53, Calendar Number 1191, Senate Print 5849;

On behalf of Senator Leibell, on

page 54, Calendar Number 1201, Senate Print 5125;

On behalf of Senator Larkin, on page 64, Calendar 1317, Senate Print 2021;

On behalf of Senator Morahan, on page 70, Calendar Number 1377, Senate Print 5181A;

And last, on behalf of Senator Leibell, on page 71, Calendar Number 1394, Senate Print 5666.

Mr. President, I move that these bills retain their place on the Third Reading Calendar.

THE PRESIDENT: The amendments to the nine aforementioned bills have been received and adopted, and these bills will retain their place on the Third Reading Calendar.

Senator Duane.

SENATOR DUANE: Thank you, Mr. President.

On behalf of Senator L. Krueger, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the

enacting clause: Senate Number 4756.

And on behalf of Senator Stewart-Cousins, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: S4478.

And, Mr. President, on page 53, on behalf of Senator Sabini, I offer the following amendments to Calendar Number 1193, Senate Print Number 1725A, and ask that said bill retain its place on Third Reading Calendar.

THE PRESIDENT: So ordered. Thank you, Senator Duane.

SENATOR DUANE: Thank you, Mr. President.

THE PRESIDENT: Senator Winner.

SENATOR WINNER: Are there any substitutions, Mr. President?

THE PRESIDENT: Yes, there are.

The Secretary will read.

THE SECRETARY: On page 31, Senator Leibell moves to discharge, from the Committee on Judiciary, Assembly Bill Number 3074 and substitute it for the identical

Senate Bill Number 4564, Third Reading Calendar 838.

On page 43, Senator Seward moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6552 and substitute it for the identical Senate Bill Number 2072, Third Reading Calendar 1013.

On page 54, Senator Wright moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 8201 and substitute it for the identical Senate Bill Number 5799, Third Reading Calendar 1205.

On page 55, Senator O. Johnson moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 8214 and substitute it for the identical Senate Bill Number 5840, Third Reading Calendar 1216.

On page 55, Senator O. Johnson moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 8208 and substitute it for the identical Senate Bill Number 5841, Third Reading Calendar 1217.

On page 72, Senator Bruno moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 7267 and substitute it for the identical Senate Bill Number 3438, Third Reading Calendar 1404.

And on page 74, Senator Nozzolio moves to discharge, from the Committee on Transportation, Assembly Bill Number 6604A and substitute it for the identical Senate Bill Number 3120A, Third Reading Calendar 1426.

THE PRESIDENT: Substitutions ordered.

Senator Winner.

SENATOR WINNER: Thank you, Mr. President.

Would you please recognize Senator Marcellino for the purposes of an introduction.

THE PRESIDENT: Thank you.

The chair recognizes Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

Mr. President, as we all know,

every year the Italian-American State Legislators Conference holds the annual festa at the Troy Italian-American Center. This is the night; this has been the weekend.

We invite everyone to participate in this great event -- plenty of food, plenty of drink. And we hope everyone comes and has a good time and meets our honoree for the year, Tony LoBianco.

It's a name that should be familiar to all of us. Tony LoBianco was born on October 19, 1936. I only say that because that makes him older than me. For which he will probably deck me, because he was a Golden Gloves boxer at one time. And he looks like he's in a lot better shape than I am, so I'm not going to push this too far.

But he is a great man, he's done a lot with his career on Broadway, Off Broadway, TV and films. His career has run the gamut from drama to comedy. He has shown his talents -- there was only one show that he appeared in called "Bella Mafia," and I don't know, I guess it's just fiction, because we all know there is no such organization.

But the fact that he is our honoree this year is a good thing. He has shown grace and charm with everyone that he has met. And it is my pleasure to offer him and ask him to accept our thanks and gratitude for being here this day.

And thank you, Mr. LoBianco, for being our honoree this year.

(Applause.)

THE PRESIDENT: Thank you very much. And welcome to the chamber on behalf of Majority Leader Joseph Bruno here in the Senate, Mr. LoBianco, star of "The French Connection," a movie that offered the famous scene when the outlaws are having a gourmet dinner and the public servants, the police, who were designed to protect the public, were outside eating pizza. That stark irony is one I never forgot.

So welcome, Mr. LoBianco, born October 19, 1936, which was a Friday. You can look it up.

(Laughter.)

THE PRESIDENT: Senator Winner.

SENATOR WINNER: Thank you,

Mr. President.

May we have the reading of the noncontroversial calendar.

THE PRESIDENT: The Secretary will conduct the noncontroversial reading of the calendar.

