

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 May 27, 2008

11 3:07 p.m.

12  
13  
14 REGULAR SESSION

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18 SENATOR JOSEPH A. GRIFFO, Acting President

19 STEVEN M. BOGGESE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT GRIFFO: The  
3 Senate will come to order.

4 I ask all present to please rise  
5 and join with me as we recite the Pledge of  
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today  
10 our prayer will be offered by Father Peter  
11 Young, of the Mother Theresa Community here in  
12 Albany.

13 Father.

14 REVEREND YOUNG: Thank you,  
15 Senator. Let us pray.

16 God, You have given us a marvelous  
17 example of charity, and You have called us to  
18 love one another.

19 Today we have heard that our dear  
20 friend Senator -- Mayor -- Griffin from  
21 Buffalo has gone on to Your reward. He has  
22 sent his blessings to us, and we to him.

23 By Your love You have made a world  
24 where we have become neighbors to each other,  
25 and we are enabled to love one another. Grant

1       that we too may use this Senate to strive  
2       toward a way of life in keeping with God's  
3       plan.

4               Amen.

5               ACTING PRESIDENT GRIFFO:     Thank  
6       you, Father.

7               Reading of the Journal.

8               THE SECRETARY:     In Senate,  
9       Monday, May 26, the Senate met pursuant to  
10      adjournment. The Journal of Sunday, May 25,  
11      was read and approved. On motion, Senate  
12      adjourned.

13              ACTING PRESIDENT GRIFFO:     Without  
14      objection, the Journal stands approved as  
15      read.

16              Presentation of petitions.

17              Messages from the Assembly.

18              Messages from the Governor.

19              Reports of standing committees.

20              Reports of select committees.

21              Communications and reports from  
22      state officers.

23              Motions and resolutions.

24              Senator Fuschillo.

25              SENATOR FUSCHILLO:     Thank you,

1 Mr. President.

2 Amendments are offered to the  
3 following Third Reading Calendar bills:

4 Sponsored by Senator Skelos, page  
5 number 43, Calendar Number 351, Senate Print  
6 Number 6823;

7 By Senator Larkin, page number 54,  
8 Calendar Number 612, Senate Print Number 205;

9 By Senator DeFrancisco, page number  
10 89, Calendar Number 1223, Senate Print Number  
11 7546.

12 I now move that these bills retain  
13 their place on the order of third reading.

14 ACTING PRESIDENT GRIFFO: The  
15 amendments are received and adopted, and the  
16 bills will retain their place on the Third  
17 Reading Calendar.

18 SENATOR FUSCHILLO: Mr.  
19 President, on behalf of Senator Griffo, I wish  
20 to call up Senate Print Number 7167, recalled  
21 from the Assembly, which is now at the desk.

22 ACTING PRESIDENT GRIFFO: The  
23 Secretary will read.

24 THE SECRETARY: Calendar Number  
25 708, by Senator Griffo, Senate Print 7167, an

1 act to amend the Highway Law and the Vehicle  
2 and Traffic Law.

3 SENATOR FUSCHILLO: I now move to  
4 reconsider the vote by which the bill was  
5 passed.

6 ACTING PRESIDENT GRIFFO: Call  
7 the roll on reconsideration.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 45.

10 SENATOR FUSCHILLO: I now offer  
11 the following amendments.

12 ACTING PRESIDENT GRIFFO: The  
13 amendments are received and adopted.

14 SENATOR FUSCHILLO: Thank you.

15 Mr. President, on behalf of Senator  
16 Seward, I wish to call up Senate Print Number  
17 2071, recalled from the Assembly, which is now  
18 at the desk.

19 ACTING PRESIDENT GRIFFO: The  
20 Secretary will read.

21 THE SECRETARY: Calendar Number  
22 613, by Senator Seward, Senate Print 2071, an  
23 act to amend the Insurance Law.

24 SENATOR FUSCHILLO: I now move to  
25 reconsider the vote by which the bill was

1       passed.

2                   ACTING PRESIDENT GRIFFO:     Call  
3       the roll on reconsideration.

4                   (The Secretary called the roll.)

5                   THE SECRETARY:     Ayes, 45.

6                   SENATOR FUSCHILLO:     I now offer  
7       the following amendments.

8                   ACTING PRESIDENT GRIFFO:     The  
9       amendments are received.

10                  SENATOR FUSCHILLO:     Thank you.

11                  ACTING PRESIDENT GRIFFO:     Thank  
12       you, Senator Fuschillo.

13                  Senator Skelos.

14                  SENATOR SKELOS:     Mr. President, I  
15       believe there are five substitutions at the  
16       desk. If we could make them at this time.

17                  ACTING PRESIDENT GRIFFO:     The  
18       Secretary will read.

19                  THE SECRETARY:     On page 34,  
20       Senator Trunzo moves to discharge, from the  
21       Committee on Health, Assembly Bill Number  
22       10622 and substitute it for the identical  
23       Senate Bill Number 3680, Third Reading  
24       Calendar 107.

25                  On page 40, Senator Flanagan moves

1 to discharge, from the Committee on  
2 Corporations, Authorities and Commissions,  
3 Assembly Bill Number 9060 and substitute it  
4 for the identical Senate Bill Number 3610,  
5 Third Reading Calendar 268.

6 On page 44, Senator Rath moves to  
7 discharge, from the Committee on Finance,  
8 Assembly Bill Number 9941 and substitute it  
9 for the identical Senate Bill Number 6730,  
10 Third Reading Calendar 358.

11 On page 48, Senator Morahan moves  
12 to discharge, from the Committee on Elections,  
13 Assembly Bill Number 112A and substitute it  
14 for the identical Senate Bill Number 5184A,  
15 Third Reading Calendar 470.

16 And on page 85, Senator Trunzo  
17 moves to discharge, from the Committee on  
18 Civil Service and Pensions, Assembly Bill  
19 Number 10305 and substitute it for the  
20 identical Senate Bill Number 7328, Third  
21 Reading Calendar 1178.

22 ACTING PRESIDENT GRIFFO: The  
23 substitutions are so ordered.

24 Senator Skelos.

25 SENATOR SKELOS: Mr. President,

1       there's a Resolution 6071 at the desk, by  
2       Senator Nozzolio. If we could have the title  
3       read and move for its immediate adoption.

