NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 3, 2008

3:05 p.m.

REGULAR SESSION

SENATOR CARL L. MARCELLINO, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT MARCELLINO: The Senate will come to order.

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

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

ACTING PRESIDENT MARCELLINO: The invocation today will be given by Reverend Thomas Reid, pastor of Full Gospel Tabernacle Church in Orchard Park.

REVEREND REID: Let us pray.

Almighty God, maker of heaven and earth, we thank You for giving each one of us in this room a calling, a destiny, even a mandate to change our world.

Today, again, we face the challenge of that calling on our lives. Give us wisdom to make decisions that please You, to lay down our lives on the altar of integrity even when it costs us our reputation. For we would want to be a true leader, always to do right even when it sometimes may be politically incorrect.

Make us big enough to be truly great leaders. Give us wisdom, Lord, creativity, ideas, inspiration, that may we each go down in history as a man or a woman of whom God can be proud.

Give us integrity to make right decisions; courage when these decisions are not popular; friends to walk with us even in adversarial times; wisdom to know the right.

God, our world is in a mess. Help us each to be an instrument of change. Help us to stand up and be truly great.

In the words of Jesus, who said to us: "Take up our cross and follow Him," Lord, help each of us to take up that cross of leadership, give up our lives for the people, the nation, and the state to whom we have been called to serve.

In the name of our Father, His Son, and the Holy Spirit, amen.

ACTING PRESIDENT MARCELLINO: Thank you, Reverend.

May we have the reading of the Journal.

THE SECRETARY: In Senate,

Monday, June 2, the Senate met pursuant to adjournment. The Journal of Saturday, May 31, was read and approved. On motion, Senate adjourned.

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

May we have the 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 Fuschillo.

SENATOR FUSCHILLO: Thank you, Mr. President.

On behalf of Senator Owen Johnson, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Print Number 7654.

ACTING PRESIDENT MARCELLINO: So

ordered.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Nozzolio, on page number 69 I offer the following amendments to Calendar Number 1393, Senate Print Number 7616, and ask that said bill retain its place on the order of Third Reading Calendar.

ACTING PRESIDENT MARCELLINO: The amendments are accepted, and the bill will retain its place on the Third Reading Calendar.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Libous, on page number 21 I offer the following amendments to Calendar Number 519, Senate Print Number 5358, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT MARCELLINO: The amendments are accepted, and the bill will retain its place on the Third Reading Calendar, Senator.

SENATOR FUSCHILLO: Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO:

You're welcome, Senator.

Senator Skelos.

SENATOR SKELOS: Mr. President, I believe there are substitutions to be made at this time.

ACTING PRESIDENT MARCELLINO: The Secretary will read the substitutions.

THE SECRETARY: On page 8, Senator LaValle moves to discharge, from the Committee on Judiciary, Assembly Bill Number 9038 and substitute it for the identical Senate Bill Number 1268, Third Reading Calendar 179.

On page 30, Senator Leibell moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 1375 and substitute it for the identical Senate Bill Number 3640, Third Reading Calendar 738.

On page 35, Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 9181A and substitute it for the identical Senate Bill Number 5800A, Third Reading Calendar 884.

On page 44, Senator Trunzo moves to

discharge, from the Committee on Rules, Assembly Bill Number 10318 and substitute it for the identical Senate Bill Number 7219, Third Reading Calendar 1080.

On page 46, Senator Morahan moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 9355 and substitute it for the identical Senate Bill Number 8089, Third Reading Calendar 1102.

On page 65, Senator DeFrancisco moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5943 and substitute it for the identical Senate Bill Number 7042, Third Reading Calendar 1346.

On page 66, Senator Bonacic moves to discharge, from the Committee on Rules, Assembly Bill Number 10755 and substitute it for the identical Senate Bill Number 7804, Third Reading Calendar 1353.

On page 77, Senator Morahan moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 10592 and substitute it

for the identical Senate Bill Number 7483, Third Reading Calendar 1501.

And on page 80, Senator Volker moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9222A and substitute it for the identical Senate Bill Number 6295A, Third Reading Calendar 1527.

