NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 9, 2009

3:30 p.m.

REGULAR SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT STEWART-COUSINS: The Senate will 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 STEWART-COUSINS: In the absence of clergy, may we all bow our heads for a moment of silence.

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

ACTING PRESIDENT STEWART-COUSINS: Thank you.

The reading of the Journal.

The Secretary will read.

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

ACTING PRESIDENT STEWART-COUSINS: 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.

Senator Smith.

SENATOR SMITH: Yes, Madam President. I would ask at this moment that we could just have the Senate stand at ease and we will return shortly.

ACTING PRESIDENT STEWART-COUSINS: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:32 p.m.)

(Whereupon, the Senate reconvened at 9:25 p.m.)

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Yes, Madam President. There will be an immediate meeting of the Rules Committee in Room 332, and I ask

that the Senate stand at ease based on the conclusion of the Rules Committee.

ACTING PRESIDENT STEWART-COUSINS: There will be an immediate meeting of the Rules Committee, Room 332, and the Senate will stand at ease.

(Whereupon, the Senate stood at ease at 9:26 p.m.)

(Whereupon, the Senate reconvened at 9:34 p.m.)

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Yes, Madam President. Is there a report of the Rules Committee at the desk?

ACTING PRESIDENT STEWART-COUSINS: There is a report of the Rules Committee here at the desk.

The Secretary will read.

THE SECRETARY: Senator Smith, from the Committee on Rules, reports the following resolution: By Senator Sampson, Senate Resolution Number 2790.

ACTING PRESIDENT STEWART-COUSINS:

Senator Smith.

SENATOR SMITH: Yes, Madam President. I move that we accept the report of the Rules Committee.

ACTING PRESIDENT STEWART-COUSINS: All those in favor of accepting the report of the Rules Committee please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT STEWART-COUSINS: The report of the Rules Committee is accepted.

Senator Smith.

SENATOR SMITH: Thank you, Madam President.

Can we please take up Senate Resolution Number 2790. I ask that the title of the resolution be read and move for its immediate adoption.

ACTING PRESIDENT STEWART-COUSINS: Returning to the order of motions and resolutions, the Secretary will read.

THE SECRETARY: By Senator Sampson, Senate Resolution Number 2790, amending Rules 2 and 9 of the Senate Rules, in relation to the authority of the Temporary President to appoint a Majority Leader of the Senate.

ACTING PRESIDENT STEWART-COUSINS: Are there any Senators that wish to be heard on the resolution?

Hearing none, the question is on the resolution. All those in favor of the resolution please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT STEWART-COUSINS: Opposed, nay.

SENATOR SKELOS: May we have a show of hands on the yeses and the nos, please.

ACTING PRESIDENT STEWART-COUSINS: All those who are in favor of the resolution signify by a show of hands, raising your hands, please.

(Democratic members raised their hands.)

ACTING PRESIDENT STEWART-COUSINS: The Secretary will announce the results.

THE SECRETARY: In relation to Resolution Number 2790: Ayes, 32.

ACTING PRESIDENT STEWART-COUSINS: The resolution is adopted.

Senator Smith.

SENATOR SMITH: Yes, Madam President. I now hand up the following leadership notice and I ask that it be filed in the Journal.

ACTING PRESIDENT STEWART-COUSINS: The notice will be filed in the Journal.

Senator Smith.

SENATOR SMITH: Yes, Madam President. This is a historical moment for our chamber. It will be the first time that the chamber will once again make history within the same year. Back in January, it made history with its first African-American Majority Leader. Today we will be making history with the first Latino Majority Leader.

And I believe that this is a fitting day, a fitting moment for our entire

state. As we go back to business and as we open up a new chapter in doing business this year, I think this is very appropriate that we do it with my good friend Senator Pedro Espada.

And could you please recognize our Majority Leader, Senator Pedro Espada.

(Applause.)

ACTING PRESIDENT STEWART-COUSINS: Majority Leader Espada.

SENATOR ESPADA: Thank you, Madam President.

And thank you for the opportunity, Senator Smith, to address this chamber as the Majority Leader. It is a point of tremendous honor for me personally, but today I wish to focus in on the institution that includes all of us, 62 Senators.

On June 8th we took decisive action from this side of the aisle, Senator Monserrate and myself. We voted for reforms, we voted for titles. Today we still are focused on the reforms, and now the folks that have raised their hands today support myself

for the Majority Leader position but also support, more importantly, the changes that had other hands up on June 8th.

So together, the events of June 8th, the hands that went up on June 8th, and the hands that went up today have created a new environment, a new State Senate. And the reforms that were spoken about for six months will in fact be enacted. They.

Will include reform of how we do business here, how we treat one another with respect. Legislatively, it will improve our powers to deliver upon the promises that we made to the constituents that we serve -- 19.5 million people have watched us at our worst; they will now get used to watching us perform at our very best.

Senator Smith, thank you very much.

Senator Monserrate, 62 Senators, thank you very much for the high privilege of engaging in this journey with me. Thank you very much.

(Applause from Democratic members.)

ACTING PRESIDENT STEWART-COUSINS:

Thank you, Senator Espada. Congratulations.

Senator Smith.

SENATOR SMITH: Yes, Madam President. I now ask that we move to the reading of our calendar.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 212, Senator Aubertine moves to discharge, from the Committee on Rules, Assembly Bill Number 1939 and substitute it for the identical Senate Bill Number 246, Third Reading Calendar 212.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 212, by Member of the Assembly Townsend, Assembly Print Number 1939, an act in relation to authorizing.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 215, Senator Farley moves to discharge, from the Committee on Rules, Assembly Bill Number 4554C and substitute it for the identical Senate Bill Number 1261B, Third Reading Calendar 215.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 215, by Member of the Assembly Amedore, Assembly Print Number 4554C, an act to authorize the City of Schenectady.

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

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 243, Senator Bonacic moves to discharge, from the Committee on Rules, Assembly Bill Number 5208A and substitute it for the identical Senate Bill Number 3183A, Third Reading Calendar 243.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 243, by Member of the Assembly Gunther, Assembly Print Number 5208A, an act to authorize the City of Middletown.

ACTING PRESIDENT STEWART-COUSINS: There is a home-rule message here at the desk.

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 460, Senator Thompson moves to discharge, from the Committee on Rules, Assembly Bill Number 8374 and substitute it for the identical Senate Bill Number 5073, Third Reading Calendar 460.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 460, by Member of the Assembly Peoples, Assembly Print Number 8374, an act to amend the Public Authorities Law.

ACTING PRESIDENT STEWART-COUSINS:

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 476, Senator Farley moves to discharge, from the Committee on Rules, Assembly Bill Number 4587A and substitute it for the identical Senate Bill Number 693A, Third Reading Calendar 476.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 476, by Member of the Assembly Amedore, Assembly Print Number 4587A, an act to legalize, validate, ratify and confirm.

ACTING PRESIDENT STEWART-COUSINS:

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 484, Senator LaValle moves to discharge, from the Committee on Rules, Assembly Bill Number 4767 and substitute it for the identical Senate Bill Number 1796, Third Reading Calendar 484.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 484, by Member of the Assembly Alessi, Assembly Print Number 4767, an act in relation to legalizing, validating, ratifying and confirming.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 491, Senator Larkin moves to discharge, from the Committee on Rules, Assembly Bill Number 8581 and substitute it for the identical Senate Bill Number 2756, Third Reading Calendar 491.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 491, by Member of the Assembly Calhoun, Assembly Print Number 8581, an act to provide for the repayment.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 494, Senator Stachowski moves to discharge, from the Committee on Rules, Assembly Bill Number 7202A and substitute it for the identical Senate Bill Number 3650A, Third Reading Calendar 494.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 494, by Member of the Assembly Quinn, Assembly Print Number 7202A, an act to legalize, validate, ratify and confirm.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 499, Senator Aubertine moves to discharge, from the Committee on Finance, Assembly Print Number 6413 and substitute it for the identical Senate Bill Number 4250, Third Reading Calendar 499.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 499, by Member of the Assembly Russell, Assembly Print Number 6413, an act to amend the Executive Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 500, Senator Volker moves to discharge, from the Committee on Rules, Assembly Print Number 8001A and substitute it for the identical Senate Bill Number 4739A, Third Reading Calendar 500.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 500, by Member of the Assembly Burling, Assembly Print Number 8001A, an act to amend the Executive Law.

ACTING PRESIDENT STEWART-COUSINS: Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

THE SECRETARY: In relation to Calendar Number 525, Senator Diaz moves to discharge, from the Committee on Rules, Assembly Print Number 6053A and substitute it for the identical Senate Print Number 3163, Third Reading Calendar 525.

ACTING PRESIDENT STEWART-COUSINS: Substitution ordered.

THE SECRETARY: Calendar Number 525, by Member of the Assembly Arroyo, Assembly Print Number 6053A, an act to authorizing the City of New York.

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

Read the last section.

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

ACTING PRESIDENT STEWART-COUSINS: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT STEWART-COUSINS: Announce the results.

THE SECRETARY: In relation to Calendar Number 525: Ayes, 61. Nays, 1. Senator Golden recorded in the negative.

ACTING PRESIDENT STEWART-COUSINS: The bill is passed.

Senator Smith.

SENATOR SMITH: Thank you, Madam President.

I wish to call up the Assembly bills which are at the desk.

ACTING PRESIDENT STEWART-COUSINS: We will return to the order of motions and resolutions.

The Secretary will read.