4                ACTING PRESIDENT GRIFFO:     The  
5       Secretary will read.

6                THE SECRETARY:     By Senator  
7       Nozzolio, Legislative Resolution Number 6071,  
8       commemorating the 90th anniversary of Boy  
9       Scouts of America Troop 4 of Geneva, New York,  
10      to be celebrated on May 31, 2008.

11               ACTING PRESIDENT GRIFFO:     The  
12      question is on the resolution. All in favor  
13      signify by saying aye.

14               (Response of "Aye.")

15               ACTING PRESIDENT GRIFFO:  
16      Opposed, nay.

17               (No response.)

18               ACTING PRESIDENT GRIFFO:     The  
19      resolution is carried.

20               Senator Skelos.

21               SENATOR SKELOS:     Senator Volker  
22      has a resolution at the desk, 6078. If we  
23      could have the title read and move for its  
24      immediate adoption.

25               ACTING PRESIDENT GRIFFO:     The



1 Secretary will read.

2 THE SECRETARY: By Senator  
3 Volker, Legislative Resolution Number 6078,  
4 honoring Investigator Jeffrey T. Arnold upon  
5 the occasion of his designation as the  
6 recipient of a Superintendent's Commendation  
7 Award at the 32nd Annual State Police Awards  
8 Day Ceremony on May 28, 2008.

9 ACTING PRESIDENT GRIFFO: The  
10 question is on the resolution. All in favor  
11 signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT GRIFFO:  
14 Opposed, nay.

15 (No response.)

16 ACTING PRESIDENT GRIFFO: The  
17 resolution is adopted.

18 Senator Skelos.

19 SENATOR SKELOS: Mr. President,  
20 Senator Volker has another resolution at the  
21 desk, 6079. If we could have the title read  
22 and move for its immediate adoption.

23 ACTING PRESIDENT GRIFFO: The  
24 Secretary will read.

25 THE SECRETARY: By Senator

1 Volker, Legislative Resolution Number 6079,  
2 honoring Trooper Jay A. Hoy upon the occasion  
3 of his designation as the recipient of a  
4 Superintendent's Commendation Award at the  
5 23rd Annual State Police Awards Day Ceremony  
6 on May 28, 2008.

7 ACTING PRESIDENT GRIFFO: I'd ask  
8 for some order in the house, please.

9 The question is on the resolution.  
10 All in favor signify by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT GRIFFO:  
13 Opposed, nay.

14 (No response.)

15 ACTING PRESIDENT GRIFFO: The  
16 resolution is adopted.

17 Senator Skelos.

18 SENATOR SKELOS: Mr. President,  
19 there will be an immediate meeting of the  
20 Rules Committee in the Majority Conference  
21 Room.

22 ACTING PRESIDENT GRIFFO: There  
23 will be an immediate meeting of the Rules  
24 Committee in the Majority Conference Room.

25 The Senate stands at ease.

1 (Whereupon, the Senate stood at  
2 ease at 3:15 p.m.)

3 (Whereupon, the Senate reconvened  
4 at 3:21 p.m.)

5 ACTING PRESIDENT GRIFFO: The  
6 Senate will come to order.

7 Senator Little.

8 SENATOR LITTLE: Thank you,  
9 Mr. President.

10 Could we now have the  
11 noncontroversial reading of the Senate  
12 calendar.

13 ACTING PRESIDENT GRIFFO: The  
14 Secretary will read.

15 THE SECRETARY: Calendar Number  
16 107, substituted earlier today by Member of  
17 the Assembly Eddington, Assembly Print Number  
18 10622, an act to amend the Public Health Law,  
19 in relation to requiring.

20 ACTING PRESIDENT GRIFFO: Read  
21 the last section.

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

24 ACTING PRESIDENT GRIFFO: Call  
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The  
4 bill is passed.

5 THE SECRETARY: Calendar Number  
6 126, by Senator Volker, Senate Print 6681, an  
7 act to amend the Civil Service Law, in  
8 relation to resolution of disputes.

9 ACTING PRESIDENT GRIFFO: Read  
10 the last section.

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

13 ACTING PRESIDENT GRIFFO: Call  
14 the roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT GRIFFO: The  
18 bill is passed.

19 THE SECRETARY: Calendar Number  
20 268, substituted earlier today by Member of  
21 the Assembly Brodsky, Assembly Print Number  
22 9060, an act to amend the Business Corporation  
23 Law, the Limited Liability Law, and the  
24 Partnership Law, in relation to mergers and  
25 consolidations.

1                   ACTING PRESIDENT GRIFFO:     Read  
2     the last section.

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

5                   ACTING PRESIDENT GRIFFO:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 59.

9                   ACTING PRESIDENT GRIFFO:     The  
10    bill is passed.

11                  THE SECRETARY:     Calendar Number  
12    358, substituted earlier today by Member of  
13    the Assembly Schimminger, Assembly Print  
14    Number 9941, an act to amend the Executive  
15    Law, in relation to including.

16                  ACTING PRESIDENT GRIFFO:     Read  
17    the last section.

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

20                  ACTING PRESIDENT GRIFFO:     Call  
21    the roll.

22                  (The Secretary called the roll.)

23                  THE SECRETARY:     Ayes, 59.

24                  ACTING PRESIDENT GRIFFO:     The  
25    bill is passed.

1                   THE SECRETARY:     Calendar Number  
2     369, by Senator Larkin, Senate Print 5096, an  
3     act to amend the General Business Law, in  
4     relation to health club fees.

5                   ACTING PRESIDENT GRIFFO:     Read  
6     the last section.

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

9                   ACTING PRESIDENT GRIFFO:     Call  
10    the roll.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:     Ayes, 59.

13                   ACTING PRESIDENT GRIFFO:     The  
14    bill is passed.

15                   THE SECRETARY:     Calendar Number  
16    470, substituted earlier today by Member of  
17    the Assembly Pheffer, Assembly Print Number  
18    112A, an act to amend the Election Law, in  
19    relation to filing of documents.