THE SECRETARY: Calendar Number 93, by Senator Saland, Senate Print 1095, an act to amend the Education Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 105, by Senator Trunzo, Senate Print 558, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 261, by Senator Rath, Senate Print 2322, an act to amend the Real Property Tax Law, in relation to real property.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 409, by Senator LaValle, Senate Print 3305A, an act to amend the Civil Service Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 482, by Senator Lanza, Senate Print 4067, an act to amend the Workers' Compensation Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 618, by Senator Alesi, Senate Print 282, an act to provide for the creation of a temporary state commission.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 637, by Senator Fuschillo, Senate Print 4306, an act to amend the General Business Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 709, by Senator Seward, Senate Print 2456, an act to amend the Executive Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 711, by Senator Trunzo, Senate Print 3925, an act to amend the Executive Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 713, by Senator Larkin, Senate Print 537, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

784, by Senator DeFrancisco, Senate Print 2057, an act to direct the Office for Technology.

THE PRESIDENT: 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: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 799, by Senator Trunzo, Senate Print 2694A, an act authorizing the assessor of the Town of Islip.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senators Bonacic and Larkin recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 838, substituted earlier today by Member of the Assembly Bradley, Assembly Print Number 3074, an act to amend the Domestic Relations Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 850, by Senator Skelos, Senate Print 5195, an act to amend the Eminent Domain Procedure Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

871, by Senator Young, Senate Print 5579 --

SENATOR WINNER: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 897, by Senator Farley, Senate Print 4799A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 911, by Senator Morahan, Senate Print 4073, an act requiring the use of politically correct terminology.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 913, by Senator Morahan, Senate Print 4147, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 944, by Senator Young, Senate Print 4453, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 946, by Senator Young, Senate Print 4837, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 960, by Senator Padavan, Senate Print 5485, an act to amend the General Municipal Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 998, by Senator Maltese --

SENATOR WINNER: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1013, substituted earlier today by Member of the Assembly P. Lopez, Assembly Print Number 6552, an act to amend the Tax Law.

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, 58.

THE PRESIDENT: The bill is

passed.

THE SECRETARY: Calendar Number 1016, by Senator Winner, Senate Print 2817, an act to amend the Tax Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. 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, 57. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1023, by Senator Libous, Senate Print 4125, an act to amend the Tax Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1031, by Senator Farley, Senate Print 4407, an act to amend the Tax Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1039, by Senator Fuschillo, Senate Print 3080, an act to amend the Penal Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: The Secretary will call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is

passed.

THE SECRETARY: Calendar Number 1075, by Senator Griffo, Senate Print Number 4047, an act to amend Chapter 335 of the Laws of 2005.

THE PRESIDENT: 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, 58.

THE PRESIDENT: Calendar Number 1075, the bill is passed.

THE SECRETARY: Calendar Number 1090, by Senator Robach, Senate Print 1702, an act to amend the Correction Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1169, by Senator LaValle, Senate Print 5477, an act to amend the Education Law.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1196, by Senator Flanagan, Senate Print 3885, an act to amend the General Municipal Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1202, by Senator Padavan, Senate Print 81, an

act to amend the Penal Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 1202 are Senators Diaz, Duane, Gonzalez, Perkins and Serrano. Also Senator Hassell-Thompson.

Ayes, 52. Nays, 6.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1205, substituted earlier today by Member of the Assembly Aubertine, Assembly Print Number 8201, an act to amend the Environmental Conservation Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1216, substituted earlier today by Member of the Assembly Cymbrowitz, Assembly Print Number 8214, an act to amend the Environmental Conservation Law.

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, 56. Nays, 2. Senators Duane and LaValle recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1217, substituted earlier today by Member of the Assembly Sweeney, Assembly Print Number 8208, an act to amend the Environmental Conservation Law.

THE PRESIDENT: 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, 56. Nays, 2. Senators Duane and LaValle recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1226, by Senator Rath, Senate Print 1869, an act to amend the Penal Law.

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: Those recorded in the negative on Calendar Number 1226 are Senators Duane, Hassell-Thompson, Huntley and Montgomery.

Ayes, 54. Nays, 4.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1228, by Senator Winner, Senate Print 2123, an act to amend the Penal Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 1228 are Senators Diaz, Dilan, Duane, Gonzalez, Hassell-Thompson, Huntley, L. Krueger, Montgomery, Perkins and Schneiderman.

Ayes, 48. Nays, 10.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1230, by Senator Volker, Senate Print 2337, an act to amend the Civil Practice Law and Rules.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1241, by Senator Padavan, Senate Print 4209, an act --

SENATOR HASSELL-THOMPSON: Lay it aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number 1245, by Senator Fuschillo, Senate Print 5153, an act to amend the Penal Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

1255, by Senator Seward, Senate Print 2085A, an act to amend the Insurance Law.

THE PRESIDENT: 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 SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1261, by Senator DeFrancisco, Senate Print 5076A, an act to amend the Insurance Law and the Civil Practice Law and Rules.