THE SECRETARY: Calendar Number 72, Assembly Print Number 4790;

191, Assembly Print Number 2805A;

196, Assembly Print 6993;

200, Assembly Print 7085;

216, Assembly Print 6565;

242, Assembly Print 6466;

244, Assembly Print 7531;

245, Assembly Print 7530;

315, Assembly Print 7007;

320, Assembly Print 7310;

321, Assembly Print 3988;

334, Assembly Print 7450;

341, Assembly Print 6394;

375, Assembly Print 8528;

405, Assembly Print 7009;

408, Assembly Print 7429;

409, Assembly Print 7455;

410, Assembly Print 7671;

414, Assembly Print 8034A;

415, Assembly Print 8145;

431, Assembly Print 2782;

434, Assembly Print 7673;

436, Assembly Print 8312;

437, Assembly Print 7344;

442, Assembly Print 8302A;

464, Assembly Print 7745A;

465, Assembly Print 7336;

467, Assembly Print 8382;

488, Assembly Print 5364A;

492, Assembly Print 8570;

542, Assembly Print 5222A;

557, Assembly Print 8617;

587, Assembly Print 6891;

588, Assembly Print 4768A;

589, Assembly Print 227;

590, Assembly Print 289;

591, Assembly Print 6421A;

592, Assembly Print 6883;

593, Assembly Print 1753;

594, Assembly Print 8548B;

596, Assembly Print 7365;

597, Assembly Print 8477;

607, Assembly Print 8135;

628, Assembly Print 8611;

630, Assembly Print 6923A;

639, Assembly Print 7685;

647, Assembly Print 4233;

648, Assembly Print 4234;
649, Assembly Print 4718;
650, Assembly Print 8708;
651, Assembly Print 6884;
652, Assembly Print 6894;
653, Assembly Print 6890;
654, Assembly Print 7230;
655, Assembly Print 7795;
656, Assembly Print 8454;
657, Assembly Print 8691;
658, Assembly Print 8529;
659, Assembly Print 6050;
660, Assembly Print 6924B;
661, Assembly Print 7460A;
662, Assembly Print 7462;
663, Assembly Print 7721;
664, Assembly Print 8315;
665, Assembly Print 8977;
666, Assembly Print 8209;
667, Assembly Print 8116;
668, Assembly Print 8115;
669, Assembly Print 8614;
670, Assembly Print 7606;
671, Assembly Print 8057A;

672, Assembly Print 8710;
673, Assembly Print 8891;
674, Assembly Print 8615;
675, Assembly Print 8618;
676, Assembly Print 8616;
677, Assembly Print 8469;
678, Assembly Print 7227A;
679, Assembly Print 8422;
680, Assembly Print 8376;
681, Assembly Print 8327;
682, Assembly Print 8502;
683, Assembly Print 8514;
684, Assembly Print 8666;
685, Assembly Print 6825;
686, Assembly Print 8048;
687, Assembly Print 8347;
688, Assembly Print 8688;
689, Assembly Print 8629;
690, Assembly Print 8682;
691, Assembly Print 8459A;
692, Assembly Print 8564;
693, Assembly Print 8045A;
694, Assembly Print 8660;
695, Assembly Print 7143B;

696, Assembly Print 8831;
697, Assembly Print 8936;
698, Assembly Print 8838;
699, Assembly Print 8889;
700, Assembly Print 8923B;
701, Assembly Print 8894;
702, Assembly Print 8796;
704, Assembly Print 8867;
705, Assembly Print 8933;
706, Assembly Print 8920;
707, Assembly Print 8868;
708, Assembly Print 7252;
709, Assembly Print 7350;
710, Assembly Print 8895;
711, Assembly Print 8391;
715, Assembly Print 7064;
716, Assembly Print 9036;
717, Assembly Print 9039;
718, Assembly Print 8737;
719, Assembly Print 6564A;
720, Assembly Print 8423;
721, Assembly Print 8713;
722, Assembly Print 8864;
723, Assembly Print 8893;

724, Assembly Print 9037;

725, Assembly Print 8103A;

And Calendar Number 726, Assembly Print 8694.

ACTING PRESIDENT STEWART-COUSINS: The Assembly bills are before the house.

Senator Smith.

SENATOR SMITH: Madam President, I now move to reconsider the vote by which the bills were passed and ask that the bills be restored to the order of third reading.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT STEWART-COUSINS: The bills are restored to their place on the Third Reading Calendar.

SENATOR SMITH: Madam President, at this time can we please take up the reading of the supplemental calendar.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: Calendar Number 72, by Member of the Assembly Weinstein, Assembly Print Number 4790, an act to amend Chapter --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 191, by Member of the Assembly Kolb, Assembly Print Number 2805A, an act to amend the Tax Law.

SENATOR PERKINS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 196, by Member of the Assembly Hawley, Assembly Print Number 6993, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 200, by Member of the Assembly Sayward, Assembly Print Number 7085, an act to amend Chapter 327 of the Laws of 2006.

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

Read the last section.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 216, by Member of the Assembly Zebrowski, Assembly Print Number 6565, an act to amend the Local Finance Law.

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

Read the last section.

THE SECRETARY: Section --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 242, by Member of the Assembly Latimer --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 244, by Member of the Assembly Pretlow --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 245, by Member of the Assembly Pretlow, Assembly Print Number --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 315, by --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number

320, by Member of the Assembly --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 321, by Member of the Assembly Crouch --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 334, by Member of the Assembly Wright --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 341, by Member of the Assembly Magee, Assembly Print Number 6394 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 375, by Member of the Assembly Camara, Assembly Print Number 8528, an act to amend the Private Housing Finance Law.

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 405, by Member of the Assembly Duprey, Assembly Print Number 7009, an act to amend the Tax Law.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 408, by Member of the Assembly Burling, Assembly Print Number 7429, an act to amend the Tax Law.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 409, by Member of the Assembly Bacalles, Assembly Print Number 74 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number

410, by Member of the Assembly Barclay --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 414, by Member of the Assembly Magnarelli --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 415, by Member of the Assembly Englebright, Assembly Print Number 8145 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 431, by Member of the Assembly Abbate, Assembly Print Number --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 434, by Member of the Assembly Barclay, Assembly Print Number --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 436, by Member of the Assembly Tedisco, Assembly Print Number --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 437, by Member of the Assembly Calhoun, Assembly Print Number --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 442, by Member of the Assembly Magee, Assembly Print Number 8302A --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 464, by Member of the Assembly Gunther, Assembly Print Number --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 465, by Member of the Assembly Sweeney, Assembly Print Number 7336 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 467, by Member of the Assembly Castro, Assembly Print Number 83 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 488, by Member of the --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 492, by Member --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 542, by Member of the Assembly McEneny --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 557, by Member of the Assembly Farrell --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 587, by Member --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 588, by Member of the Assembly Jordan, Assembly Print Number --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 589, by Member of the Assembly Latimer,

Assembly Print Number 227 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 590, by Member of the Assembly Latimer, Assembly Print Number 289 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 591, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 592, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 593, by Member of the Assembly Lifton --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 594, by Member of the Assembly Skartados, Assembly Print Number 8548B, an act to amend the Tax Law.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 596, by Member of the Assembly Oaks, Assembly Print Number 7365, an --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 597, by Member of the Assembly Scozzafava, Assembly Print Number 84 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 607, by Member of the --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 628, by Member of the Assembly Morelle, Assembly Print --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: Lay the bill is laid aside.

THE SECRETARY: Calendar Number 630, by Member of the Assembly Towns, Assembly Print --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 639, by Member of the Assembly Hooper, Assembly Print Number 7685, an act to amend the Local Finance Law.

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 647, by Member of the --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 648, by Member of the Assembly Giglio --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 649, by Member of the Assembly P. Lopez --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 650, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 651, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 652, by Member of the Assembly Molinaro, Assembly Print Number --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 653, by Member of the Assembly P. Lopez --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 654, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 655, by Member of the Assembly DelMonte --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 656, by Member of the Assembly Galef --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number

657, by Member of the Assembly V. Lopez --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 658, by Member of the Assembly V. Lopez, Assembly Print Number 85 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 659, by --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 660, by Member of --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 661, by Member of the Assembly Jaffee, Assembly Print --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 662, by Member of the Assembly Giglio, Assembly Print Number 74 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 663, by Member of the Assembly Giglio --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 664, by Member of the Assembly Galef --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 665, by Member of the Assembly Weinstein, Assembly Print Number 8977 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 666, by --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 667, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 668, by Member of the --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 669, by Member of the Assembly Farrell --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 670, by Member of the Assembly Schimel, Assembly Print Number 7606, an act to amend Chapter --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 671, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 672, by Member of the Assembly --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 673, by --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 674, by Member of the Assembly Farrell, Assembly --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 675, by Member of the Assembly Farrell --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 676, by Member of the --

SENATOR LIBOUS: Again, lay the bill aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 677, by --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 678, by Member of the Assembly Sweeney --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 679 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 680, by Member of the Assembly Silver, Assembly Print Number --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 681, by Member of the Assembly Bing, Assembly Print Number 8327, an act --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 682, by --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 683, by Member of the Assembly Kolb --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 684, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 685, by Member of the Assembly Wright --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 686, by --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 687, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 688, by Member of the Assembly Skartados, Assembly Print Number 8688, an act to amend the Tax Law.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 689, by Member of the Assembly Sayward --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 690, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 691, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 692, by Member of the Assembly Nolan, Assembly Print Number 85 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 693, by --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 694, by Member of the Assembly --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 695, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 696, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 697, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 698, by Member of the Assembly Barron, Assembly Print Number --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 699, by Member of the Assembly Silver, Assembly Print Number 8889, an act to amend the --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 700, by Member of the Assembly --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 701 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 702 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 704, by Member --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 705 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 706 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 707 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 708 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 709 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 710 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 711 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 715 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 716, by Member of the Assembly Gottfried --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 717, by Member of the Assembly Cahill, Assembly Print Number 9039, an act to amend the Economic Development Law.

SENATOR YOUNG: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 718, by Member of the Assembly Espaillat, Assembly Print Number 8737, an act --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 719, by Member of the Assembly Zebrowski --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 720, by Member of the Assembly Destito --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar number 721, by Member of the Assembly --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 722, by Member of the Assembly Canestrari --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 723 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 724 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 725 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 726 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

Senator Klein, that completes the noncontroversial reading of Senate Supplemental Calendar 59A.

SENATOR KLEIN: Mr. President, can we stand at ease.

ACTING PRESIDENT VALESKY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 10:08 p.m.)

SENATOR SKELOS: Immediate conference of the Republicans in our conference room.

(The Senate continued to stand at ease.)

ACTING PRESIDENT VALESKY: Senator Smith.