20                   ACTING PRESIDENT GRIFFO:     Read  
21    the last section.

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

24                   ACTING PRESIDENT GRIFFO:     Call  
25    the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59.

3 ACTING PRESIDENT GRIFFO: The  
4 bill is passed.

5 THE SECRETARY: Calendar Number  
6 727, by Senator Fuschillo, Senate Print 7297,  
7 an act to amend the General Business Law, in  
8 relation to debt collection.

9 ACTING PRESIDENT GRIFFO: Read  
10 the last section.

11 THE SECRETARY: Section 2. This  
12 act shall take effect on the first of  
13 September.

14 ACTING PRESIDENT GRIFFO: Call  
15 the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The  
19 bill is passed.

20 THE SECRETARY: Calendar Number  
21 838, by Senator Golden, Senate Print 6414, an  
22 act to amend the Penal Law and the Criminal  
23 Procedure Law, in relation to sentencing.

24 ACTING PRESIDENT GRIFFO: Senator  
25 Little.

1                   SENATOR LITTLE:     Mr. President,  
2     could the Senate please stand at ease for a  
3     moment.

4                   ACTING PRESIDENT GRIFFO:     The  
5     Senate will stand at ease.  
6                   Senator Little.

7                   SENATOR LITTLE:     Thank you,  
8     Mr. President.

9                   The Senate may now proceed.

10                  ACTING PRESIDENT GRIFFO:     The  
11     Senate returns to order.

12                  Read the last section.

13                  THE SECRETARY:     In relation to  
14     Calendar Number 838:   Section 6.   This act  
15     shall take effect immediately.

16                  ACTING PRESIDENT GRIFFO:     Call  
17     the roll.

18                  (The Secretary called the roll.)

19                  ACTING PRESIDENT GRIFFO:     Senator  
20     Duane, to explain his vote.

21                  SENATOR DUANE:     Thank you,  
22     Mr. President.

23                  I'm going to be voting in the  
24     negative on this.   And as you know and as my  
25     colleagues know, I'm opposed to the death



1 penalty --

2 ACTING PRESIDENT GRIFFO: Excuse  
3 me, Senator Duane.

4 May we have some order, please.  
5 Senator Duane.

6 SENATOR DUANE: Thank you,  
7 Mr. President.

8 I just wanted to reiterate my  
9 opposition to the death penalty under any  
10 circumstances. I'll be voting in the  
11 negative, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator  
13 Duane to be cast in the negative.

14 Senator Diaz.

15 SENATOR DIAZ: Yes,  
16 Mr. President, I would like to explain my  
17 vote.

18 As a minister, as a pastor of a  
19 church, I believe that all life is sacred.  
20 Since inception to the end, God gives life;  
21 God will take life.

22 So to take a life is something that  
23 my religion opposes, and I am telling you that  
24 I'm voting no on this, not only because I  
25 don't believe in taking life, but I also

1 believe that protecting life, the unborn, is  
2 also very important. That's why I oppose  
3 abortion, and that's why I'm opposing this  
4 one, because I want to be consistent in  
5 protecting life.

6 So life is sacred during inception,  
7 and life is sacred at the end. So I'm voting  
8 no.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Diaz to be recorded in the negative.

11 Senator Schneiderman.

12 SENATOR SCHNEIDERMAN: Thank you,  
13 Mr. President.

14 I just want to note that a lot of  
15 other jurisdictions in the country are  
16 actually moving away from the ideology of the  
17 death penalty.

18 And I would like to call the  
19 attention of this body to the evidence that  
20 was adduced at a hearing we held in Suffolk  
21 County a few months ago demonstrating that  
22 through absolute stone-cold exonerations of  
23 people who were wrongfully convicted through  
24 DNA evidence, we've established that  
25 25 percent of those people who are exonerated

1       pleaded guilty to crimes they did not commit.

2               In most cases, we do not have DNA  
3       evidence to determine whether people are  
4       guilty or not. But given these statistics and  
5       the growing body of evidence that not only are  
6       there innocent people going to jail, but there  
7       are people who are innocent who are pleading  
8       guilty to crimes they didn't commit, we have  
9       to really take a hard look at this.

10              And I really think it's regrettable  
11       that this house is going to move forward  
12       towards the death penalty knowing, knowing --  
13       unless we willfully choose to disregard the  
14       evidence in front of our eyes -- that under  
15       such a system innocent people will be put to  
16       death.

17              I vote no, Mr. President.

18              ACTING PRESIDENT GRIFFO:     Senator  
19       Schneiderman to be recorded in the negative.

20              Senator Connor, to explain his  
21       vote.

22              SENATOR CONNOR:     Thank you,  
23       Mr. President.

24              Mr. President, I rise once again to  
25       oppose the death penalty. I understand the

1 concern for the victims, in this case police  
2 officers who are brutally murdered. But I  
3 also understand that we have a fallible system  
4 of justice -- perhaps the best system of  
5 justice anywhere, but nonetheless administered  
6 by human beings and therefore fallible.

7 And it's been pointed out there  
8 have been exonerations in cases of murder,  
9 even in cases of confession. There's a whole  
10 body of psychology about why people falsely  
11 confess. And I say again, as I've said before  
12 on this floor for many, many years, no to the  
13 death penalty. It's unworthy of a civilized  
14 society. It's not a penalty we should impose.  
15 I will never vote for the death penalty under  
16 any circumstances.

17 Mr. President, I vote no.

18 ACTING PRESIDENT GRIFFO: Senator  
19 Connor to be recorded in the negative.

20 Senator L. Krueger, to explain her  
21 vote.

22 SENATOR LIZ KRUEGER: Thank you,  
23 Mr. President.

24 I rise also to go on record that I  
25 will not vote for a death penalty bill, now,

1       last year, next year.

2               But I am concerned that this bill  
3       popped up on our calendar so late today so  
4       that some of us who might have chosen to  
5       prepare more documentation of why we know that  
6       the death penalty is a flawed model of  
7       criminal justice would have had the  
8       opportunity to make that presentation.