ACTING PRESIDENT MARCELLINO: The substitutions are ordered.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could adopt the Resolution Calendar, with the exception of Resolution 6218.

ACTING PRESIDENT MARCELLINO: All in favor of adopting the Resolution Calendar, with the exception of Resolution 6218, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MARCELLINO: Opposed, nay.

(No response.)

ACTING PRESIDENT MARCELLINO: The Resolution Calendar is adopted.

Senator Skelos.

SENATOR SKELOS: Mr. President, Resolution 6218, by Senator Stachowski, is at the desk. If we could have the title read, move for its immediate adoption, and open it up for cosponsorship.

ACTING PRESIDENT MARCELLINO: The Secretary will read.

THE SECRETARY: By Senator Stachowski, Legislative Resolution Number 6218, mourning the death of James D. Griffin, former Mayor of the City of Buffalo and devoted member of his community.

ACTING PRESIDENT MARCELLINO: Senator Stachowski.

SENATOR STACHOWSKI: Yes, Mr. President.

Last week we buried James Griffin at Our Lady of Victory Basilica. And Jim Griffin was a member of the State Senate -- actually, one person in between he and I.

And after that, he was the longest-serving mayor in the history of the City of Buffalo, a very colorful character, responsible for the baseball stadium going downtown, one of the major things that brought

people back to downtown Buffalo at a time when anybody in the suburbs didn't want to come downtown. And so it was one of the many things he did.

He was a long-serving mayor, sometimes could be somewhat controversial, had an in-your-face style that served him very well. And I would be remiss if we didn't put a resolution in for him and open it up to everybody here, as he was a member of the Senate.

And actually, some of the members on the other side served with Jimmy Griffin when he was here. And as they would tell you, Jimmy Griffin was his own man. He went to his own drumbeat, and he told you the way he thought it was. And you could never dislike him for that. You might not always agree with him, you couldn't always be on the same team, but you always had to respect the man as a hard worker and as an individual.

And he had many friends on both sides of the aisle when he was here. Actually, he gave up a leadership position because he couldn't vote with the conference

when he was here, and went to then Leader Ohrenstein and said "You've got to take this back, I can't do this. I can't support some of these positions, so I don't think I should have this leadership spot."

Not something you see often. Maybe never, other than him. But that was Jimmy Griffin.

And he was devoted to his family, and just was quite an individual. And I would be remiss if I hadn't stood up and said a few words about Jim Griffin, who also happened to be a friend of mine.

Thank you.

ACTING PRESIDENT MARCELLINO: Thank you, Senator.

Senator Rath.

SENATOR RATH: Thank you, Mr. President.

Thank you, Senator Stachowski, for putting in the resolution for Mayor Griffin. And it had crossed my mind; I had not acted upon it. Thank you also for opening it up for other members, as I'm sure it will be a comfort to their family to know that the

members not only from the Western New York delegation, but all who served with His Honor -- which of course was what he was always known as, lovingly, throughout Western New York.

And there were of course many articles in the paper in Western New York, and comments. But one of the things that I thought was most telling, for those of you who did not know Jimmy Griffin -- and of course for the members who did serve with him do remember about him -- he was feisty, and he was so proud of Buffalo.

And one of the comments was that "Like his city, a feisty city that will keep coming back, that was Jimmy Griffin. He'd keep coming back at you till he got the job done."

And hopefully Western New York, as it tries to come back from the difficulties that we've had economically through the years -- downtown Buffalo will always remember His Honor and how hard he worked to get the baseball stadium. And some of the economic development programs that are now showing

fruition and coming into place were started at the time that Mayor Griffin was there. And so it's very appropriate that we recognize him today.

Thank you.

ACTING PRESIDENT MARCELLINO: Thank you, Senator Rath.

Senator Maltese.

SENATOR MALTESE: I first want to thank Senator Stachowski, Senator Volker and Senator Rath for putting in the resolution.

Jimmy was indeed a rare individual, an old-line politician who was not shirking from the word "politician." His handshake was the Rock of Gibraltar. As Senator Stachowski has said, he did not shy from controversy, he thrived on it.