SENATOR SMITH: Yes, Mr. President. Could you please ring the bell get members into the chamber so that we can continue with the controversial calendar.

ACTING PRESIDENT VALESKY: The Secretary will ring the bells.

(The Senate continued to stand at ease.)

(Whereupon, the Senate reconvened at 11:46 p.m.)

ACTING PRESIDENT VALESKY: The Senate will come back to order.

Senator Smith.

SENATOR SMITH: Yes, Mr. President. After consultation with Senator Libous and a few of my colleagues -- Senator Sampson, Senator Maziarz, as well as Senator Jeff Klein -- we ask for unanimous consent to restore all bills that were previously laid aside to today's

noncontroversial calendar and move to take up the noncontroversial calendar at this time.

ACTING PRESIDENT VALESKY: Pursuant to a request under unanimous consent, the bills on Senate Supplemental Calendar Number 59A are restored to the noncontroversial reading.

The Secretary will read.

THE SECRETARY: Calendar Number 72, by Member of the Assembly Weinstein, Assembly Print Number 4790, an act to amend Chapter 455 of the Laws of 1997.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 191, by Member of the Assembly Kolb, Assembly

Print Number 2805A, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 200, by Member of the Assembly Sayward, Assembly Print Number 7085, an act to amend Chapter 327 of the Laws of 2006.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 216, by Member of the Assembly Zebrowski, Assembly Print Number 6565, an act to amend the Local Finance Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 242, by Member of the Assembly Latimer, Assembly Print Number 6466, an act to amend Chapter 272 of the Laws of 1991.

ACTING PRESIDENT VALESKY: There

is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 244, by Member of the Assembly Pretlow, Assembly Print Number 7531, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 245, by Member of the Assembly Pretlow, Assembly Print Number 7530, an act to amend the Tax Law and Chapter 535 of the Laws of 1987.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 315, by Member of the Assembly Canestrari, Assembly Print Number 7007, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 320, by Member of the Assembly Finch, Assembly Print Number 7310, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

321, by Member of the Assembly Crouch, Assembly Print Number 3988, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 334, by Member of the Assembly Wright, Assembly Print Number 7450, an act to amend Chapter 436 of the Laws of 1997.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 341, by Member of the Assembly Magee, Assembly Print Number 6394, an act to amend Chapter 80 of the Laws of 2000.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

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

SENATOR DeFRANCISCO: Yes, I'm voting no. I've voted no on a bill similar to this for many, many years.

There's so many students in our state that would love to go to veterinary school and would be wonderful veterinarians. But year after year, I plead for the state to

provide more education and more institutions or expand on the institutions that exist so that we could have our citizens actually participate and become veterinarians.

Instead, each year we end up just extending a law that allows for noncitizens to provide these services, and it's simply wrong. So I vote no.

ACTING PRESIDENT VALESKY: Senator DeFrancisco to be recorded in the negative.

Senator LaValle, to explain his vote.

SENATOR LaVALLE: Thank you, Mr. President.

A few years ago Senator Little had a bill very similar to this. Senator Little's bill had a sunset provision in that legislation that became law. It allowed us to take a look at how certain parts of the state had needs for veterinarians, but we didn't collapse and abolish citizenship regulations.

This bill puts out, for veterinarians as a profession, makes them

different than many other professions that still have citizenship requirements. So this bill really should have a sunset provision for the reasons that Senator DeFrancisco articulated, because we need to fill this void -- if there is one in certain parts of the state -- with our own students, with our own citizens.

I vote no.

ACTING PRESIDENT VALESKY: Senator LaValle to be recorded in the negative.

Senator Stavisky, to explain her vote.

SENATOR STAVISKY: Yes, Mr. President. I vote yes because of the serious shortage of veterinarians in upstate New York. Particularly significant because of its proximity to the Canadian border, it makes it a lot easier to attract veterinarians.

It's interesting that other parts of the state are also experiencing shortages. For example, in the Buffalo-Niagara Frontier area, there are only two students at the

College of Veterinarian Medicine at Cornell from this area, only two students.

So to overcome these problems -- and there are similar shortages, incidentally, of students in the Capital District, in the Rochester area, and in the Hudson Valley. So that I think this will perhaps help somewhat to alleviate the shortage of veterinarians, and I vote aye.

ACTING PRESIDENT VALESKY: Senator Stavisky to be recorded in the affirmative.

The Secretary will announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 341 are Senators Bonacic, DeFrancisco, Flanagan, Fuschillo, Golden, Hannon, Lanza, Larkin, LaValle, Marcellino, McDonald, Nozzolio, Padavan, Ranzenhofer, Robach, Saland, Skelos, Volker, Winner and Young. Also Senator Owen Johnson. Also Senator Leibell.

Ayes, 40. Nays, 22.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 375, by Member of the Assembly Camara, Assembly Print Number 8528, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 405, by Member of the Assembly Duprey, Assembly Print Number 7009, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 408, by Member of the Assembly Burling, Assembly Print Number 7429, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 409, by Member of the Assembly Bacalles, Assembly Print Number 7455, an act to amend

the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 410, by Member of the Assembly Barclay, Assembly Print Number 7671, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 414, by Member of the Assembly Magnarelli, Assembly Print Number 8034A, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 415, by Member of the Assembly Englebright, Assembly Print Number 8145, an act to amend the Tax Law.

SENATOR LaVALLE: Lay it aside.

ACTING PRESIDENT VALESKY: The

bill is laid aside.

THE SECRETARY: Calendar Number 431, by Member of the Assembly Abbate, Assembly Print Number 2782, an act to amend Chapter 929 of the Laws of 1986.

ACTING PRESIDENT VALESKY: Read the last section.

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

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 434, by Member of the Assembly Barclay, Assembly Print Number 7673, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 436, by Member of the Assembly Tedisco, Assembly Print Number 8312, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 437, by Member of the Assembly Calhoun, Assembly Print Number 7344, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 442, by Member of the Assembly Magee, Assembly Print Number 8302A, an act to amend Chapter 412 of the Laws of 2008.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

464, by Member of the Assembly Gunther, Assembly Print Number 7745A, an act to amend Chapter 270 of the Laws of 2008.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 465, by Member of the Assembly Sweeney, Assembly Print Number 7336, an act to amend the County Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 465 are Senators Flanagan, Fuschillo, Golden, Lanza, LaValle, Marcellino, Padavan and Ranzenhofer. Also Senator O. Johnson.

Ayes, 53. Nays, 9.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 467, by Member of the Assembly Castro, Assembly Print Number 8382, an act to amend Chapter 223 of the Laws of 1996.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 488, by Member of the Assembly Jordan, Assembly Print Number 5364A, an act to authorize approval.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 492, by Member of the Assembly --

SENATOR SKELOS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 542, by Member of the Assembly McEneny, Assembly Print Number 5222A, an act to amend Chapter 693 of the Laws of 1980.

ACTING PRESIDENT VALESKY: There

is a home-rule message at the desk.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect upon the adoption by the County of Albany of a local law.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Golden recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 557, by Member of the Assembly Farrell, Assembly Print Number 8617, an act to amend the New York State Financial Emergency Act.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 587, by Member of the Assembly P. Lopez, Assembly Print Number 6891, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 588, by Member of the Assembly Jordan, Assembly Print Number 4768A, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 589, by Member of the Assembly Latimer, Assembly Print Number 227, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Golden recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Smith.

SENATOR SMITH: Yes, Mr. President. I would like to note that the record should reflect that the clock has struck midnight. And I move, pursuant to Rule 5, that the Senate remains in session so that we may complete our work.

Mr. President, though, prior to us completing our work, I would like to read a statement that Senator John Sampson, Senator Pedro Espada, Senator Dean Skelos, Senator Jeff Klein and myself have put out in the spirit of what we're looking to do with regard to reforming the State Senate. And it reads as follows:

"We, as leaders of our respective conferences, have agreed on a framework for historic rules reform that will help us move forward to improve the operation of the State Senate. The reforms encompass many of the recommendations of the Senate Temporary Committee on Rules and Reform that was chaired by Senator Bonacic and chaired by Senator Valesky, as reported on April 21st, as well as

some of the reforms that were advanced on June 8th and we believe will create a more open and bipartisan member-driven body.

"These reforms are long overdue. They give each individual Senator the means of effectively representing their constituents and assure each Senator will be treated fairly with respect to the way they do their jobs to the best of their ability.

"We believe these rules will empower all 62 members of this body. It will give greater opportunity to get bills moved out of committee and onto the floor for a vote," Senator Squadron.

"There will be greater public notification of bills on committee agendas, greater notice on the active list. We will compete with C-SPAN by having our own network in which we will look to have ourselves televised beyond the immediate conditions.

"We also have agreed that the Senate administration will be fair and nonpartisan, including access to services such as printing, mailing, and providing equitable

allocation for staff.

"We hope the conference will use these reforms, and we hope that we'll be taking these up as soon as next week. But more importantly, we believe by enacting these reforms we hope that the Senate will be a more effective body and will serve the people of the State of New York."

Mr. President, we think this is a time for more bipartisanship than this body has ever had. We think we have a responsibility to not only the 19.5 million people -- as our conference leader, Senator John Sampson, so ably says so many times -- but we believe this is an opportunity for us to restore the faith, trust and hope of the people of the State of New York in this body, which is one of and still is one of the most esteemed bodies in this country. We will continue to perform our duty as we continue to move forward on this calendar.

So with that, Mr. President, I ask that we return to the noncontroversial calendar and continue to read.

ACTING PRESIDENT VALESKY: Senator Skelos.

SENATOR SKELOS: If I could follow up on the comments made by Senator Malcolm Smith.

I believe that sometimes the outside world and perhaps even the media wonders what happened in the past month. We are on the verge, and I believe with the support of the Majority, of really reforming the way this Senate chamber operates in the future.

We've been involved in a month-long struggle, but I also believe that the end result, as committed to by Senator Malcolm Smith and Senator John Sampson, is that we will be enacting historic reforms to change the way the process works here and also open up to the sunlight, to all of our constituents and the media, to see exactly how the process works and how we function.

