NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 1, 2010

3:23 p.m.

REGULAR SESSION

SENATOR DAVID J. VALESKY, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT VALESKY: The Senate will come to order.

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

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

ACTING PRESIDENT VALESKY: Father Peter G. Young, of Mother Theresa Community here in Albany, is with us this afternoon to offer an invocation.

REVEREND YOUNG: Thank you, Senator.

Let us pray.

We know that in March our lion has roared in, and therefore we in this chamber today have the desire to make, make us share in God's love and to aid in gentle kindness to those who are weak, sick and unfortunate. In their love for God, You have called us to show mercy.

God, by Your love, You made a world where we have become neighbors to each other and we are enabled to love one another. Grant

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

God has given us a marvelous example of charity in the call to us to love one another. Send down Your blessing on these Senators who generously devote themselves helping all of our New York State citizens.

Amen.

ACTING PRESIDENT VALESKY: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate Sunday. February 28, the Senate met pursuant to adjournment. The Journal of Saturday, February 27, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT VALESKY: 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 Montgomery, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Number 1296.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR KLEIN: On behalf of Senator Aubertine, I move to commit Senate Number 6303, Calendar Number 104 on the order of third reading, to the Committee on Codes.

ACTING PRESIDENT VALESKY: So ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, can you please recognize Senator Libous for a motion.

ACTING PRESIDENT VALESKY: Senator Libous.

SENATOR LIBOUS: Thank you,

Mr. President. Good to see you today, sir.

ACTING PRESIDENT VALESKY: Good to see you, Senator.

SENATOR LIBOUS: On behalf of Senator Marcellino, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. And that would be Senate 6704, please.

ACTING PRESIDENT VALESKY: So ordered.

SENATOR LIBOUS: Thank you.

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, are there any substitutions at the desk?

ACTING PRESIDENT VALESKY: Yes, we have substitutions.

The Secretary will proceed.

THE SECRETARY: On page 9, Senator Golden moves to discharge, from the Committee on Finance, Assembly Bill Number 4491 and substitute it for the identical Senate Bill Number 2013, Third Reading Calendar 48.

ACTING PRESIDENT VALESKY: Substitution ordered.

Senator Klein.

SENATOR KLEIN: Mr. President, I believe Senator Sampson has a resolution at the desk. I ask that the resolution be read in its entirety and move for its immediate adoption.

ACTING PRESIDENT VALESKY: Has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Sampson, legislative resolution congratulating the United States Olympians, and particularly the New Yorkers, who competed in the 2010 Vancouver Olympic Winter Games held February 12-28, 2010.

"WHEREAS, The Olympic movement follows from a set of core Olympic values: The search for excellence, fair play, the joy

in effort, respect for others, and harmony between body, mind, and will; and

"WHEREAS, The Olympic Games have been a catalyst for peace, and more than 200 countries are represented in the Olympics, with over 10,000 athletes competing; and

"WHEREAS, The young men and women of the United States selected to participate in the 2010 Vancouver Olympics have worked for many years for this opportunity to honor our nation through their dedication and patriotism; and

"WHEREAS, The 2010 United States Olympic team members have achieved great success in their chosen sports and have served as inspirational role models for the nation; and

"WHEREAS, Lowell Bailey of Lake Placid, New York, was chosen to represent the United States in Biathlon;

Dustin Brown of New York, New York, was chosen for the United States Hockey Team and won a Silver Medal;

Tim Burke of Paul Smiths, New York, was chosen to represent the United States in

Biathlon;

Ryan Callahan of Rochester, New York, was chosen for the United States Hockey Team and won a Silver Medal;

Annelies Cook of Lake Placid, New York, was chosen to represent the United States in Biathlon;

Julia Clukey of Lake Placid, New York, was chosen to represent the United States in the Luge;

Caitlin Compton of New York, New York, was chosen to represent the United States in Cross-Country Skiing;

John Daly of Smithtown, New York, was chosen to represent the United States in the Bobsled;

Bill Demong of Vermontville, New York, was chosen to the represent the United States in the Nordic Combined and won a Gold Medal and a Silver Medal;

Matthew De Peters of Buffalo, New York, was chosen to represent the United States in Freestyle Skiing;

Peter Frenette of Saranac Lake, New York, was chosen for the United States Ski

Jumping Team;

Mark Grimmette of Lake Placid, New York, was chosen to represent the United States in the Luge;

Erin Hamlin of Remsen, New York, was chosen to represent the United States in the Luge;