He loved controversy, but his principles were absolutely rock solid. He was a man that he gave you his word, and you could take it to the bank. He was absolutely unique. He exemplified the City of Buffalo, exemplified Western New York.

We at that time in the Conservative Party worked closely with him, were proud that

he ran on our line. And certainly he was a patriotic, God-fearing American, and we're sorry to lose his kind. He was an absolutely unique individual, and he'll be sorely missed by his friends and all who loved him.

ACTING PRESIDENT MARCELLINO: Thank you, Senator.

Senator Volker.

SENATOR VOLKER: Mr. President, Jimmy Griffin was an original, as was said here.

I have to confess that Jimmy Griffin did not get elected mayor of the City of Buffalo on either the Democrat or Republican lines. He ran on a Conservative and Independence line. The only time in my career that I didn't support the Republican candidate for any countywide or city office was in my support for Jimmy Griffin to be mayor of Buffalo when he won on the Independence and Conservative line. And the reason I did, very honestly, was because Jim Griffin was a lot more Republican than the candidate who ran on the Republican line.

He was a personal friend. He was a

gentleman, in a way. And I say that because there were times when Jimmy reverted to the old South Buffalo creed -- which my family, by the way, came out of -- and that was if somebody hates you, why, you deal in kind.

But he was a great guy. His wife, Marge, and the kids have suffered a great loss.

But I have to tell that you he was an original. And as I think Bill said, Mary Lou, and Serph, he's the kind of person who you'd like to be in a foxhole with. And we've used that term a few times, but as far as politicians are concerned, we know exactly what it means.

So I wish Jimmy Griffin God's rest and peace.

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

(Response of "Aye.")

ACTING PRESIDENT MARCELLINO: Opposed, nay.

(No response.)

ACTING PRESIDENT MARCELLINO: The

resolution is adopted.

And the resolution, at Senator Stachowski's request, is open to all the members. Anyone not wishing to be on the resolution please notify the desk.

Senator Skelos.

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

ACTING PRESIDENT MARCELLINO: The Secretary will read.

THE SECRETARY: Calendar Number 71, by Senator Maziarz, Senate Print 6678, an act to amend the Retirement and Social Security Law, in relation to establishing a performance of duty.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MARCELLINO: Senator Duane.

SENATOR DUANE: Thank you, Mr. President.

I just want to point out to my colleagues that this is an excellent bill, excellent. And I encourage everyone to enthusiastically vote yes.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Thank you, Senator Duane.

Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 0.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 179, substituted earlier today by Member of the Assembly Weinstein, Assembly Print Number 9038, an act to amend the Estates, Powers and Trusts Law, in relation to trust accounting.

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, 54.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 381, by Senator Trunzo, Senate Print 4689A, an act to amend the Retirement and Social Security Law, in relation to improving.

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

Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 384, by Senator Larkin, Senate Print 6901, an act to amend the Retirement and Social Security Law, in relation to expanding eligibility.

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, 55.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 520, by Senator Padavan, Senate Print 5865, an act to amend the Vehicle and Traffic Law and the Criminal Procedure Law, in relation to unlawful solicitation.

ACTING PRESIDENT MARCELLINO:

Read the last section.

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

ACTING PRESIDENT MARCELLINO:

Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT MARCELLINO: The

bill is passed.

THE SECRETARY: Calendar Number 646, by Senator Volker, Senate Print 4953, an act to amend the Penal Law, in relation to imposition of certain fees.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 708, by Senator Griffo, Senate Print 7167A, an act to amend the Highway Law and the Vehicle and Traffic Law, in relation to maintenance.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 120th day.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 738, substituted earlier today by Member of the Assembly Brodsky, Assembly Print Number 1375, an act to amend the Executive Law, in relation to local disaster preparedness.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 741, by Senator Leibell, Senate Print --

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

ACTING PRESIDENT MARCELLINO: Lay that bill aside for the day.