It's also going to empower the individual members. I know that this is something that has been extremely important to

Senator Bonacic, who was a cochair of the committee, Senator Winner and Senator Griffo, and in fact every single member of our conference.

It's my hope that in the next several days, the reforms -- and I appreciate your reading that statement -- that we felt could have and should have been passed tonight will be enacted when we return next week.

I think it's also important to note that, as I've said in the past, perhaps the dramatic steps that were taken on June 8th is also an indication to the public not just that reforms are critically important, but the direction this state was going -- in overspending, overtaxing, payroll taxes, antibusiness, antijob, elimination of STAR rebate checks -- cannot continue in the future.

And that's our commitment to the public. I think we've made that statement clear and strong. And certainly I look forward to working with you, Senator Smith, to enact the reforms.

And it's also my hope that the collegiality that we should have within the Senate, and the open and frank discussions and debates, will continue perhaps in a more toned-down way.

So again, I appreciate, Senator Smith, your reading that statement. And certainly it's my desire, my hope, and I take you at your word and Senator Sampson at his word that these critical reforms which we started on June 8th will become part of the rules of the Senate next week when we reconvene.

ACTING PRESIDENT VALESKY: Thank you, Senator Skelos.

There is a motion on the floor by Senator Smith to continue the work of this session day past the midnight hour. All in favor of the motion signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The

motion carries, and the work of this Senate session will continue, commencing with Calendar Number 590.

THE SECRETARY: Calendar Number 590, by Member of the Assembly Latimer, Assembly Print Number 289, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Golden recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 591, by Member of the Assembly Butler, Assembly Print Number 6421A, an act to amend the Tax Law.

ACTING PRESIDENT VALESKY: There

is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 592, by Member of the Assembly Hawley, Assembly Print Number 6883, an act to amend Chapter 579 of the Laws of 2004.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 593, by Member of the Assembly Lifton, Assembly Print Number 1753, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 594, by Member of the Assembly Skartados, Assembly Print Number 8548B, an act to amend the Tax Law.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 596, by Member of the Assembly Oaks, Assembly Print Number 7365, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 597, by Member of the Assembly Scozzafava,

Assembly Print Number 8477, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 607, by Member of the Assembly Nolan, Assembly Print Number 8135, an act to amend Chapter 425 of the Laws of 2002.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 628, by Member of the Assembly Morelle, Assembly Print Number 8611, an act to amend Chapter 748 of the Laws of 2008.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 630, by Member of the Assembly Towns, Assembly Print Number 6923A, an act to amend Chapter 322 of the Laws of 2007.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 639, by Member of the Assembly Hooper, Assembly Print Number 7685, an act to amend the Local Finance Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Ranzenhofer recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 647, by Member of the Assembly Giglio, Assembly Print Number 4233, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 648, by Member of the Assembly Giglio, Assembly Print Number 4234, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 649, by Member of the Assembly P. Lopez, Assembly Print Number 4718, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 650, by Member of the Assembly Gordon,

Assembly Print Number 8708, an act to amend Chapter 556 of the Laws of 2007.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 651, by Member of the Assembly Hawley, Assembly Print Number 6884, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 652, by Member of the Assembly Molinaro, Assembly Print Number 6894, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 653, by Member of the Assembly P. Lopez, Assembly Print Number 6890, an act to amend the Tax Law.

ACTING PRESIDENT VALESKY: There

is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 654, by Member of the Assembly Parment, Assembly Print Number 7230, an act to amend Chapter 405 of the Laws of 2007.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 655, by Member of the Assembly DelMonte, Assembly Print Number 7795, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 656, by Member of the Assembly Galef, Assembly Print Number 8454, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 657, by Member of the Assembly V. Lopez, Assembly Print Number 8691, an act to amend Chapter 555 of the Laws of 1989.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 658, by Member of the Assembly V. Lopez, Assembly Print Number 8529, an act to amend Chapter 915 of the Laws of 1982.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 659, by Member of the Assembly Schimminger, Assembly Print Number 6050, an act to amend Chapter 413 of the Laws of 2003.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 660, by Member of the Assembly Towns, Assembly Print Number 6924B, an act to amend the Banking Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 661, by Member of the Assembly Jaffee, Assembly Print Number 7460A, an act to amend the Public Authorities Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 662, by Member of the Assembly Giglio, Assembly Print Number 7462, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 663, by Member of the Assembly Giglio, Assembly Print Number 7721, an act to amend Chapter 331 of the Laws of 2007.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 664, by Member of the Assembly Galef, Assembly Print Number 8315, an act to amend Chapter 674 of the Laws of 1993.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 665, by Member of the Assembly Weinstein, Assembly Print Number 8977, an act to amend the Family Court Act and the Domestic Relations Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 90th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 666, by Member of the Assembly Amedore, Assembly Print Number 8209, an act to amend the Tax Law.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 667, by Member of the Assembly Butler, Assembly Print Number 8116, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 668, by Member of the Assembly Butler,

Assembly Print Number 8115, an act to amend Chapter 489 of the Laws of 2004.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 669, by Member of the Assembly Farrell, Assembly Print Number 8614, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 670, by Member of the Assembly Schimel, Assembly Print Number 7606, an act to amend Chapter 602 of the Laws of 1993.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 671, by Member of the Assembly Zebrowski, Assembly Print Number 8057A, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 672, by Member of the Assembly Nolan, Assembly Print Number 8710, an act authorizing the Commissioner of Education.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Ranzenhofer recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 673, by Member of the Assembly Schimminger, Assembly Print Number 8891, an act to amend Part L of Chapter 60 of the Laws of 2004.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 674, by Member of the Assembly Farrell, Assembly Print Number 8615, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 675, by Member of the Assembly Farrell, Assembly Print Number 8618, an act to amend the Local Finance Law and Chapter 413 of the Laws of 1991.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 676, by Member of the Assembly Farrell, Assembly Print Number 8616, an act to amend the Local Finance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 677, by Member of the Assembly Gantt, Assembly Print Number 8469, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 678, by Member of the Assembly Sweeney, Assembly Print Number 7227A, an act to amend the Suffolk County Tax Act.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 679, by Member of the Assembly Destito, Assembly Print Number 8422, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 680, by Member of the Assembly Silver, Assembly Print Number 8376, an act to amend the Election Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 681, by Member of the Assembly Bing, Assembly Print Number 8327, an act to amend Chapter 292 of the Laws of 2007.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 682, by Member of the Assembly Parment, Assembly Print Number 8502, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 683, by Member of the Assembly Kolb, Assembly Print Number 8514, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 684, by Member of the Assembly Finch, Assembly Print Number 8666, an act to amend the Tax Law.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 685, by Member of the Assembly Wright, Assembly Print Number 6825, an act to amend Chapter 92 of the Laws of 2001.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 686, by Member of the Assembly V. Lopez, Assembly Print Number 8048, an act to amend

the Real Property Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 687, by Member of the Assembly Gunther, Assembly Print Number 8347, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 688, by Member of the Assembly Skartados, Assembly Print Number 8688, an act to amend the Tax Law and Chapter 200 of the Laws of 2002.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 689, by Member of the Assembly Sayward, Assembly Print Number 8629, an act to amend Chapter 326 of the Laws of 2006.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 690, by Member of the Assembly Thiele, Assembly Print Number 8682, an act to amend Chapter 282 of the Laws of 2008.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 691, by Member of the Assembly Galef, Assembly Print Number 8459A, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 692, by Member of the Assembly Nolan, Assembly Print Number 8564, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 10. This act shall take effect July 1, 2009.

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 693, by Member of the Assembly Gunther, Assembly Print Number 8045A, an act to amend Chapter 738 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 694, by Member of the Assembly Englebright, Assembly Print Number 8660, an act to amend Chapter 138 of the Laws of 1998.

ACTING PRESIDENT VALESKY: Read

the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 695, by Member of the Assembly Calhoun, Assembly Print Number 7143B, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 696, by Member of the Assembly P. Lopez, Assembly Print Number 8831, an act to amend Chapter 333 of the Laws of 2006.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 697, by Member of the Assembly Sayward, Assembly Print Number 8936, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 698, by Member of the Assembly Barron, Assembly Print Number 8838, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 699, by Member of the Assembly Silver, Assembly Print Number 8889, an act to amend the Administrative Code of the City of

New York and the Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 700, by Member of the Assembly Lifton, Assembly Print Number 8923B, an act to amend the County Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 701, by Member of the Assembly Nolan, Assembly Print Number 8894, an act to amend Chapter 352 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 702, by Member of the Assembly V. Lopez, Assembly Print Number 8796, an act to amend the General Municipal Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect July 15, 2009.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 704, by Member of the Assembly Farrell, Assembly Print Number 8867, an act to amend the Administrative Code of the City of New York.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 705, by Member of the Assembly Abbate,

Assembly Print Number 8933, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 706, by Member of the Assembly Hoyt, Assembly Print Number 8920 --

SENATOR LIBOUS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 707, by Member of the Assembly Silver, Assembly Print Number 8868, an act to amend the General City Law and the Administrative Code of the City of New York.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 708, by Member of the Assembly Galef, Assembly Print Number 7252, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 709, by Member of the Assembly Galef, Assembly Print Number 7350, an act to amend the Tax

Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 710, by Member of the Assembly Hyer-Spencer, Assembly Print Number 8895, an act to amend the Real Property Tax Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 711, by Member of the Assembly Eddington, Assembly Print Number 8391, an act to amend Chapter 57 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 715, by Member of the Assembly Fields --

SENATOR LaVALLE: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 716, by Member of the Assembly Gottfried, Assembly Print Number 9036, an act to amend

Chapter 266 of the Laws of --

SENATOR RANZENHOFER: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number 717, by Member of the Assembly Cahill, Assembly Print Number 9039, an act to amend the Economic Development Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 718, by Member of the Assembly Espaillat, Assembly Print Number 8737, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY:

Senator Ranzenhofer, why do you rise?

SENATOR RANZENHOFER: I withdraw my request that 716 be laid aside.

ACTING PRESIDENT VALESKY: You're withdrawing your lay-aside --

SENATOR RANZENHOFER: Yeah, I withdraw my request to lay it aside.

