NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 6, 2010

12:32 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR RICHARD RAVITCH, President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please come to order.

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

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

THE PRESIDENT: May we bow our heads for a moment of silence.

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

THE PRESIDENT: Thank you.

The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Tuesday, January 5, the Senate met pursuant to adjournment. The Journal of Saturday, January 2, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Klein.

SENATOR KLEIN: Mr. President, on behalf of Senator Sampson, I wish to call up Senate Print Number 1759, recalled from the Assembly, which is now at the desk.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 70, by Senator Sampson, Senate Print 1759, an act to amend the City Civil Court Act.

THE PRESIDENT: Senator Klein.

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

THE PRESIDENT: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

THE PRESIDENT: The bill is restored to its place on the Third Reading Calendar.

Senator Klein.

SENATOR KLEIN: Mr. President, I now move to recommit the bill to the Committee on Judiciary.

THE PRESIDENT: So ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, on behalf of Senator Diaz, I move to take from the table the motion to reconsider the vote by which Senate Bill Number 2550A was lost on September 10, 2009. I further move that said bill be recommitted to the Committee on Rules.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 964, by Senator Diaz, Senate Print 2550A, an act to amend the Tax Law.

THE PRESIDENT: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

THE PRESIDENT: Order that said bill will be recommitted to the Committee on Rules.

Senator Klein.

SENATOR KLEIN: Mr. President, I believe there's a concurrent resolution at the desk. I ask that the resolution be read in its entirety and move for its immediate adoption.

THE PRESIDENT: The Secretary will read the substitution.

THE SECRETARY: The Assembly sent for concurrence Assembly Concurrent Resolution Number 819.

Senator Sampson moved to substitute Senate Concurrent Resolution Number 3543 for Assembly Concurrent Resolution Number 819.

THE PRESIDENT: Substitution ordered.

The Secretary will read the resolution.

THE SECRETARY: Concurrent resolution of the Senate and Assembly relative

to the adjournment sine die of the 2009 session of the Legislature.

"RESOLVED, That the 2009 session of the Legislature adjourn sine die on Wednesday, January 6, 2010, simultaneously with the commencement of the 2010 legislative session."

THE PRESIDENT: The question is on the concurrent resolution. All those in favor please indicate by saying aye.

(Response of "Aye.")

THE PRESIDENT: Any opposed?

(No response.)

THE PRESIDENT: The concurrent resolution is adopted.

This regular session is adjourned sine die.

(Whereupon, at 12:36 p.m., the Senate adjourned.)