9               So again, I vote no. Thank you,  
10      Mr. President.

11              ACTING PRESIDENT GRIFFO:     Senator  
12      Krueger to be recorded in the negative.

13              Senator Maziarz, to explain his  
14      vote.

15              SENATOR MAZIARZ:     Thank you very  
16      much, Mr. President.

17              I feel just as passionately as some  
18      of my colleagues on the other side of the  
19      aisle in favor of this legislation.

20              You know, it was just about a year  
21      and a half ago that we had the widow of  
22      Trooper Joseph Longobardo sitting right there  
23      talking about what great service her husband  
24      did.

25              It was interesting in the Buffalo

1 News just two or three days ago, there was a  
2 front-page article about the individual, Ralph  
3 "Bucky" Phillips, who murdered Trooper Joseph  
4 Longobardo, how he's in prison -- and of  
5 course he escaped justice -- how he's in  
6 prison and he's complaining about the care  
7 that he's receiving in the Department of  
8 Corrections.

9 And the Department of Corrections  
10 reported that he's been sanctioned at least  
11 nine or ten times already, including  
12 attempting to make a homemade bomb to injure  
13 corrections officers.

14 This bill should become law in this  
15 state. Unfortunately, it won't, because of  
16 some -- the narrow-mindedness of some of my  
17 colleagues here and in the other house.

18 I definitely, affirmatively vote in  
19 the positive on this legislation.

20 ACTING PRESIDENT GRIFFO: Senator  
21 Maziarz to be recorded in the affirmative.

22 Senator Golden, to explain his  
23 vote.

24 SENATOR GOLDEN: Thank you,  
25 Mr. President.

1                   It is a privilege to stand before  
2           you today and to ask my colleagues to join us  
3           in passing a piece of legislation that would  
4           make a difference for the lives of the people  
5           that live in this great city and this great  
6           state.

7                   Last week we stood outside this  
8           very institution and we went to the Police  
9           Memorial Wall and we met with many of the  
10          parents and the loved ones of those that have  
11          lost police officers and state troopers across  
12          this great city and state.

13                  It's sad to see the numbers, how  
14          great they are. And it's important that we as  
15          a body, a legislative body, give the tools not  
16          only to the police departments across this  
17          great state but to the people, the  
18          19.5 million people that live in this great  
19          state, that they can feel secure in that we  
20          have passed legislation that will defend the  
21          police officers and their families as they go  
22          to work each and every day.

23                  This bill provides swift and severe  
24          and certain punishment for those that murder  
25          police officers. This bill will do something

1       about the 1,385 police officers that have been  
2       killed in this state -- the 508 that have been  
3       by gunfire, the 61 by assault, the three from  
4       a bomb, the 34 that were stabbed, the 49 by  
5       vehicle assaults.

6                Nationwide, this past year, there  
7       were 39 line-of-duty deaths, including two  
8       here in New York.

9                Academic studies show the death  
10      penalty has a deterrent effect. It shows that  
11      each additional execution decreases homicides  
12      by five to six. Each additional commutation  
13      increases homicides by the same amount. And  
14      an additional removal from death row generates  
15      one additional murder.

16              Arguments against the death penalty  
17      essentially are that criminals are not  
18      rational enough to behave according to  
19      incentives. But criminal activity declines as  
20      the price of such activity increases. We  
21      already have proof of this. Increased  
22      arrests, more police officers reduce crime.  
23      Crime is serious --

24              ACTING PRESIDENT GRIFFO:       Senator  
25      Golden, excuse me.



1                   May we have order in the house out  
2                   of respect for our speaker. Thank you.

3                   Senator Golden, you may continue.

4                   SENATOR GOLDEN:     If I just focus  
5                   on the City of New York, they are down 5,000  
6                   police officers, and crime is creeping up in  
7                   that city and across other cities here in the  
8                   State of New York.

9                   We've seen officers that were here  
10                  last Wednesday. Police Officer Timoshenko,  
11                  who was killed in the City of New York, his  
12                  parents were here as they went over to the  
13                  wall to see their son on that wall.

14                 We've seen two auxiliary police  
15                 officers gunned down in the City of New York  
16                 because a crazed gunman thought that they were  
17                 police officers and went back and put two  
18                 shots into his head as he was laying on the  
19                 ground.

20                 The only way, the only deterrent is  
21                 to put the death penalty into effect for those  
22                 that would kill police officers and state  
23                 troopers, correction officers, and those that  
24                 are peace officers in the line of duty that  
25                 are doing their work.

1                   We believe it's the right piece of  
2                   legislation. How many more police officers  
3                   have to die here in this great state before we  
4                   as a body and the Assembly do something so  
5                   that we can send to the Governor a piece of  
6                   legislation that works and brings down crimes,  
7                   brings down murders, and brings down murders  
8                   of the police officers across this great  
9                   state?

10                   I vote aye, Mr. President, and I  
11                   thank you for your dedication.

12                   ACTING PRESIDENT GRIFFO:       Senator  
13                   Golden to be recorded in the affirmative.

14                   Announce the results.

15                   THE SECRETARY:       Those recorded in  
16                   the negative on Calendar Number 838 are  
17                   Senators Adams, Aubertine, Breslin, Connor,  
18                   Diaz, Dilan, Duane, Gonzalez,  
19                   Hassell-Thompson, L. Krueger, Montgomery,  
20                   Oppenheimer, Perkins, Sabini, Sampson, Savino,  
21                   Schneiderman, Serrano, Smith, Stavisky,  
22                   Stewart-Cousins, Thompson and Valesky.

23                   Ayes, 36. Nays, 23.

24                   ACTING PRESIDENT GRIFFO:       The  
25                   bill is passed.

1                   THE SECRETARY:     Calendar Number  
2     973, by Senator Little, Senate Print 7050, an  
3     act to amend the Tax Law, in relation to  
4     authorizing the County of Clinton.

5                   ACTING PRESIDENT GRIFFO:     There  
6     is a local fiscal impact note at the desk.

7                   Read the last section.

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

10                  ACTING PRESIDENT GRIFFO:     Call  
11     the roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:     Ayes, 59.

14                  ACTING PRESIDENT GRIFFO:     The  
15     bill is passed.

16                  THE SECRETARY:     Calendar Number  
17     1012, by Senator Marcellino, Senate Print  
18     3195C, an act to amend the Vehicle and Traffic  
19     Law and the Insurance Law, in relation to  
20     prohibiting.