THE PRESIDENT: 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 SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

1281, by Senator Maltese, Senate Print 302, an act to amend the Real Property Tax Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect June 1, 2008.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1304, by Senator Volker, Senate Print 4631, an act to amend the Court of Claims Act.

SENATOR WINNER: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1310, by Senator DeFrancisco, Senate Print 5855, an act to amend the Court of Claims Act.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1313, by Senator LaValle, Senate Print 4405, an act to amend the Education Law.

THE PRESIDENT: Please 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1324, by Senator Montgomery, Senate Print 3201, an act to amend the Social Services Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1331, by Senator Saland, Senate Print 4693, an act to amend the Criminal Procedure Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1345, by Senator Golden, Senate Print 117, an act to amend the Executive Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1353, by Senator Volker, Senate Print 4491, an act to amend the Executive Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1355, by Senator Larkin, Senate Print 4843, an act to amend the Executive Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1361, by Senator Leibell, Senate Print 5642, an act to amend the Executive Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1373, by Senator Larkin, Senate Print 4123, an act to authorize the City of Newburgh in the County of Orange.

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

Please 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 SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1376, by Senator Golden, Senate Print 4895, an act to amend the Administrative Code of the City of New York and the Retirement and Social Security Law.

THE PRESIDENT: 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 SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1380, by Senator Nozzolio, Senate Print 324, an act authorizing James J. Colacino to receive.

THE PRESIDENT: 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1403, by the Senate Committee on Rules, Senate Print 3319, an act to amend Chapter 579 of the Laws of 2004.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1404, substituted earlier today by Member of the Assembly Molinaro, Assembly Print Number 7267, an act to amend the Tax Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1405, by the Senate Committee on Rules, Senate Print Number 3439, an act to amend the Tax Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1407, by Senator Flanagan, Senate Print 3850, an act to amend the Public Officers Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1422, by Senator Trunzo, Senate Print 1484, an act to amend the Vehicle and Traffic Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1424, by Senator DeFrancisco, Senate Print 1823, an act to amend the Navigation Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1426, substituted earlier today by Member of the Assembly Morelle, Assembly Print Number 6604A, an act to amend the Vehicle and Traffic Law.

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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1429, by Senator Alesi, Senate Print 4122, an act to amend the Highway Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: The Secretary will call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1435, by Senator Robach, Senate Print 1923 --

SENATOR WINNER: Lay it aside for the day, please.

THE PRESIDENT: This bill is laid aside for the day.

THE SECRETARY: Calendar Number 1436, by Senator Volker, Senate Print 4254, an act to allow a filing for state aid.

THE PRESIDENT: Last section.

THE SECRETARY: Section 4. This act shall take effect July 1, 2007.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

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

What is your pleasure?

SENATOR WINNER: We'll stand at ease momentarily, Mr. President.

THE PRESIDENT: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:50 p.m.)

(Whereupon, the Senate reconvened at 3:53 p.m.)

THE PRESIDENT: Senator Winner.

SENATOR WINNER: Mr. President, I would lay aside for the day Calendar Number 1241.

THE PRESIDENT: Calendar Number 1241 is laid aside for the day.

Senator Winner.

SENATOR WINNER: For the information of the members, there will be an immediate meeting of the Rules Committee. The Rules Committee will report two bills for action for tomorrow.

THE PRESIDENT: There will be an immediate meeting of the Rules Committee in the Majority Conference Room.

SENATOR WINNER: After that

action, Mr. President, we'll accept the report of the Rules Committee and adjourn for the day.

THE PRESIDENT: Thank you. The Senate stands at ease.

(Whereupon, the Senate stood at ease at 3:54 p.m.)

(Whereupon, the Senate reconvened at 4:00 p.m.)

SENATOR WINNER: Mr. President, may we please return to reports of standing committees.

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

ACTING PRESIDENT ROBACH: Thank you, Senator Winner.

The Secretary will read.

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

Senate Print 6015, by Senator Skelos, an act to authorize and direct the Department of Environmental Conservation;

And Senate Print 6020, by Senator Bruno, Concurrent Resolution of the Senate and

Assembly proposing amendments to the Constitution.

Both bills ordered direct to third reading.

ACTING PRESIDENT ROBACH: Senator Winner.

SENATOR WINNER: Move to accept the report of the Rules Committee.

ACTING PRESIDENT ROBACH: All in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT ROBACH: Opposed, nay.

(No response.)

ACTING PRESIDENT ROBACH: The report is accepted.

Senator Winner.

SENATOR WINNER: Is there any other business at the desk?

ACTING PRESIDENT ROBACH: No, there is not.

SENATOR WINNER: There being no further business, I move we adjourn until Tuesday, June 5th, at 3:00 p.m.

ACTING PRESIDENT ROBACH: On motion, the Senate stands adjourned until Tuesday, June 5th, at 3:00 p.m.

(Whereupon, at 4:01 p.m., the Senate adjourned.)