THE SECRETARY: Calendar Number 764, by Senator Volker, Senate Print 5026, an act to amend the Penal Law, in relation to establishing.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 884, substituted earlier today by Member of the Assembly Morelle, Assembly Print Number 9181A, an act to amend the Insurance Law, in relation to life insurance contracts.

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, 56.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 897, by Senator Fuschillo, Senate Print 7370, an act to amend the General Business Law, in relation to application.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 934, by Senator Robach, Senate Print 7849, an act to amend the Labor Law, in relation to requiring employers.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 992, by Senator Padavan, Senate Print 7072, an act to amend the Penal Law, in relation to penalties.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 992 are Senators Duane, Hassell-Thompson, Perkins and Serrano.

Ayes, 53. Nays, 4.

ACTING PRESIDENT MARCELLINO: The

bill is passed.

THE SECRETARY: Calendar Number 1004, by Senator Volker, Senate Print 7640, an act to amend the Criminal Procedure Law, in relation to execution of bench warrants.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1006, by Senator Skelos, Senate Print 5406A, an act to amend the Retirement and Social Security Law, in relation to providing.

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, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1020, by Senator Volker, Senate Print 7035, an act to amend the Vehicle and Traffic Law, in relation to requiring.

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, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1021, by Senator Saland, Senate Print 7159, an act to amend the Highway Law, in relation to creating a State Trooper Highway Memorial Task Force.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1054, by --

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

ACTING PRESIDENT MARCELLINO: Lay that bill aside for the day.

THE SECRETARY: Calendar Number 1080, substituted earlier today by Member of the Assembly Fields, Assembly Print Number 10318, an act to amend the Real Property Tax Law, in relation to limiting base proportion.

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, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1102, substituted earlier today by Member of the Assembly Rivera, Assembly Print Number 9355, an act to amend the Geriatric Mental Health Act, in relation to membership.

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, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1115, by Senator C. Kruger, Senate Print 8147, an act to amend the Social Services Law, in relation to requiring.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1133, by Senator DeFrancisco, Senate Print 6358A, an act to amend the State Finance Law, in relation to agency expenditure reporting.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll, please.

(The Secretary called the roll.)

ACTING PRESIDENT MARCELLINO: Senator DeFrancisco, to explain his vote.

SENATOR DeFRANCISCO: Yes, I think this bill hopefully will pass unanimously, but I think it's an extremely

important bill, especially in the economic climate we're in right now.

The Governor has warned on many occasions that the revenues that are coming in have not been as great as were anticipated and we're going to have a rough budget year last year. In fact, he's already talked about an across the board 3, 4 percent decrease in all budgets, all areas of state government, which is one way to deal with an issue.

But when you do that, you're cutting out great programs and allowing other programs to survive even though they have very little value anymore.

The value of this bill is that the Legislature has, for the last 10 years, been disclosing every nickel of every member, what has been paid for. What we're paying for, what it will be used for, that's totally open to public scrutiny.

That's not true with any other branch of government, including the Executive and Judiciary and agencies. That's just not right. We should have full disclosure of all the dollars that are spent by every agency,

the Executive, the Judiciary, and that disclosed every six months, just like the Legislature has been doing for the last 10 years.

So this bill is important for us to pass in this house, which we did last year. And hopefully the message will get across to the other side of the floor here and have the Assembly pass it, because we need this tool in order to realistically and professionally make our judgments with respect to the size of the budget and where the cuts are going to be next year.

I vote aye.

ACTING PRESIDENT MARCELLINO: Senator DeFrancisco, you will be recorded in the affirmative.

Senator Maziarz, to explain his vote.

SENATOR MAZIARZ: Thank you very much. To explain my vote, Mr. President.

I agree with my colleague Senator DeFrancisco: Transparency saves money. And, you know, the Governor is talking about reducing expenditures.

And the newspaper recently reported that the State Judiciary, which does not report their expenditures like we do every six months, is going to be holding a seminar this summer at a posh Westchester golf resort. I don't know how much training is going to go on during the course of this seminar; I suspect very little. I hope I'm wrong.

