NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 9, 2009

3:13 p.m.

REGULAR SESSION

SENATOR ERIC ADAMS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT ADAMS: The Senate will please come to order.

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

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

ACTING PRESIDENT ADAMS: In the absence of clergy, we will recognize a moment of silence.

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

ACTING PRESIDENT ADAMS: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Sunday, February 8, the Senate met pursuant to adjournment. The Journal of Saturday, February 7, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

SENATOR KLEIN: Mr. President, before we go to the noncontroversial calendar, would you please call on Senator Skelos for an announcement.

SENATOR SKELOS: Thank you, Senator Klein.

Mr. President, it's my pleasure to welcome back our distinguished Senator from Queens, Senator Frank Padavan.

We're glad that you're back with us, Frank.

(Applause.)

ACTING PRESIDENT ADAMS: Senator Klein.

SENATOR KLEIN: Mr. President,

will you call on Senator Sampson for a motion.

ACTING PRESIDENT ADAMS: Senator Sampson.

SENATOR SAMPSON: Mr. President, on page Number 4, I offer the following amendments to Calendar Number 4 --

ACTING PRESIDENT ADAMS: Without objection.

SENATOR SAMPSON: -- Senate Print 134, and I ask that it retain its place on the Third Reading Calendar.

ACTING PRESIDENT ADAMS: So ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, will you now call on Senator Carl Kruger for a motion.

ACTING PRESIDENT ADAMS: Senator Kruger.

SENATOR CARL KRUGER: Thank you.

Mr. President, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause:

Senate 1756.

ACTING PRESIDENT ADAMS: So ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, if we can now go to the noncontroversial reading of Senate Calendar Number 5.

ACTING PRESIDENT ADAMS: The Secretary will read.

THE SECRETARY: Calendar Number 3, by Senator Alesi, Senate Print 790, an act to amend the Public Authorities Law and others, in relation to clarifying.

ACTING PRESIDENT ADAMS: Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the 120th day.

ACTING PRESIDENT ADAMS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT ADAMS: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT ADAMS: The bill

is passed.

THE SECRETARY: Calendar Number 8, by Senator C. Johnson, Senate Print 958, an act to amend the Executive Law, in relation to prohibiting discrimination.

SENATOR CRAIG JOHNSON: Lay it aside for the day, please.

ACTING PRESIDENT ADAMS: Lay it aside for the day.

Senator Klein.

SENATOR KLEIN: Mr. President, I now hand up, on behalf of Majority Leader Smith, the appointment of a minority leader post, Assistant Minority Leader for Conference Operations, to the desk.

ACTING PRESIDENT ADAMS: To be filed in the Journal.

Senator Klein.

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

ACTING PRESIDENT ADAMS: Senator Klein, the desk is clear.

SENATOR KLEIN: There being none, I move we adjourn until tomorrow, Tuesday,

February 10th, at 3:00 p.m.

ACTING PRESIDENT ADAMS: There being no further business to come before the Senate, on motion, the Senate stands adjourned until Tuesday, February 10th, at 3:00 p.m.

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