ACTING PRESIDENT VALESKY: The Secretary will continue reading Calendar 718.

THE SECRETARY: Calendar Number 718, by Member of the Assembly Espaillat, Assembly Print Number 8737, an act to amend the Executive Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

The Secretary will return to

Calendar Number 716.

THE SECRETARY: Calendar Number 716, by Member of the Assembly Gottfried, Assembly Print Number 9036, an act to amend Chapter 266 of the Laws of 1986.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 719, by Member of the Assembly Zebrowski, Assembly Print Number 6564A, an act to amend the County Law.

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

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 1. Senator Lanza recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 720, by Member of the Assembly Destito, Assembly Print Number 8423, an act to amend Chapter 1 of the Laws of 2005.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 721, by Member of the Assembly Cymbrowitz, Assembly Print Number 8713, an act to amend

Chapter 122 of the Laws of 2000.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 722, by Member of the Assembly Canestrari, Assembly Print Number 8864, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as Section 1 of Part F of Chapter 57 of the Laws of 2009.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 723, by Member of the Assembly Nolan, Assembly Print Number 8893, an act to amend the Education Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect July 1, 2009.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 724, by Member of the Assembly Abbate, Assembly Print Number --

SENATOR WINNER: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

THE SECRETARY: Calendar Number

725, by Member of the Assembly Pretlow, Assembly Print Number 8103A, an act providing for accelerated pavements.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 726, by Member of the Assembly Magnarelli, Assembly Print Number 8694, an act in relation to authorizing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Smith, that completes the noncontroversial reading of Senate Supplemental Calendar 59A.

SENATOR SMITH: Thank you, Mr. President.

I would ask at this time that we move to the reading of the controversial supplemental calendar.

ACTING PRESIDENT VALESKY: The Secretary will ring the bells.

I ask all members to return to the chamber so that we may proceed with the controversial reading.

The Secretary will read.

THE SECRETARY: Calendar Number 415, by Member of the Assembly Englebright, Assembly Print Number 8145, an act to amend the Tax Law.

SENATOR LaVALLE: Explanation.

ACTING PRESIDENT VALESKY: An explanation of Calendar Number 415 has been

requested, Senator Foley.

SENATOR FOLEY: Yes, thank you, Mr. President.

This was an initiative that has been requested by the County of Suffolk wherein on a bipartisan basis the county legislature, along with the county executive, have requested of this body, as they have of the Assembly, to extend and to increase the hotel/motel tax for Suffolk County from 1 percent to 3 percent. And even at 3 percent, it would be among the lowest hotel/motel taxes anywhere in the State of New York, and certainly lower than many in the adjoining states.

When you read the body of the resolution, it speaks to how the additional funds will be utilized by the County of Suffolk. They'll be used in such fashion as to improve the county parklands, they'll be used to help improve cultural events and cultural affairs in the county, and they'll also be used in order to promote tourism throughout Suffolk County as well.

So it's for those basic reasons that the county government, both the county executive and the county legislature -- again, in a bipartisan basis -- have asked for this increase in the hotel/motel tax to reflect the, let's say, increase in interest among the policymakers to have both parklands as well as cultural events as well as having, let's say, a more effective promotion of the hotels and motels and cultural venues throughout the County of Suffolk.

ACTING PRESIDENT VALESKY: Thank you, Senator Foley.

Senator LaValle.

SENATOR LaVALLE: Yes, would Senator Foley yield to just a few questions?

ACTING PRESIDENT VALESKY: Senator Foley, do you yield?

SENATOR FOLEY: Yes.

ACTING PRESIDENT VALESKY: The sponsor yields.

SENATOR LaVALLE: I see in the bill that the tax was 3/4 of 1 percent; is that correct?

SENATOR FOLEY: Yes. Again, let the record reflect that this is a resolution that has been sponsored by the Governor and that we have moved forward tonight.

Yes, the answer is correct, Senator, the increase is from 3/4 percent to 3 percent.

SENATOR LaVALLE: Okay. In your original remarks you had said 1 percent.

SENATOR FOLEY: Correct. I stand corrected.

SENATOR LaVALLE: You said the Governor has requested this?

SENATOR FOLEY: This is a Rules bill that comes out of the Rules Committee. The Governor has stated his support for this particular resolution, yes.

SENATOR LaVALLE: Okay. So this money is going to come into county.

SENATOR FOLEY: Correct.

SENATOR LaVALLE: And what is the mechanism that will distribute these monies?

SENATOR FOLEY: Again, let the record reflect that the 24 percent of the

increase will be distributed for tourism, 10 to 15 percent for cultural affairs, 5 to 10 percent for museums on county properties, 8 percent to other museums in the county, and up to 2 percent for film production or film promotion, and 20 percent for parks.

SENATOR LaVALLE: And this bill, should the Governor sign it, would sunset in what year?

SENATOR FOLEY: 2015.

SENATOR LaVALLE: 2015. Thank you, Senator.

SENATOR FOLEY: Okay, thank you.

SENATOR LaVALLE: On the bill, Mr. President.

ACTING PRESIDENT VALESKY: Senator LaValle, on the bill.

SENATOR LaVALLE: One of the reasons why I'm going to oppose this bill is the mechanism, which is our county Convention Tourism Visitors Bureau, is probably one of the biggest disasters that has been created.

The website really, while it has been updated, is really not a very good

website. Promises that were made to the east end of Long Island and to those individuals who run golf courses was never really abided or fulfilled. We have, as many of you know, some of the finest golf venues. When the director came in of our visitors bureau, we were going to be the Myrtle Beach of the east. We were going to be a county that people would really think we were the best.

Instead, we have, in the east end, some of the biggest venues with the wine trails, some of the greatest historic venues, and they really have not been promoted.

The east end, that I represent, has opposed such increases in the hotel/motel tax because we, in the distribution mechanism, do not get a fair share. And so this legislation really in terms of -- is taking money -- I think it raises about 3 million, is an estimate -- is taking money and pouring it down the drain.

If we had a visitors bureau that was exemplary, I wouldn't be on this floor. I might complain that the east end of Long

Island gets shortchanged. But our venues, from the west end to the east end of Long Island, has not been promoted, has not been promoted the way it should.

So to have a piece of legislation that continues this tax until the year 2015 is I think irresponsible. I don't believe that we have the kind of accountability mechanisms -- while we have improved, we are far from where we should be in this age of transparency and accountability.

So, Senator Foley, I'm going to oppose this legislation.

ACTING PRESIDENT VALESKY: Thank you, Senator LaValle.

Are there any other Senators who wish to be heard?

Senator Foley.

SENATOR FOLEY: Thank you, Mr. President.

Let me just sum up; I know the hour is late. And having served in the county legislature for 12 years, and also on the Parks Committee, the points are well-taken

that were made by Senator LaValle as far as the past practices of the Visitors Convention Bureau on Long Island.

However, a number of improvements have been made over the years, to the point where, again, tonight I can speak with full confidence that the great majority of county legislators who will be overseeing this particular program, on a strong bipartisan basis, support this particular initiative. Because, yes, by raising this hotel/motel tax from 3/4 to 3 percent -- which, again, stays still among the lowest anywhere in the State of New York, and certainly much lower than adjoining states -- it will enable the County of Suffolk to promote a number of venues that up to this point, as Senator LaValle mentioned, have not been adequately or effectively promoted.

Part of the reason why it's been ineffective is the allocation of funding has not been there suitable enough in order to promote those particular venues. This will enable them to do so.

Additionally, we live in a time where fewer people are going abroad or going to other parts of the country to vacation. This will allocate additional money to improve our county parks. And one thing that we have seen in Suffolk County, that we have residents from the greater metropolitan New York area who come out to Suffolk County for vacation; it's called staycation. They may not go too far from home; they will come to Suffolk County.

We need to improve those parks so they can enjoy, let's say, the full measure of what Suffolk has to offer. This particular resolution will enable the county to improve those parks and, in so doing, improve the park experience that many families come to our county to enjoy.

So those are some of the reasons why we have strong support for this resolution by both sides of the aisle in the county legislature in Suffolk County.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank

you, Senator Foley.

The debate is closed.

The Secretary will ring the bells.

The Secretary will read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 415 are Senators Bonacic, DeFrancisco, Flanagan, Fuschillo, Golden, Griffo, Hannon, O. Johnson, Lanza, Larkin, LaValle, Leibell, Libous, Marcellino, Nozzolio, Padavan, Ranzenhofer, Robach, Saland, Skelos, Volker and Winner.

Ayes, 40. Nays, 22.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 431, by Member of the Assembly Abbate,

Assembly Print Number 2782, an act to amend Chapter 929 of the Laws of 1986.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Hannon, to explain his vote.

SENATOR HANNON: Thank you, Mr. President.

Obviously, this bill extends the binding arbitration provisions for the MTA. I simply think, in light of the circumstances that's taken place with the MTA -- the tax, the strike, the special provisions of, if you read through the law that we're amending here, what's in the bill is just the effective dates -- that we're doing a disservice to people who are in the metropolitan transportation region by just merely extending this.

I think this there needs to be some thought. This is a statute that was passed originally over two decades ago. I don't think it's worked well. I think it needs a lot of study.

When we passed the MTA transit payroll tax earlier, we were supposed to have a reorganization study of the MTA. I haven't seen that.

So I don't think this is an appropriate bill at the moment, and I'm voting against it.

ACTING PRESIDENT VALESKY: Senator Hannon to be recorded in the negative.

Senator Saland, to explain his vote.

SENATOR SALAND: Thank you, Mr. President.

Mr. President, I endured in the past couple of months perhaps one of the most horrendous experiences that I have ever been forced to endure in all my years of public service, and that was the MTA package that savaged, absolutely savaged my county. This

apparent icon of inefficiency, this bloated, excessively costly, abusive system in which my county happens to be a revenue hostage.

Nobody has done, other than lip service, anything to take these people to task. There is absolutely nothing that should be done in any way, shape or form to assist them as they continue to squander money, abuse taxpayers, charge excessive amounts to those who use their service.