But one has to wonder, if they had to disclose this, if they had to put this in the budget as a training seminar at a posh Westchester golf course, whether it would have ever taken place or be paid for by the taxpayers of this state to the tune of 1.6 million wasted dollars.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Senator Maziarz will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 0.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number

1184, by Senator Winner, Senate Print 8032, an act to amend the Civil Service Law, in relation to examinations.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MARCELLINO: Senator Duane, to explain his vote.

SENATOR DUANE: Thank you, Mr. President.

Unfortunately, this is not an excellent bill.

There is a section which is all right, which is on page 2, lines 15 to 22, which goes to the point of that the only way to know whether or not you have been infected is by getting tested, and the most important thing that you can do is to immediately take prophylactics.

Obviously, in correctional facilities, everyone should be supplied with

latex gloves. And the risk of contracting HIV in this kind of a setting is beyond minuscule, and I am concerned that we send the wrong message.

I think my colleagues will be pleased to know that soon we will have very good language which will address the issue of occupational dangers, if you will. And I would encourage my colleagues to vote no and just wait a little more time in the pending negotiations between both houses and many health commissioners.

We should have good language to deal with the issue that's raised in this bill, so I'm encouraging my colleagues to vote no on this.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Senator Duane will be recorded in the negative.

Senator Hassell-Thompson, to explain her vote.

SENATOR HASSELL-THOMPSON: Well, actually, I wasn't going to explain my vote. I thought we were still in the stage where we

could ask questions. But I'll accept the edict.

To explain my vote, I will be voting no on this bill. Particularly because I had thought that at some point, with all the explanations that have been given and what the Health Department has clearly set out as a basis for transmission of HIV and AIDS, that we would have learned something in these chambers. And apparently we haven't.

The Health Department makes a certain determination, and there are all kinds of protections for people who work with people who are infected as well as families who are affected by HIV and AIDS.

In my past life, I was an educator for HIV and AIDS, training people about the modes of transmission, and helped the Health Department to do a lot of outreach to ensure that we did not create a panic among the community in terms of how this disease is transmitted.

We are in 2008, we are much further along in that which we know about HIV and AIDS, and yet in this chamber we still seem to

be in the Dark Ages. And that is reflected by the way in which we fail to recognize and to do the kind of outreach that we need to do and the understanding that we need to have about what this disease really means, the kind of money that we should be putting in the budgets for the care, treatment and research.

And then when we become punitive in terms of how we structure the legislation around this condition, that tells us that we really have a long way to go in terms of educating members of this chamber.

So I will continue to vote no, and I will continue to do my part to educate my colleagues as to how we need to be more proactive as opposed to reactive to bills that come before us regarding HIV and AIDS.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Thank you, Senator Hassell-Thompson. You will be recorded in the negative.

Does anyone else want to explain their vote?

Announce the results, please.

THE SECRETARY: Those recorded in

the negative on Calendar Number 1184 are Senators Adams, Dilan, Duane, Gonzalez, Hassell-Thompson, L. Krueger, Perkins, Sabini, and Schneiderman. Also Senator Montgomery. Also Senator Serrano.

Ayes, 49. Nays, 11.

ACTING PRESIDENT MARCELLINO: The bill is passed.

Senator Montgomery, why do you rise?

SENATOR MONTGOMERY: Yes, Mr. President, I would like the record to show that had I been in the chamber when Calendar 992 was voted upon, I would have voted in the negative.

ACTING PRESIDENT MARCELLINO: The record will so reflect, Senator.

SENATOR MONTGOMERY: Thank you.

ACTING PRESIDENT MARCELLINO: The Secretary will continue reading the noncontroversial calendar.

THE SECRETARY: Calendar Number 1214, by Senator Winner, Senate Print 3229, an act to amend the General Municipal Law, in relation to fees payable.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1220, by Senator Little, Senate Print 7538, an act to amend the Real Property Tax Law, in relation to exemption reports.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number

1247, by Senator Robach, Senate Print 8206, an act to amend the Labor Law, in relation to confidentiality.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1259, by Senator Larkin, Senate Print 7414, an act to amend the Tax Law, in relation to making technical amendments.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1278, by Senator Golden, Senate Print 8170, an act to amend the Executive Law, in relation to directing the Office of Children and Family Services.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1299 --

SENATOR SKELOS: Lay it aside for the day, please, at the request of Senator Connor.