21                  ACTING PRESIDENT GRIFFO:     Read  
22     the last section.

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

25                  ACTING PRESIDENT GRIFFO:     Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Marcellino, to explain his vote.

5 SENATOR MARCELLINO: Thank you,  
6 Mr. President. I rise to explain my vote on  
7 this bill.

8 According to the AAA, the leading  
9 cause of death amongst young people between  
10 the ages of 15 and 20 are motor vehicle  
11 crashes. According to a recent Zogby poll,  
12 66 percent of young people between the ages of  
13 15 and 24 admit to texting while driving,  
14 while behind the wheel.

15 Mr. President, I don't believe in  
16 coincidence. It seems to me that we have  
17 proof positive that the carnage on our roads,  
18 especially amongst young people, 6,000 of  
19 which die every year as a result of auto  
20 crashes -- let me repeat that number. Six  
21 thousand young people die every year because  
22 of automobile crashes, the leading cause of  
23 death in that age range.

24 That's more than our brave troops,  
25 all of our brave troops that have died in

1       Afghanistan and Iraq since of the beginning of  
2       the war. This happens every year on our  
3       roads.

4               We had five people in Rochester,  
5       five young women in Rochester die. Records  
6       showed that they were either sending or  
7       receiving a text message as the incident  
8       occurred.

9               This is an outrage that has to be  
10       stopped. We're not trying to hurt anybody,  
11       we're trying to save lives. We're trying to  
12       get an educational component put in the driver  
13       education program, a question on the driver  
14       education test.

15              We want to make parents aware that  
16       they've got to talk and communicate to their  
17       youngsters when they give them that car, which  
18       is a missile, which can be a lethal weapon  
19       when not used appropriately, that they must  
20       take into consideration that they must watch  
21       the road and pay attention. Texting is a more  
22       dangerous distraction than anything else,  
23       because you've got to take both hands off the  
24       wheel and both eyes off the wheel to read the  
25       message.

1                   It isn't safe, and young people and  
2                   old people are dying. We must end this  
3                   carnage. This bill will go a long way towards  
4                   doing that.

5                   Mr. President, I thank my  
6                   colleagues for their support. I vote aye on  
7                   this bill, and hopefully it will pass the  
8                   other house.

9                   ACTING PRESIDENT GRIFFO:     Thank  
10                  you, Senator Marcellino.

11                  Senator Marcellino will be recorded  
12                  in the affirmative.

13                  Announce the results.

14                  THE SECRETARY:     Ayes, 59. Nays,  
15                  0.

16                  ACTING PRESIDENT GRIFFO:     The  
17                  bill is passed.

18                  THE SECRETARY:     Calendar Number  
19                  1034, by Senator Fuschillo, Senate Print 7620,  
20                  an act authorizing the North Merrick Union  
21                  Free School District.

22                  ACTING PRESIDENT GRIFFO:     Read  
23                  the last section.

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

1                   ACTING PRESIDENT GRIFFO:     Call  
2     the roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:     Ayes, 59.

5                   ACTING PRESIDENT GRIFFO:     The  
6     bill is passed.

7                   THE SECRETARY:     Calendar Number  
8     1053, by Senator Flanagan, Senate Print 1258A,  
9     an act to amend the Executive Law and the  
10    Criminal Procedure Law, in relation to  
11    probation administrative fees.

12                  ACTING PRESIDENT GRIFFO:     Read  
13    the last section.

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

16                  ACTING PRESIDENT GRIFFO:     Call  
17    the roll.

18                  (The Secretary called the roll.)

19                  ACTING PRESIDENT GRIFFO:     Senator  
20    Duane, to explain his vote.

21                  SENATOR DUANE:     Thank you,  
22    Mr. President.

23                  I'll be voting in the negative on  
24    this. And I just want to point out that  
25    though this bill is different than the bill

1       that makes incarcerated people pay a copay on  
2       their -- if they have insurance while they are  
3       incarcerated, this bill is also onerous for  
4       people who are trying to pay their debt to  
5       society through the criminal justice system.

6               This is the bill where you pay  
7       money to pee into a cup. And the City of  
8       New York, counties -- no one has even done a  
9       memo in support of this. Maybe they will now  
10      that I said that. But I just don't see why  
11      we're charging people who are on probation for  
12      this test.

13              So I just think, in the spirit of  
14      humaneness, that we would vote no on this.

15              Thank you, Mr. President.

16              ACTING PRESIDENT GRIFFO:     Senator  
17      Duane to be recorded in the negative.

18              Senator Diaz, to explain his vote.

19              SENATOR DIAZ:     Thank you,  
20      Mr. President.

21              This bill says too many things.  
22      For example, it says that -- this bill is  
23      calling to authorize the Probation Department  
24      to collect an administrative fee of up to \$30  
25      per month for a person on parole. That means



1       \$30 per month, times 12, is \$360.

2               It also calls to charge the same  
3 person on parole for drug testing \$8 per day  
4 for testing, up to \$600 in a year. That means  
5 \$360 plus \$600. And it also calls for \$900  
6 per year for electronic monitoring.

7               That means that this bill is  
8 charging a person on parole \$1,860 in a year  
9 just for being on parole. It doesn't say what  
10 would happen to a person that refuses to pay  
11 the money.

12              Even though the bill says -- even  
13 though the bill says that this bill is amended  
14 to establish that these new fees shall not be  
15 a condition of probation, but the bill doesn't  
16 say -- if this will not be a condition of  
17 probation, the bill doesn't say what's going  
18 to happen to a person who refuses to pay close  
19 to \$1,800 a year for being on probation.

20              Three different fees. One for drug  
21 testing, one for administrative costs, and one  
22 for electronic monitoring.

23              So I don't know what it is are we  
24 trying to do here. Are we trying to get the  
25 money from -- that the state needs from the

1 people on parole? I don't think that's what  
2 we're doing.