And in my particular case, there are so few people who use the service, and yet my county, for somewhere in the area of about 6,000 commuters, now pays over $85 million for the wonderful distinction of being a revenue hostage.

I'll vote in the negative each and every time I have the opportunity to vote against the MTA.

Thank you.

ACTING PRESIDENT VALESKY: Senator Saland to be recorded in the negative.

Announce the results.

THE SECRETARY: Those recorded in

the negative on Calendar Number 431 are Senators Bonacic, DeFrancisco, Flanagan, Fuschillo, Hannon, Lanza, Larkin, LaValle, Leibell, Libous, Little, Marcellino, McDonald, Morahan, Nozzolio, Ranzenhofer, Saland, Seward and Skelos. Also Senator Farley. Also Senator Griffo. Also Senator Winner. Also Senator O. Johnson. Also Senator Maziarz.

Ayes, 38. Nays, 24.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 492, by Member of the Assembly Hoyt, Assembly Print Number 8570, an act in relation to redistributing 2008 bond volume allocations.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 705, by Member of the Assembly Abbate, Assembly Print Number 8933, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect July 1, 2009.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

SENATOR SALAND: Mr. President, what was that calendar number?

ACTING PRESIDENT VALESKY: Calendar Number 705.

SENATOR SALAND: Thank you.

ACTING PRESIDENT VALESKY: Results.

THE SECRETARY: Ayes, 62. Nays, 0.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 706, by Member of the Assembly Hoyt, Assembly Print Number 8920, an act to amend Chapter 605 of the Laws of 2000.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 715, by Member of the Assembly Fields, Assembly Print Number 7064, an act to amend the Vehicle and Traffic Law and the State Finance Law.

ACTING PRESIDENT VALESKY: Senator LaValle.

SENATOR LaVALLE: Yes, Mr. President, on the bill. The hour is getting late.

This bill indicates that monies received by such funds shall be expended pursuant to an appropriation. What everyone should know is that members of the Long Island delegation have worked for many years to secure funding for the police to patrol the Long Island Expressway and the Sunrise Highway.

I was offering an amendment, but what my amendment was trying to do was to say that the money received by such fund shall be expended directly to the counties of Suffolk and Nassau to provide funding for the cost of staffing the patrol units for the Long Island Expressway and the Sunrise Highway in both Suffolk and Nassau, and also allow for those municipalities outside of the police district only in the County of Suffolk on a proportional basis to receive some monies to patrol the state highways.

I guess what I am talking about is -- and I think a lot of members in the Assembly voted against this bill because it's, again, some hope that the appropriation will

be there in the future.

So I am not going to support this bill, because I believe that the monies should go directly to both counties that this bill intends to help. And I believe if the language in the bill said that, I would be supporting it, because it's a goal that we in both Nassau and Suffolk Counties have sought, to have proper patrolling of the highways.

So when the bill comes up for a vote, Mr. President, I am going to vote in the negative.

ACTING PRESIDENT VALESKY: Thank you, Senator LaValle.

Senator Flanagan, on the bill.

SENATOR FLANAGAN: Thank you, Mr. President. Just a couple of observations following up on some of the things that Senator LaValle said.

Relative to this bill, I have couple of issues that I think are important and should be important to all of us. Number one, there's no home-rule message from Nassau or Suffolk County.

And I know there are those who will say, well, this is the type of bill you don't really need one. But we get caught in this situation all the time where we have purportedly these requests coming from counties. If they want it, they should be sending us a home-rule message saying they want it.

Because what they're going to do, ladies and gentlemen -- you all know this -- this bill is going to pass, they're going to enact something locally, and then they're going to turn around and tell everybody, hey, the State of New York passed a law. They're going to blame us. They're going to blame us. That's number one.

Number two, Senator LaValle is absolutely right. The provisions in this bill make no guarantee whatsoever in any way, shape or form that this money is actually going to go to the place that it's intended. This money can be kept by the State of New York, it's a special fund set up by the Comptroller, the Governor can take this money right away.

So there's no guarantee that it's supposed to get to the place that it was originally intended to go.

On top of that, there's no sunset. There's no sunset in here. It's a permanentizing something that is going to cost people more money.

And finally, I do believe we are getting to the point where we need to take a serious look at the taxes and fees more so than we are doing right now.

Do I think people who have traffic infractions should pay a fine? Yes. But we're getting to the point where to register your car, to pay insurance, to put gas in the car, everything is getting so frightfully expensive. This is another $50 surcharge on top of the surcharges that we already have, on top of the fines that we originally imposed. We're getting to the point of saturation, and we're absolutely killing the taxpayers.

This bill is replete with problems independent of some of the things that Senator LaValle mentioned regarding the police. It

should not be passed.

ACTING PRESIDENT VALESKY: Thank you, Senator Flanagan.

Are there any other Senators who wish to be heard?

Senator Diaz.

SENATOR DIAZ: Thank you, Mr. President.

Because I refuse to burden the people of the State of New York with taxes and taxes and taxes and taxes, I'm joining my colleagues over there in voting no on this bill.

ACTING PRESIDENT VALESKY: Thank you, Senator Diaz.

The debate is closed.

The Secretary will read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY:

Senator Smith.

SENATOR SMITH: Yes, Mr. President, will you withdraw the roll call and lay this bill aside for the day.

ACTING PRESIDENT VALESKY: The roll call is withdrawn, and the bill is laid aside for the day.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 724, by Member of the Assembly Abbate, Assembly Print Number 9037, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT VALESKY: Senator Winner.

SENATOR WINNER: Senator Valesky, Mr. President, this legislation is really a very, very large piece of legislation that has a very, very big impact on the pension fund of the State of New York.

As you know, most of you know, the pension fund in the last fiscal year has lost $44 billion in its value, over 26 percent of its overall value of the pension system. And

therefore, some people could say that the performance of that fund has not been doing particularly well.

This bill is also at the request of the Comptroller. And while it is seemingly intended to try to minimize the impact that localities may have on burgeoning pension contributions as a result of losses in the possession fund, it will further exacerbate additional losses to the fund due to the fact that the underlying assumptions as to how its -- the rate of payback for the loans that are basically in the billions of dollars that are being authorized now from the pension fund will now get rates of return to pay back those funds that are less than the assumptions of the amount of return that the pension fund was supposed to get in order to remain actuarially sound.

This is an extraordinarily reckless proposal. And to advance it at 1 o'clock in the morning, when it is going to authorize the largest borrowing in the history of the State of New York as against the pension system, in

my judgment is something that we should not be going into very, very quickly in this hour without a great deal of additional study and work.

I am fearful that this bill is reckless, it will cost the pension system even more money, it will cost municipalities more money in the end because it will further erode the value of that fund, which then they have to make up in the end.

So while it sounds like a nice little rollover of contributions in amortizing -- oh, it's got nice little terms and phrases in it -- the underlying assumptions and the amount of money that will be paid in the form of interest will be less than the amount of money that the pension fund was presumed to be able to earn in any particular time.

Mr. President, I urge that this bill be either withdrawn, laid aside, or certainly defeated at this time, because I don't think that we should be going into it in this fashion without a lot further

understanding. And there is no urgency to do it at this time.

ACTING PRESIDENT VALESKY: Thank you, Senator Winner.

Are there any other Senators who wish to be heard?

Seeing none, the debate is closed.

The Secretary will read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 724 are Senators Alesi, Bonacic, DeFrancisco, Diaz, Farley, Flanagan, Fuschillo, Golden, Griffo, Hannon, Huntley, O. Johnson, Klein, C. Kruger, Lanza, Larkin, LaValle, Leibell, Libous, Little, Marcellino, Maziarz, McDonald, Morahan, Nozzolio, Padavan, Perkins,

Ranzenhofer, Robach, Saland, Seward, Skelos, Volker, Winner and Young.

Ayes, 27. Nays, 35.

ACTING PRESIDENT VALESKY: The bill fails.

Senator Smith, that completes the controversial reading of Senate Supplemental Calendar Number 59A.

SENATOR SMITH: Now, Mr. President, I ask that we move to the reading of the supplemental active list.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the noncontroversial reading of the supplemental active list.

THE SECRETARY: Calendar Number 712, by Member of the Assembly Abbate, Assembly Print Number 8954, an act to amend the Civil Service Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 713, by Member of the Assembly Abbate, Assembly Print Number 8955, an act to amend the Civil Service Law and the State Finance Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 714, by Member of the Assembly Abbate, Assembly Print Number 8898, an act in relation to the implementation of terms.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Smith, that completes the noncontroversial reading of the supplemental active list.

SENATOR SMITH: Thank you very much, Mr. President.

I would now move to reconsider the vote by which Assembly Bill 8866 was lost on June 30, 2009. I further move that said bill be restored to the order of third reading.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 703, by Member of the Assembly Farrell, Assembly Print Number 8866, an act to amend

the Tax Law.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is restored to the Third Reading Calendar.

SENATOR SMITH: Mr. President, I now move to table said bill, and I now move to take from the table the motion to reconsider the vote by which Assembly Bill Number 8866 was lost on June 30, 2009.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 703, by Member of the Assembly Farrell, Assembly Print Number 8866, an act to amend the Tax Law and the Administrative Code of the City of New York.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: Senator Smith.

SENATOR SMITH: Mr. President, I further move that said bill be restored to the order of third reading.

ACTING PRESIDENT VALESKY: The bill is restored to the Third Reading Calendar.

SENATOR SMITH: Now, Mr. President, I move that we take up this bill.

ACTING PRESIDENT VALESKY: The bill is before the house.

The Secretary will read.

THE SECRETARY: Calendar Number 703, by Member of the Assembly Farrell, Assembly Print Number 8866, an act to amend the Tax Law.

SENATOR DIAZ: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

Senator Smith.

SENATOR SMITH: Yes, Mr. President, I now ask that we will take up the controversial Bill 703.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the controversial reading of Calendar Number 703.

THE SECRETARY: Calendar Number 703, by Member of the Assembly Farrell, Assembly Print Number 8866, an act to amend the Tax Law and the Administrative Code of the City of New York.

ACTING PRESIDENT VALESKY: Senator Diaz.