ACTING PRESIDENT MARCELLINO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number

1317, by Senator Padavan, Print 8157A, an act to amend the Local Finance Law, in relation to the sale of bonds and notes.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1341, by Senator Flanagan, Senate Print 3850, an act to amend the Public Officers Law, in relation to making information.

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, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1346, substituted earlier today by Member of the Assembly Markey, Assembly Print Number 5943, an act to amend the Public Officers 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.)

ACTING PRESIDENT MARCELLINO: Senator DeFrancisco, to explain his vote.

SENATOR DeFRANCISCO: This bill is a significant advancement to open meetings, with respect to the fact that documents about which public meetings are going to be about, the things that are going to be discussed, have to be provided to the public within 72 hours before the meeting.

This bill has passed the Assembly already, so it's likely to become law once it

passes here today. I would think that the Governor would want this available so that the public now will not only be able to observe, but also know what they're observing, because they'll be entitled to the documents that are being discussed at those public meetings.

So it's a significant bill, and I'd urge everyone to vote in the affirmative.

ACTING PRESIDENT MARCELLINO: Announce the results, please.

THE SECRETARY: Ayes, 60. Nays, 0.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1349, by Senator Young, Senate Print 7637, an act to amend the Public Officers Law and the Town Law, in relation to providing.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1353, substituted earlier today by Member of the Assembly Gunther, Assembly Print Number 10755, an act authorizing the Commissioner of General Services.

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, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1367, by Senator Winner, Senate Print 8024A, an act authorizing the Chemung County/City of Elmira Regional Civil Service Commission.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 10. This

act shall take effect immediately.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1376, by Senator Rath, Senate Print 1758, an act to amend the Penal Law, in relation to assaults.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number

1377, by Senator DeFrancisco, Senate Print 1826, an act to amend the Civil Rights Law, in relation to confidentiality.

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, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1382, by Senator Robach, Senate Print 3222, an act to amend the Penal Law, in relation to expanding the crime of robbery.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1388, by Senator Flanagan, Senate Print 6440, an act to amend the Penal Law, in relation to amending the definitions.

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. Nays, 2. Senators Duane and Montgomery recorded in the negative.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1390, by Senator --

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

ACTING PRESIDENT MARCELLINO: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 1391, by Senator Larkin, Senate Print 7469, an act to amend the Criminal Procedure Law, in relation to designating.

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. Nays, 2. Senators Duane and L. Krueger recorded in the negative.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1395, by Senator Skelos, Senate Print --

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

ACTING PRESIDENT MARCELLINO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 1403, by Senator Volker, Senate Print 7978, an act to amend the Criminal Procedure Law, in

relation to granting certain federal law enforcement officers.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1409, by Senator Marcellino, Senate Print 633, an act to amend the Vehicle and Traffic Law, in relation to aggravated unlicensed operation.

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, 60.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1452, by Senator Winner, Senate Print 5980, an act to amend the Correction Law, in relation to enacting the Drug Dealer Registration Act.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MARCELLINO: Senator Schneiderman, to explain his vote.

SENATOR SCHNEIDERMAN: Thank you, Mr. President.

I'm going to be voting against this bill, as I have in the past. It's called the Drug Dealer Registration Act, and it says that it is to address the fact that the criminal sale of marijuana -- and I'm reading from the sponsor's memo -- and other substances is reaching epidemic proportions in many of our communities, and that we therefore need a bill

modeled on Megan's Law because sex offenders pose a risk to children and, in other instances, adult women, and drug dealers, it says, pose a risk to all people.

I think we should actually call this bill the Reentry Prevention Act, because what this does is lumps all drug dealers together, including marijuana dealers. It claims that there's a problem in some smaller communities because dealers are moving there.

