NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 10, 2008

3:44 p.m.

REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: In the absence of clergy today, I ask that we bow our heads in a moment of silent prayer.

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Friday, March 7, the Senate met pursuant to adjournment. The Journal of Thursday, March 6, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT GRIFFO: 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 Little.

SENATOR LITTLE: Thank you, Mr. President.

On behalf of Senator DeFrancisco, on page 19 I offer the following amendments to Calendar Number 191, Senate Print Number 36, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received and adopted, and the bill will retain its place on Third Reading Calendar.

SENATOR LITTLE: Thank you.

On behalf of Senator Alesi, on page number 16 I offer the following amendments to Calendar Number 134, Senate Print Number 6634A, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The

amendments are received and adopted, and the bill will retain its place on Third Reading Calendar.

SENATOR LITTLE: Thank you.

On behalf of Senator Robach, a motion to amend a bill recalled from the Assembly. I wish to call up Bill Print Number 2983, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 119, by Senator Robach, Senate Print 2983, an act to amend the Retirement and Social Security Law.

SENATOR LITTLE: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT GRIFFO: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 44.

SENATOR LITTLE: Mr. President, I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received and adopted.

Senator Skelos.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 187, by Senator Rath, Senate Print 2992, an act to amend the Real Property Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 188, by Senator Winner, Senate Print 3228, an act to amend the Uniform Justice Court Act and

the Town Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 252, by Senator Lanza --

SENATOR SKELOS: Lay it aside, please.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

THE SECRETARY: Calendar Number 264, by Senator --

SENATOR SKELOS: Lay it aside, please.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

THE SECRETARY: Calendar Number 266, by Senator Farley, Senate Print 1684A, an

act to amend the Public Authorities Law, in relation to construction and financing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 289, by Senator Larkin --

SENATOR SKELOS: Lay it aside, please.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

THE SECRETARY: Calendar Number 294, by Senator Fuschillo, Senate Print 2358, an act to amend the Judiciary Law, in relation to practicing.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 298, by Senator Larkin, Senate Print 3880, an act to amend the Surrogates Court Procedure Act, in relation to expanding.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the first of January next succeeding.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 299, by Senator DeFrancisco, Senate Print 4876, an act to amend the Estates, Powers and

Trusts Law, in relation to order.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 325, by Senator Volker, Senate Print 6747 --

SENATOR VOLKER: Mr. President, would you lay that bill aside for the day, please.

ACTING PRESIDENT GRIFFO: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 334, by Senator Griffo, Senate Print 6837, an act granting a full-time police officer position.

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

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 340, by Senator Libous, Senate Print 3550, an act to amend the Vehicle and Traffic Law, in relation to certification.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 397, by Senator Nozzolio, Senate Print 3612, an act to amend the Correction Law and the

Executive Law, in relation to released inmates' records.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR SKELOS: Mr. President, can we return to motions and resolutions. I believe there's an announcement.

ACTING PRESIDENT GRIFFO: Motions and resolutions.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Skelos.

SENATOR SKELOS: Has the desk received an announcement from the Assembly?

ACTING PRESIDENT GRIFFO: We have, and it is filed in the Journal Clerk's office, Senator Skelos.

SENATOR SKELOS: Thank you.

Is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is no further business before the desk at this time, Senator Skelos.

SENATOR SKELOS: There being none, I move we stand adjourned until Tuesday, March 11th, at 3:00 p.m.

ACTING PRESIDENT GRIFFO: The three bills that were laid aside have been laid aside for the day.

On motion, the Senate stands adjourned until Tuesday, March 11th, at 3:00 p.m.

(Whereupon, at 3:52 p.m., the Senate adjourned.)