3 So, Mr. President, this is a wrong  
4 bill. This is a very, very wrong bill, and  
5 I'm voting no on it.

6 ACTING PRESIDENT GRIFFO: Senator  
7 Diaz to be recorded in the negative.

8 Announce the results.

9 THE SECRETARY: Those recorded in  
10 the negative on Calendar Number 1053 are  
11 Senators Adams, Connor, Diaz, Dilan, Duane,  
12 Gonzalez, Hassell-Thompson, L. Krueger,  
13 Montgomery, Onorato, Perkins, Sabini, Sampson,  
14 Schneiderman, Serrano, Smith, Stavisky and  
15 Stewart-Cousins. Also Senator Breslin.

16 Ayes, 40. Nays, 19.

17 ACTING PRESIDENT GRIFFO: The  
18 bill is passed.

19 THE SECRETARY: Calendar Number  
20 1082, by Senator Little, Senate Print 7492, an  
21 act to validate, ratify and legalize certain  
22 actions of the Town of Minerva.

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

25 Read the last section.

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

3                   ACTING PRESIDENT GRIFFO:     Call  
4     the roll.

5                   (The Secretary called the roll.)

6                   THE SECRETARY:     Ayes, 59.

7                   ACTING PRESIDENT GRIFFO:     The  
8     bill is passed.

9                   THE SECRETARY:     Calendar Number  
10    1129, by Senator Larkin, Senate Print 4843, an  
11    act to amend the Executive Law, in relation to  
12    rules and regulations.

13                  ACTING PRESIDENT GRIFFO:     Read  
14    the last section.

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

17                  ACTING PRESIDENT GRIFFO:     Call  
18    the roll.

19                  (The Secretary called the roll.)

20                  THE SECRETARY:     Ayes, 59.

21                  ACTING PRESIDENT GRIFFO:     The  
22    bill is passed.

23                  THE SECRETARY:     Calendar Number  
24    1132, by Senator Saland, Senate Print 5774, an  
25    act to amend the Education Law, in relation to

1 requiring fingerprinting.

2 ACTING PRESIDENT GRIFFO: Read  
3 the last section.

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

6 ACTING PRESIDENT GRIFFO: Call  
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 58. Nays,  
10 1. Senator Montgomery recorded in the  
11 negative.

12 ACTING PRESIDENT GRIFFO: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number  
15 1142, by Senator Volker, Senate Print 4029C --

16 SENATOR LITTLE: Lay it aside for  
17 the day, please.

18 ACTING PRESIDENT GRIFFO: Lay it  
19 aside for the day.

20 THE SECRETARY: Calendar Number  
21 1167, by Senator Alesi, Senate Print 1654A, an  
22 act to amend the Retirement and Social  
23 Security Law, in relation to option election.

24 ACTING PRESIDENT GRIFFO: Read  
25 the last section.

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

3 ACTING PRESIDENT GRIFFO: Call  
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The  
8 bill is passed.

9 THE SECRETARY: Calendar Number  
10 1178, substituted earlier today by Member of  
11 the Assembly Abbate, Assembly Print Number  
12 10305, an act to amend the Civil Service Law,  
13 in relation to appointment.

14 ACTING PRESIDENT GRIFFO: Read  
15 the last section.

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

18 ACTING PRESIDENT GRIFFO: Call  
19 the roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT GRIFFO: The  
23 bill is passed.

24 THE SECRETARY: Calendar Number  
25 1189, by Senator DeFrancisco, Senate Print

1       7206, an act to amend the New York State  
2       Defense Emergency Act, in relation to driver's  
3       license renewals.

4                ACTING PRESIDENT GRIFFO:     Read  
5       the last section.

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

8                ACTING PRESIDENT GRIFFO:     Call  
9       the roll.

10               (The Secretary called the roll.)

11               THE SECRETARY:     Ayes, 58. Nays,  
12       1. Senator Duane recorded in the negative.

13               ACTING PRESIDENT GRIFFO:     The  
14       bill is passed.

15               THE SECRETARY:     Calendar Number  
16       1191, by Senator Leibell, Senate Print --

17               SENATOR LITTLE:     Lay it aside for  
18       the day, please.

19               ACTING PRESIDENT GRIFFO:     Lay it  
20       aside for the day.

21               THE SECRETARY:     Calendar Number  
22       1197, by Senator Leibell, Senate Print 8010,  
23       an act to amend the Executive Law, in relation  
24       to powers and duties.

25               ACTING PRESIDENT GRIFFO:     Read

1 the last section.

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

4 ACTING PRESIDENT GRIFFO: Call  
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number  
11 1206, by Senator Saland, Senate Print 7672, an  
12 act to amend Chapter 425 of the Laws of 2002,  
13 amending the Education Law.

14 ACTING PRESIDENT GRIFFO: Read  
15 the last section.

16 THE SECRETARY: Section 4. This  
17 act shall take effect July 1, 2002, and shall  
18 expire and be deemed repealed June 30, 2009.

19 ACTING PRESIDENT GRIFFO: Call  
20 the roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The  
24 bill is passed.

25 THE SECRETARY: Calendar Number

1       1210, by Senator Little, Senate Print 1099A,  
2       an act in relation to directing the Law  
3       Revision Commission.

4                ACTING PRESIDENT GRIFFO:     Read  
5       the last section.

6                THE SECRETARY:     Section 4. This  
7       act shall take effect on the 30th day.

8                ACTING PRESIDENT GRIFFO:     Call  
9       the roll.

10               (The Secretary called the roll.)

11               THE SECRETARY:     Ayes, 59.

12               ACTING PRESIDENT GRIFFO:     The  
13       bill is passed.

14               THE SECRETARY:     Calendar Number  
15       1217, by Senator Winner, Senate Print 3316A,  
16       an act to amend the Town Law, in relation to  
17       enacting the Town Mergers Law.

18               ACTING PRESIDENT GRIFFO:     Read  
19       the last section.

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

22               ACTING PRESIDENT GRIFFO:     Call  
23       the roll.

24               (The Secretary called the roll.)

25               THE SECRETARY:     Ayes, 60.



1                   ACTING PRESIDENT GRIFFO:     The  
2     bill is passed.

3                   THE SECRETARY:     Calendar Number  
4     1219, by Senator LaValle, Senate Print 7345,  
5     an act to amend the General Municipal Law, in  
6     relation to annual audits.