We know, and I've seen a lot of data on this, working in the sentencing commission, that the overwhelming majority of offenders -- in excess of 90 percent -- move back to their home communities after being released from prison. And many of the people who are convicted of drug offenses are trying to get clean and do get clean.

This bill doesn't distinguish between a drug kingpin and someone who's basically an addict who completes successfully a treatment program in prison and is trying to make their way in society.

This would impose a tremendous cost because it requires us to constantly update

this list of people who are moving around because they are poor, they're trying to make their way, they move from place to place as they're trying to get back doing what they're doing.

And it's based on a fundamentally flawed assumption. There's some argument that you may want to know where sex offenders are because they have a compulsion that's not treatable and they may pose a threat to people right around them. There is no evidence of any kind that drug dealers are going to necessarily transact their business anywhere close to where they live or that they pose this kind of a threat to their immediate environment, the immediate environment of where they are located. In fact, there's a lot of evidence that they move away from their homes to ply their illegal trade.

So maybe we shouldn't call this the Reentry Prevention Bill, maybe we should call it the Zagat's Guide for Junkies Bill. Because as far as I can tell, the only people who would benefit from this bill -- and maybe this is Senator Winner's intent -- hey, my

coke dealer just got locked up. Where will we go? Oh, hey, there's this handy guide provided for us by the State of New York to where all the coke dealers are. Let's look up on Senator Winner's registry and find out where they are.

I can't really understand who else would benefit from this bill. This is lumping in apples and oranges, pears, grapefruits and automobiles. It's a bad idea based on a flawed premise, poorly articulated, inartfully drafted, and should be rejected by this house.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Senator Schneiderman, how do you vote?

SENATOR SCHNEIDERMAN: I'm leaning towards no.

(Laughter.)

ACTING PRESIDENT MARCELLINO: You will be recorded in the negative.

Senator Montgomery.

SENATOR MONTGOMERY: Yes, Mr. President, I will also join my colleague in voting no on this legislation.

And I note that the bill

indicates -- the sponsor's memo indicates that this is a drug dealer's registration act. But it is my understanding that the most prevalent illegal drugs in use are prescription drugs, and so there's no indication that this in any way deals with that problem.

So what do we do about pharmacies that distribute drugs, and what do we do about illegal drugs that are actually prescription drugs that young people seem to prefer these days?

So I'm going to, in addition to the wonderful explanation that Senator Schneiderman has given, I'm going to vote no because of that.

Thank you.

ACTING PRESIDENT MARCELLINO: Senator Volker.

SENATOR VOLKER: Mr. President, I just received an explanation from Senator Schneiderman that I certainly don't agree with, in that I don't believe that all drug users are dealers.

This is the drug dealers act, not the drug users. The assumption that all drug

users are somehow drug dealers doesn't fit. And this bill deals with drug dealers.

I have always thought that -- I happen to agree with things that people have said, that drug users sometimes need help. Drug dealers need help in going to jail, because they're the ones that infect other people and in many cases kill people.

So I'm going to support this bill because I don't see where this deals with drug users necessarily, but it certainly does deal with drug dealers, and I agree with that concept.

I vote aye.

ACTING PRESIDENT MARCELLINO: You will be recorded in the affirmative, Senator Volker.

Senator Winner.

SENATOR WINNER: Thank you, Mr. President.

Obviously I rise in support of this measure. And I'm surprised at the remarks of Senator Schneiderman. I didn't know that we had a drug dealer lobbyist or a drug dealer PAC out there that is in support of these

individuals for which he is so articulately arguing in favor of.

This is a measure that is supported by numerous law enforcement agencies and organizations throughout this state who believe that in an effort to try to have safety in their communities, that it's extraordinarily important to know where serious drug dealing offenders are residing.

And in that knowledge, they are going to be able to protect their communities by being able to monitor whether there are suspicious comings and goings in those particular areas, so as to protect their community.

I don't think that we need to make light of the concerns of law enforcement as to the presence of some of these individuals nor their desire to be able to make sure that their communities are safe.

So this measure, rather than being characterized as Senator Schneiderman has done, is a serious proposal dealing with serious community safety and serious quality-of-life issues where communities are

victimized by the presence of some of these individuals.