SENATOR DIAZ: On the bill.

ACTING PRESIDENT VALESKY: Senator Diaz, on the bill.

SENATOR DIAZ: What time is it, Mr. President? It is ten minutes after 1:00. And because we all love to be here and do the people's work, I'm going to help all of you stay here for one more hour. I plan to speak for one hour so we can do the people's work as the Governor has stated we are supposed to do. He wants us to work.

But, ladies and gentlemen, to the members of that aisle over there, there was a tax for Nassau County, and I voted against it. I voted against the tax, and I joined you. I joined you because I don't believe in taxes. I don't believe that the people of the State of New York have to keep being punished tax after tax after tax.

I'm asking you now, now I'm asking you to do the same here for the City of New York. I joined you, I voted with you to kill some tax for you earlier to help your constituents. I crossed the aisle, I crossed my party to go with you to help you guys so you could stop taxes for your people.

Now I'm asking you now, join with me now. Join me now. Show me that you care. Show me that you are my friends. Show me that I can work with you when we need each other. I make a lot of enemies. See, I took a chance. I crossed my party, I went to you to help you people in Nassau County so you people don't get taxes.

So now the people of the City of

New York, the bodegueros, the taxi drivers, the senior citizens, the poor people of the City of New York are being burdened with taxes. MTA taxes, subway taxes, taxes on meals, cigarette taxes. There is not a single tax that the mayor of the City of New York doesn't like. Name it, and he tax, tax.

So I'm asking you again, join me so I could see that in the future I could jump too and join you when you really need me. I need you today. I challenge you, I'm challenging you today, join me. Let's stop the burden of the people of the State of New York. And I just proved to you that I could do it, that when I want I could jump. Proven to me that you could jump too.

And we could stop the taxes for the City of New York. We just stopped the taxes for Nassau County. Ladies and gentlemen, Liz Benjamin --

(Laughter.)

SENATOR DIAZ: -- we stopped taxes. Fifteen minutes after 1:00, I've got 50 more minutes.

Mr. Leader, I crossed you today, my leader -- two leaders -- today I just crossed my new majority leader to join you guys to show you that I care for the people of Nassau County. As you should care for the people of the City of New York.

So join me. Let's see if we could have a partnership. Let's see if in the future Reverend Diaz -- let's see if in the future Reverend Diaz could say, Senator Skelos, I'm going to join you today. Let's see. Let's see if in the future Senator Reverend Diaz could say: Senator Libous, I'm going to join you today, I'm going to cross lines and I'm going to join you today because I believe in what you're doing. Let's see if I could do that in the future. Because I did it tonight.

And I was no fool when I was doing that; I knew what I was doing. I knew what I was doing. I was throwing you a peace offering. Peace offering. And I did it, and my leader looked at me and said, "What are you doing?" I was helping the people of Nassau

County.

So now I'm asking that you help the people of the City of New York -- the bodegueros, the taxi drivers, the senior citizens, people that have been burdened with taxes. Taxes on taxis. Taxes on horse rides. Taxes on milk. Taxes on subways. Taxes on cigarettes. Taxes -- even the mayor wanted to put taxes on plastic bags, garbage, plastic bags. Taxes all over.

So this is one of them. This is one of the taxes. But you know, the mayor of the City of New York could -- to solve the problem, he could cease with so -- they have so many consultant contracts wasting millions and millions and millions of dollars in consultant contracts. They could do away with that. They don't have to impose taxes to the people.

When I was growing up in Puerto Rico -- I got 40 more minutes. I got 40 more minutes. When I was growing up in Puerto Rico, in Barrio Hato Tejas, Bayamon, there was no taxes at that time. People used

to go to any palm tree or to the coconut tree or whatever you want to call it, and we used -- you know, there was no taxes, none of those things.

But now, in the City of New York, 67 years later, I see taxes to senior citizens, taxes to everybody.

So I don't want to -- I don't want to punish you anymore. I just -- look, is she sleeping? Don't sleep on me. Don't go to sleep on me now.

Just I'm asking you to help me prevent taxes for the people of the City of New York as I helped you prevent taxes for the people of Nassau County.

So, Senator Skelos, I never lie. I have always been truthful to you. I give you my hand, I keep my word. So I'm telling you right now, in front of all -- of everybody and in front of Liz Benjamin, I'm telling you now that if you help me, that if you help me tonight, help the people of the City of New York by not imposing taxes to them, in the future you will not regret it.

This is my offer, this is what I'm saying, and I'm saying it publicly in front of my colleagues. I need your help now. Thank you, ladies and gentlemen.

Mr. President -- oh, you were sleeping too, Mr. President? Thank you very much. Then I'll keep talking.

I'm voting no. Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Diaz.

Senator Liz Krueger, on the bill.

SENATOR LIZ KRUEGER: Thank you very much, Mr. President.

Thank you, Senator Reverend Diaz, for your interesting analysis.

So colleagues, the public, ladies, gentlemen, Liz Benjamin --

(Laughter.)

SENATOR LIZ KRUEGER: -- I would simply like to make the point that I carry this bill not because I want to raise taxes, not because I don't -- I agree with Senator Diaz that the goal is not to have to raise taxes on the people of New York City.

But like so many other bills we passed here tonight, this is a local tax bill requested by the City of New York with a home-rule message supported by their local legislature, the City Council, because they have a budget problem just like we have faced a budget problem.

And the analysis is they have a $500 million hole in their budget if they can't increase their sales tax, and that they are losing $60 million per month by our not moving this legislation.

So I won't disagree with Senator Diaz that there could be ways that the City of New York could in fact decrease some of their costs. They could perhaps increase efficiencies.

And yet we, as we know, have our own headaches here running our state government. I'm not sure we're up to taking on solving the problems of every local government or every county government in the state right now.

So I ask you to join with me in

supporting this bill, because the fundamental argument here, this is a local sales tax at the request of the City of New York, with the support of the local legislature, just like we could have gone down the list tonight and I could read many, many counties that we were moving tax bills for.

So of course no one ever wants to coat vote for an increase in taxes. No one usually wants to put their name on a tax bill. But I stand here tonight asking you to do this because my city, New York City, needs the revenue. I am being told that they have delayed hiring additional police, hiring additional emergency service workers because we have delayed so far in moving the sales tax.

So I hope, just like Senator Diaz has asked you to reach across the aisle and not vote for the bill, I'm asking you to join us in voting for the bill.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Krueger.

Senator Monserrate, on the bill.

SENATOR MONSERRATE: Thank you very much, Mr. Presiding Officer.

I also rise in opposition to this bill, and I join my colleague Ruben Diaz.

When we speak about what this bill potentially can do, we're looking at a tax increase that will bring us very close to 9 percent in sales tax. This is bad for small businesses -- bodegas, delis and small shops -- this is bad for businesses in Lower Manhattan and in Staten Island, where folks can cross a bridge and go to New Jersey and shop for their wares and their needs without this tax.

The reality is, ladies and gentlemen, this is the worst of tax-and-spend liberalism. And I know my colleagues on that side of the aisle do not support that fundamentally.

I know that several of my colleagues here on June 30th sent a message to the administration of the City of New York and said no to an increase in sales tax.

For those of us who are more progressive, a sales tax is amongst the most regressive taxation schemes. We should be against this. We should call on the mayor to be more fiscally prudent. He speaks boldly about being a businessman that makes billions of dollars, but he says he needs to increase taxes on middle-class New Yorkers and the working poor in our city.

So to the administration, I say: You got it wrong. Go back to those books. Make some cuts. Make some adjustments. Be more progressive. Let's get rid of all these consultant contracts for millions upon millions of dollars. And let's have the courage to vote no to this increase.

To my colleague Dan Squadron, who I promised I would be very short, because he's getting married soon -- Saturday, right? He's getting married Saturday. Hurry up and get married before we pass this bill --

(Laughter.)

SENATOR MONSERRATE: -- because the sales tax will elevate it. And I'm sure

you're going to have a beautiful wedding, just like your beautiful bride.

So I ask my colleague Dan Squadron to join me in protecting other people who are getting married so they don't have to pay thousands of dollars in taxation that's wrong. It's wrong on the left, it's wrong on the right. It's bad for New York City. We should vote no.

Mr. Chair, I intend to vote no. Thank you very much.

ACTING PRESIDENT VALESKY: Thank you, Senator Monserrate.

Senator Parker, on the bill.

SENATOR PARKER: Mr. President, on the bill.

I don't expect to be as eloquent as Senator Diaz, but I do agree with him wholeheartedly that this bill is a bad bill. This is not where we actually ought to be going as a city or as a state.

Like Liz Krueger, New York City is my city as well. And representing, you know, probably the 4 million people who live in

Brooklyn, I know that they don't need one more tax, particularly on sales items.

As Senator Monserrate indicated, a sales tax is one of the most regressive things that you can do. What does regressive mean? It means that poor people as a percentage of their salaries -- of their income, actually -- pay more in sales taxes than rich people do. So the more money that you make, the less that this affects you.

So when you look at people in my community and many of the communities that we represent in New York City, our folks are going to be disproportionately affected in a negative way by the extension of this sales tax.

What is different about this sales tax as opposed to the 200 other sales taxes that we extended throughout this evening is that when you look at the amount of this sales tax, it is far greater than any of the other ones that we've passed tonight.

In addition, not passing this bill tonight helps New York City have a competitive

economic development advantage with New Jersey, its neighbor who it completes with.

As Senator Monserrate indicated, particularly in places like Staten Island, that is a simple bridge away from New Jersey, not enacting this sales tax will level the playing field and allow people to keep their dollars in New York City. That would help small businesses, that would help a lot of the little guy who we come here and we claim that we want to help.

And so I'm asking my colleagues tonight, as somebody who lives and works in New York City, to vote no on this bill. It is not a good bill for the small businesses. It's not a good bill for the people every day who are trying to make it, who work hard and who are already paying so many other taxes in this state. To have to pay this extended sales tax would be a really, really significant undue burden.

We have been asked by the current mayor of the City of New York to do this. And

why have we done this? He's asked us to do this, to come here and put another regressive tax on the table, because this is a man who simply taxes his way out of every single problem that he's gotten into.