7                   ACTING PRESIDENT GRIFFO:     Read  
8     the last section.

9                   THE SECRETARY:     Section 2. This  
10    act shall take effect June 30, 2008.

11                  ACTING PRESIDENT GRIFFO:     Call  
12    the roll.

13                  (The Secretary called the roll.)

14                  THE SECRETARY:     Ayes, 60.

15                  ACTING PRESIDENT GRIFFO:     The  
16    bill is passed.

17                  THE SECRETARY:     Calendar Number  
18    1232, by Senator Larkin, Senate Print 223, an  
19    act to amend the Education Law, in relation to  
20    requiring institutions.

21                  ACTING PRESIDENT GRIFFO:     Read  
22    the last section.

23                  THE SECRETARY:     Section 2. This  
24    act shall take effect on the first of January  
25    next succeeding.

1                   ACTING PRESIDENT GRIFFO:     Call  
2     the roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT GRIFFO:     Senator  
5     Liz Krueger, to explain her vote.

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

8                   We've debated this bill in the  
9     past, so I'll just quickly summarize my  
10    concerns.

11                  One, this legislation, if it became  
12    law, would put New York State in violation of  
13    the federal FERPA law, and it would put  
14    federal funds in jeopardy for our institutions  
15    of higher education.

16                  Two, I believe the Legislature  
17    should respect the rights of individual adults  
18    18 years and older and not attempt to  
19    legislate an open, trusting relationship  
20    between a parent and their adult children.

21                  And three, if your children don't  
22    give you their grades from college and you're  
23    paying for college, you don't need the  
24    Legislature to take care of this; simply tell  
25    them you won't pay the next semester's bill

1       until they give you their grades.

2               So I don't think this is  
3       appropriate legislative territory for us, and  
4       it would put us in a violation of federal law.  
5       And finally, I don't think it's necessary.

6               I vote no. Thank you,  
7       Mr. President.

8               ACTING PRESIDENT GRIFFO:       Senator  
9       Liz Krueger to be recorded in the negative.

10              Senator Diaz, to explain his vote.

11              SENATOR DIAZ:       Again, I have to  
12       stand up here and vote yes on this piece of  
13       legislation. Because there is nothing wrong,  
14       there's nothing wrong for a parent that sends  
15       their children to college and trying to find  
16       out how are they doing.

17              As long as those students live  
18       under that roof and those parents are paying  
19       for that education, and paying rent, food and  
20       whatever, and clothes, even though they are  
21       19 years old or 20 years old, parents have the  
22       right. They live under that roof, they are  
23       responsible for those children even though  
24       they are above 18 years of age.

25              I think that parents have the right

1 to write to college and say, Send me a report  
2 or give me a report on how my children are  
3 doing in the college.

4 So yes, I'm voting yes, because we  
5 have enough of taking parents' rights away.  
6 We have been taking parents' rights away from  
7 left to right.

8 I mean, the parents have no right  
9 to decide if their 13-year-old daughter would  
10 have like to have an abortion, so we've taken  
11 that right away. So at 13 years old, a girl  
12 could have an abortion and the parents have  
13 nothing to do, have nothing to say. We're  
14 taking those rights away.

15 I mean, you know, enough. Enough.  
16 Parents are parents, and they will never end  
17 being parents. My children, my youngest one  
18 is 35 years old, my youngest one, and I'm  
19 still being a parent. I am his father, and I  
20 will never end being a parent. And I would  
21 like to know what it is they're doing, even  
22 though they're already married.

23 So if those kids -- I'm going to  
24 repeat myself again -- if those students live  
25 under that roof and those parents are paying

1       for that education, there's nothing wrong for  
2       the parent to find out and for the college to  
3       report to the parent if those children are  
4       missing school, are playing hookey and the  
5       parents are wasting their money.

6               So yes, I'm voting yes, and I  
7       congratulate the sponsor on this.

8               ACTING PRESIDENT GRIFFO:       Senator  
9       Diaz to be recorded in the affirmative.

10              Senator Adams, to explain his vote.

11              SENATOR ADAMS:       Thank you,  
12       Mr. President.

13              I want to add my voice also to vote  
14       yea on this bill. I think that Senator  
15       Krueger does raise an issue, but I think that  
16       it's important that independence doesn't come  
17       with age, it comes with status. And as long  
18       as a young person is in the home of their  
19       parent and they're not paying their own  
20       tuition, then they don't have independence.  
21       They still are dependent on their family.

22              But in addition to that, I don't  
23       believe there are any rights of privacy in a  
24       household, and I think far too often we find  
25       out too late what our children are involved in

1 is because we believe they have some  
2 constitutional right to privacy inside the  
3 home of their family.

4 Not only do I believe we should  
5 know the grades they're having, but we need to  
6 search their rooms. We need to see what's  
7 inside their rooms. We need to be gainfully  
8 involved in what a child is doing.

9 And I think this bill is the first  
10 step of identifying if there is some academic  
11 issue with a child. You don't want to wait  
12 until they are on academic probation and  
13 removed from school to determine that there  
14 was a problem.

15 College is too expensive to play  
16 games. You can get F's sitting at home. And  
17 if you want your parents to pay your tuition,  
18 then you need to turn over those grades. I  
19 vote aye.

20 ACTING PRESIDENT GRIFFO: Senator  
21 Adams to be recorded in the affirmative.

22 Senator Connor, to explain his  
23 vote.

24 SENATOR CONNOR: Thank you,  
25 Mr. President.

1                   As I said last time we debated  
2           this, as someone who went through college in  
3           the '60s, that wonderful generation where we  
4           fought for all sorts of rights for  
5           18-year-olds, I candidly admit that 20 years  
6           ago I would have voted no for this. But as a  
7           parent of two sons who are in college, a whole  
8           other spectrum opens up.

9                   You know, I laugh when we get mail  
10          at home, my boys are usually away at college,  
11          they go away to college. You know, they get  
12          mail at home, all sorts of important mail from  
13          the schools. You know, we wouldn't open their  
14          mail. We send it on to them. You know, then  
15          you find out later that one was about some  
16          insurance thing that they missed a deadline  
17          for, or the other was about some other  
18          important deadline or opportunity for them.