And so under those circumstances, Mr. President, I think this is a bill that deserves overwhelming support, as it got last year in support from this body.

So I vote aye.

ACTING PRESIDENT MARCELLINO: Announce the results, please.

ACTING PRESIDENT MARCELLINO:

THE SECRETARY: Those recorded in the negative on Calendar Number 1452 are Senators Adams, Dilan, Duane, Gonzalez, Hassell-Thompson, L. Krueger, Montgomery, Parker, Perkins, Schneiderman and Serrano.

Ayes, 49. Nays, 11.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1492, by Senator Maziarz, Senate Print 7341, an act to amend the General Municipal Law, in relation to expanding.

ACTING PRESIDENT MARCELLINO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the first of January next succeeding.

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Duane and Padavan recorded in the negative.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1494, by Senator Farley, Senate Print 8121, an act to amend the Town Law, in relation to certain local fire companies.

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, 61.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number

1501, substituted earlier today by Member of the Assembly Weisenberg, Assembly Print Number 10592, an act to amend Chapter 373 of the Laws of 1998, amending the Public Authorities 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, 61.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1503, by Senator Volker, Senate Print 7696, an act to amend the Public Authorities Law, in relation to accessibility.

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, 61.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1517, by Senator Morahan, Senate Print 7674, an act to amend the Mental Hygiene Law and the Executive Law, in relation to review of criminal history.

ACTING PRESIDENT MARCELLINO: Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1521, by Senator Morahan, Senate Print 8254, an act to amend the Mental Hygiene Law, in relation to creating an advisory council.

ACTING PRESIDENT MARCELLINO:

Read the last section.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1527, substituted earlier today by Member of the Assembly Gabryszak, Assembly Print Number 9222A, an act to amend the Education 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, 61.

ACTING PRESIDENT MARCELLINO: The bill is passed.

THE SECRETARY: Calendar Number 1533, by Senator Flanagan, Senate Print 7952A,

an act authorizing the State University of New York.

ACTING PRESIDENT MARCELLINO: Read the last section, please.

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

ACTING PRESIDENT MARCELLINO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MARCELLINO: Senator Stavisky, to explain her vote.

SENATOR STAVISKY: Yeah, I raised some issues with this legislation in the Higher Ed Committee several weeks ago.

Primarily, I was concerned about money, about the Stony Brook Foundation and not the university, to construct -- to make arrangements to construct the science and math facility. I've been assured that the donation, which is a rather large one, was given to the foundation and not to the university.

I did have some concerns, which were answered. And I vote aye.

ACTING PRESIDENT MARCELLINO:

Announce the results, please.

THE SECRETARY: Ayes, 61. Nays, 0.

ACTING PRESIDENT MARCELLINO: The bill is passed.

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

SENATOR SKELOS: Please recognize Senator Seward. I believe he has a motion.

ACTING PRESIDENT MARCELLINO: Senator Seward.

SENATOR SEWARD: Yes, Mr. President. On page 47, I offer the following amendments to Calendar Number 1114, Senate Print Number 7982, and ask that the said bill retain its place on the Third Reading Calendar. And I do so on behalf of Senator Saland.

ACTING PRESIDENT MARCELLINO: The amendments are accepted, and the bill will retain its place on the Third Reading Calendar.

Senator Seward.

SENATOR SEWARD: Also on behalf of Senator Saland, on page number 43 I offer

the following amendments to Calendar Number 1039, Senate Print Number 7981, and ask that that bill retain its place on the Third Reading Calendar.

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

SENATOR SEWARD: Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Thank you, Senator Seward.

Senator Skelos.

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

ACTING PRESIDENT MARCELLINO: The desk is clear.

SENATOR SKELOS: There being none, Mr. President, I move that we stand adjourned until Wednesday, June 4th, at 11:00 a.m.

ACTING PRESIDENT MARCELLINO: There being no further business to come before the Senate, on motion, the Senate stands adjourned until Wednesday, June 4th, at

11:00 a.m.

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