When he got elected, the first thing he did was pass the most expansive property tax increase in the history of New York City. Right? And many of you know that, many of you lived through that. And they gave it back, and now they've in fact now reenacted that property tax.

And these taxes are never an answer to the problem. When we had a problem around traffic and we had a problem in the city around the environment, what was the answer? A congestion price tax. Then, when the MTA got into trouble, what did he want to do? He wanted to tax the bridges across the East River.

Enough is enough, Mr. Mayor. Enough is enough. The people of the City of New York can't take another tax from you. We can't take, you know, another increase when

people are losing their jobs and people are trying to make it day to day. When people are just trying to put food in their mouths, we just can't simply tax and tax and tax and tax and tax people.

And it's easy for him, because he's a billionaire. He's the richest person in the state, he's the 16th richest person in the entire country. And so for him, ah, another 8 percent here, another 9 percent here. He'll make that overnight, you know, on the stock exchange.

But most of us don't have, unfortunately, that kind of wealth. And so to continue to tax and tax regular everyday people is not what we ought to do.

This is also the same person, while he's proposing the highest property taxes in the history of New York City, a tax for congestion pricing, a tax for the MTA on the East River bridges, an increased sales tax, who stood up and wanted to protect rich people in Manhattan when he didn't want to do a Fair Share Tax to bring this state into balance.

We can't afford these policies, ladies and gentlemen. We simply can't afford to do it. The City of New York has the fourth largest budget in the country. It's the federal government's budget, it's the state of California, it's the State of New York and the City of New York.

The City of New York has a budget that if it was a Fortune 500 company, it would be in the top ten. It has a budget that is larger than 48 other states. As such, there is more than one way, Mr. President, for them to skin the cat.

So for people like myself and Liz Benjamin, $500 million is a lot of money.

(Laughter.)

SENATOR PARKER: But for the City of New York, $500 million is a significant sum but not all the money in the world. They can certainly find other ways to skin that cat.

And so I'm voting no today because I need to stand up for the everyday people who are working in our communities, who are trying to make it day to day. And the taxes on milk

and on Pampers and on clothes and on everything that we tax in New York City can't simply go on this way.

We can't simply continue to, you know, stand up for, you know, a billionaire mayor who thinks it's okay to tax regular people but doesn't want to see, you know, the rich people of the state pay their fair share. It can no longer continue to go on that way.

And so I'm urging my colleagues to join me on the side of right, on the side of fairness. I want them to join me and my colleagues who are voting no on this bill because it is the right thing to do.

I vote no.

ACTING PRESIDENT VALESKY: Thank you, Senator Parker.

Are there any other Senators who wish to be heard? Seeing none, the debate is closed.

The Secretary will ring the bells.

Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

SENATOR SKELOS: To explain my vote, Mr. President.

ACTING PRESIDENT VALESKY: Senator Skelos, to explain his vote.

SENATOR SKELOS: Mr. President, I listened so carefully to my dear friend Reverend Diaz.

And I'm going to support the legislation for two reasons. Number one, it comes with a home-rule message from the City of New York -- of which, the last time I looked, there were roughly, on the City Council, 47 Democrats and 3 Republicans.

And if I also listened carefully to you, Reverend Diaz, you said if I voted against it, you would come to this side. I don't think we could go through 31-31 again.

(Loud laughter; applause.)

SENATOR SKELOS: So I vote aye.

ACTING PRESIDENT VALESKY: Senator Skelos will be recorded in the

affirmative.

Announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 703 are Senators Adams, Addabbo, Bonacic, Diaz, Espada, Flanagan, Fuschillo, Golden, Hannon, Hassell-Thompson, Huntley, C. Kruger, Lanza, LaValle, Marcellino, Monserrate, Padavan, Parker, and Perkins.

Ayes, 43. Nays, 19.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Smith.

SENATOR SMITH: Could you please recognize Senator Klein, please.

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, if we could return to the order of motions and resolutions, I have several motions.

ACTING PRESIDENT VALESKY: Proceed.

SENATOR KLEIN: First, on behalf of Senator Ruth Hassell-Thompson, I wish to

call up Calendar Number 485, Assembly Print Number 4810.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 485, by Member of the Assembly Brodsky, Assembly Print Number 4810, an act to amend the Executive Law.

SENATOR KLEIN: I now move to reconsider the vote by which this Assembly bill was substituted for Senate Print 1799 on June 3rd.

ACTING PRESIDENT VALESKY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is before the house and restored to its place on the Third Reading Calendar.

SENATOR KLEIN: I now move that Assembly Bill Number 4810 be recommitted to the Committee on Rules and the Senate bill be restored to the order of Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: On behalf of Senator Stachowski, I move the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Number 3479B.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: On behalf of Senator Parker, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Bill 5812.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: On behalf of Senator L. Krueger, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Bill 5819.

ACTING PRESIDENT VALESKY: So

ordered.

SENATOR KLEIN: On behalf of Senator Onorato, I move to amend Senate Bill 3358A by striking out the amendments made on April 14th and restoring it to its original print, Number 3358.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: On behalf of Senator Sampson, I move to recommit Senate Print Number 5589, Calendar Number 531 on the order of third reading, to the Committee on Judiciary, with instructions to said committee to strike out the enacting clause.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: Now, Mr. President, amendments are offered to the following Third Reading Calendar bills:

On behalf of Senator Stachowski, page 13, Calendar Number 247, Senate Print 1944.

ACTING PRESIDENT VALESKY: The amendments are received.

SENATOR KLEIN: On behalf of Senator L. Krueger, page 13, Calendar Number 250, Senate Print 4259.

On behalf of Senator Thompson, page number 14, Calendar Number 281, Senate Print Number 4950.

On behalf of Senator Huntley, page number 21, Calendar Number 367, Senate Print 2653B.

On behalf of Senator Stachowski, page number 22, Calendar Number 426, Senate Print 1716.

Again on behalf of Senator Stachowski, page 26, Calendar Number 486, Senate Print 1948A.

On behalf of Senator Duane, page number 34, Calendar Number 567, Senate Print 3164.

On behalf of Senator Dilan, page 34, Calendar Number 569, Senate Print 3619.

On behalf of Senator Thompson, page number 38, Calendar Number 618, Senate Print 4954A.

On behalf of Senator Huntley, page number 39, Calendar Number 627, Senate Print 5596.

On behalf of Senator Stachowski, page number 39, Calendar Number 637, Senate Print 2860B.

And on behalf of Senator Perkins, page 35, Calendar Number 582, Senate Print 4747.

Mr. President, I now move that these bills retain their place on the order of third reading.

ACTING PRESIDENT VALESKY: The amendments are received. So ordered.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Mr. President.

I wish to call up Calendar Number 395, Assembly Print Number 5320.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 395, by Member of the Assembly Maisel, Assembly Print Number 5320, an act to amend

the Public Health Law.

SENATOR FUSCHILLO: I now move to reconsider the vote by which this Assembly bill was substituted for my bill, Senate Print Number 629, on May 26.

ACTING PRESIDENT VALESKY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT VALESKY: The bill is before the house.

SENATOR FUSCHILLO: I now move that Assembly Bill Number 5320 be recommitted to the Committee on Rules, and that the Senate bill be restored to the order of Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT VALESKY: The amendments are received.

SENATOR FUSCHILLO: Mr. President, amendments are offered to the

following Third Reading Calendar bills:

Sponsored by Senator McDonald, page number 8, Calendar Number 107, Senate Print Number 1757;

By Senator Morahan, page number 16, Calendar Number 338, Senate Print Number 2807;

By Senator Fuschillo, page number 25, Calendar Number 475, Senate Print Number 85A;

By Senator Griffo, page number 25, Calendar Number 479, Senate Print Number 1148;

By Senator Marcellino, page number 27, Calendar Number 498, Senate Print Number 4211;

By Senator Young, page number 27, Calendar Number 502, Senate Print 4805;

By Senator Griffo, page number 36, Senate Print 601, Senate Print Number 5467;

By Senator Morahan, page number 37, Calendar Number 612, Senate Print Number 5156;

By Senator LaValle, page number 39, Calendar Number 634, Senate Print Number 1447.

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

ACTING PRESIDENT VALESKY: So ordered.

SENATOR FUSCHILLO: Thank you.

ACTING PRESIDENT VALESKY: Senator Klein.

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

ACTING PRESIDENT VALESKY: There is no further business at the desk.

SENATOR KLEIN: There being none, I move that we adjourn at the call of the Temporary President, intervening days to be legislative days.

ACTING PRESIDENT VALESKY: Senator Skelos.

SENATOR SKELOS: Before we adjourn, just for the information of the members here, I understand that the Governor has called an extraordinary session for tomorrow at 3 o'clock. Well, today at 3 o'clock.

I'm wondering if we know -- Senator Smith, I know you indicated to me just a few minutes ago that you don't believe the

Governor had withdrawn his proclamation.

SENATOR SMITH: The Governor has indicated he is hoping that we have communication with the Assembly Speaker tomorrow to come up with a date certain when we will be returning. And so at this point we are on hold until tomorrow morning.

At such time, I believe Senator Sampson will be reaching out to Assembly Speaker Silver to determine when in fact we can come back together.

SENATOR SKELOS: Does that mean that he's bringing the Assembly back tomorrow --

SENATOR SMITH: No.

SENATOR SKELOS: -- or we're just being asked to hang around until he makes up his mind whether he's going to have us here in extraordinary session?

SENATOR SMITH: My conversation with the Governor is that he will look forward to our call to him tomorrow after speaking to the Speaker, at which time he is hoping that we would come together jointly on the day that

we'll be back together.

ACTING PRESIDENT VALESKY: Senator Klein, would you please state your motion again?

SENATOR KLEIN: Was to adjourn at the call of the Temporary President, intervening days to be legislative days.

ACTING PRESIDENT VALESKY: On a motion by Senator Klein, the Senate stands adjourned at the call of the Temporary President, intervening days being legislative days.

(Whereupon, at 1:47 a.m., the Senate adjourned.)