19                  But it's oh, yeah, "Did you get  
20          that thing in the mail?" "Yeah, yeah, I  
21          didn't read it yet." Or "Yeah, I read it, the  
22          deadline was whenever." Eighteen-, 19-,  
23          20-year-olds are what they are.

24                  The one thing that comes addressed  
25          to me, though, twice a year for each of them

1 is the bill. They don't seem to have any  
2 problem sending that to the parents.

3 And, you know, it's not just about,  
4 hey, I pay the tuition, room and board, you  
5 know, I want to see your grades and if you're  
6 not doing well, I'll stop paying. And I  
7 certainly don't want to threaten if they don't  
8 tell me their grades that, you know, I'm not  
9 going to pay for them anymore.

10 The real concern is, you know,  
11 sometimes suddenly failing grades are an  
12 indication of a problem in that child's life.  
13 And yeah, legally adults at 18. What parent,  
14 what parent doesn't want to know that their  
15 18-, 19- or 20-year-old is experiencing some  
16 difficulty, emotional or otherwise, that's  
17 affecting their ability but, more importantly,  
18 could be jeopardizing their lives?

19 And I certainly know other parents  
20 who have discovered, unfortunately too late,  
21 that their child had developed a drug problem  
22 or whatever, and they would have known had  
23 they seen how poorly they were suddenly doing  
24 in school. Really bright kids go off with  
25 great expectations, get good grades for a



1 semester or two, and the grades crash. It's  
2 information parents ought to have to do their  
3 job.

4 Because, you know, your job doesn't  
5 end on that 18th birthday. They're always  
6 your children. They're always certainly dear  
7 to your heart. And you always feel  
8 responsible to try and assist them when they  
9 are in need.

10 So I think it's important, and I'm  
11 supporting this legislation because from the  
12 perspective I now have, I want to know those  
13 grades, I want to know how my kids are doing.  
14 And it's not just I pay, it's I care about  
15 them.

16 Thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Connor to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Those recorded in  
21 the negative on Calendar Number 1232 are  
22 Senators Breslin, Duane, Hassell-Thompson,  
23 L. Krueger, Perkins and Serrano.

24 Ayes, 54. Nays, 6.

25 ACTING PRESIDENT GRIFFO: The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 1244, by Senator Maltese --

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

6 ACTING PRESIDENT GRIFFO: Lay it  
7 aside for the day.

8 THE SECRETARY: Calendar Number  
9 1245, by Senator Maziarz, Senate Print 6788,  
10 an act in relation to establishing a work  
11 group.

12 ACTING PRESIDENT GRIFFO: Read  
13 the last section.

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

16 ACTING PRESIDENT GRIFFO: Call  
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The  
21 bill is passed.

22 THE SECRETARY: Calendar Number  
23 1250, by Senator Robach, Senate Print 8213, an  
24 act to amend the Labor Law, in relation to  
25 changing the method of charging.

1                   ACTING PRESIDENT GRIFFO:     Read  
2     the last section.

3                   THE SECRETARY:     Section 2.   This  
4     act shall take effect January 1, 2009.

5                   ACTING PRESIDENT GRIFFO:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 60.

9                   ACTING PRESIDENT GRIFFO:     The  
10    bill is passed.

11                  THE SECRETARY:     Calendar Number  
12    1484, by Senator DeFrancisco, Senate Print  
13    8260, an act to amend Chapter 62 of the Laws  
14    of 2003, amending the Public Service Law.

15                  ACTING PRESIDENT GRIFFO:     Read  
16    the last section.

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

19                  ACTING PRESIDENT GRIFFO:     Call  
20    the roll.

21                  (The Secretary called the roll.)

22                  THE SECRETARY:     Ayes, 60.

23                  ACTING PRESIDENT GRIFFO:     The  
24    bill is passed.

25                  Senator Skelos, that completes the

1 noncontroversial reading of the calendar.

2 SENATOR SKELOS: Thank you,  
3 Mr. President.

4 If we could return to reports of  
5 standing committees for the Rules report.

6 ACTING PRESIDENT GRIFFO: Excuse  
7 me, Senator Skelos.

8 Can we have order, please, in the  
9 chamber.

10 Senator Skelos.

11 SENATOR SKELOS: If we could  
12 return to reports of standing committees for  
13 the report of the Rules Committee.

14 ACTING PRESIDENT GRIFFO: Reports  
15 of standing committees.

16 The Secretary will read.

17 THE SECRETARY: Senator Bruno,  
18 from the Committee on Rules, reports the  
19 following bill direct to third reading:

20 Senate Print 6339A, by the Senate  
21 Committee on Rules, an act to amend the Tax  
22 Law.

23 ACTING PRESIDENT GRIFFO: Senator  
24 Skelos.

25 SENATOR SKELOS: Move to accept

1 the report of the Rules Committee.

2 ACTING PRESIDENT GRIFFO: All in  
3 favor of accepting the report of the Rules  
4 Committee signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT GRIFFO:  
7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT GRIFFO: The  
10 report is accepted.

11 Senator Skelos.

12 SENATOR SKELOS: Mr. President,  
13 if we could take up Calendar Number 1535,  
14 Senate 6339A.

15 ACTING PRESIDENT GRIFFO: The  
16 Secretary will read.

17 THE SECRETARY: Calendar Number  
18 1535, by the Senate Committee on Rules, Senate  
19 Print 6339A, an act to amend the Tax Law, in  
20 relation to banking corporations.

21 ACTING PRESIDENT GRIFFO: Read  
22 the last section.

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

25 ACTING PRESIDENT GRIFFO: Call

1 the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The  
5 bill is passed.

6 Senator Skelos.

7 SENATOR SKELOS: Mr. President,  
8 is there any further business to come before  
9 the Senate?

10 ACTING PRESIDENT GRIFFO: There  
11 is none.

12 SENATOR SKELOS: There being  
13 none, I move we stand adjourned until  
14 Wednesday, May 28th, at 3:00 p.m.

15 ACTING PRESIDENT GRIFFO: On  
16 motion, the Senate stands adjourned until  
17 Wednesday, May 28th, at 3:00 p.m.

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

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