Anders Johnson of Plattsburgh, New Yorker, was chosen to represent the United States in Ski Jumping;

Haley Johnson of Lake Placid, New York, was chosen to represent the United States in the Biathlon;

Dan Joye of Carmel, New York, was chosen to represent the United States in the Luge;

Patrick Kane of Buffalo, New York, was chosen for the United States Hockey Team and won a Silver Medal;

Trevor Marsicano of Ballston Spa, New York, was chosen to represent the United States in Speed Skating;

Chris Mazdzer of Saranac Lake, New York, was chosen to represent the United States in the Luge;

Steve Mesler of Buffalo, New York, was chosen to represent the United States in the Bobsled and won a Gold Medal;

Ryan Miller of Buffalo, New York, was chosen for the United States Hockey Team and won a Silver Medal;

John Napier of Schenectady, New York, was chosen to represent the United States in the Bobsled;

Sara Studebaker of Lake Placid, New York, was chosen to represent the United States in the Biathlon;

Bengt Walden of Lake Placid, New York, was chosen to represent the United States in the Luge;

Andrew Weibrecht of Lake Placid, New York, was chosen to represent the United States in Alpine Skiing and won a Bronze Medal; and

"WHEREAS, New York has been the birthplace or home of hundreds of Olympians, including more than 300 Olympic athletes born in New York City; and

"WHEREAS, The year 2010 is the 30th anniversary of New York's Olympics in Lake

Placid, site of the "Miracle on Ice"; and

"WHEREAS, The 1980 Olympics in Lake Placid was the second time the Olympic Winter Games were held in Lake Placid, New York; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the New Yorkers chosen to represent the United States and the great State of New York in the 2010 Winter Games in Vancouver, British Columbia, Canada, and to thank New York's young athletes for once again showing this great Empire State's character, diversity, energy and unbeatable human spirit to the world; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the aforementioned Olympians."

ACTING PRESIDENT VALESKY: Senator Little, on the resolution.

SENATOR LITTLE: Thank you, Mr. President.

Today I join all of my colleagues as well as all New Yorkers in our pride with our young men and women and how they achieved

and how they participated in our current Winter Olympics which have just finished in Vancouver.

As a representative of Lake Placid, which is the winter sports capital of the world, the home of the 1932 and the 1980 Olympics, I have a particular pride in having had 12 of these athletes that are listed on this resolution coming from my district, and a great deal of pride as we had one Gold Medal winner in Bill Demong, a 29-year-old from Vermontville, Saranac Lake area, who won a Gold Medal in this Olympics and also was selected by his peers to carry the flag at the final closing of the Olympics.

I also have a tremendous amount of pride in the fact -- well, also, Bill Demong won a Silver Medal with his teammates. And Andrew Weibrecht, at 23, attending his first Olympics, who received a Bronze Medal in the Alpine ski racing.

So we are very pleased. In Lake Placid, as you know, we have the only luge and bobsled skeleton run in this part of the country. We have one of the only ski jumping

facilities in this part of the country, as well as several hockey rinks and skiing areas. We also have a huge cross-country facility and a biathlon track and facility.

So it's a pride of New York State and our hope that again we will have an Olympics in this part of the country, and particularly in New York State, where Lake Placid and the whole surrounding areas, from Plattsburgh to Albany, would be able to participate in it.

I thank you very much for the resolution. And again, we congratulate all of our athletes. And our particular pride in those who achieved the ultimate goal of winning an Olympic medal.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Little.

Are there any other Senators who wish to be heard on the resolution?

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY:

Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The resolution is adopted.

Senator Sampson has indicated he would like to open this resolution up to the entire body for cosponsorship. Anyone wishing not to cosponsor the resolution should notify the desk.

Senator Klein.

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

ACTING PRESIDENT VALESKY: Senator Klein, has this resolution been deemed privileged and submitted by the office of the Temporary President?

SENATOR KLEIN: Yes, it has, Mr. President.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Adams, legislation resolution commemorating March 1,

2010, as Korean Independence Day.

"WHEREAS, It is the custom of this Legislative Body to honor with great pleasure and great pride the Korean-American community of the State of New York upon the historic occasion of the commemoration of March 1, 2010, as Korean Independence Day; and

"WHEREAS, a nationwide uprising on March 1, 1919, in Korea was an outcry for national survival in the face of intolerable aggression, oppression, and plundering by the Japanese colonists. An apparent sudden change in the international situation in the wake of World War I stimulated a group of Korean leaders to launch an independence struggle both at home and abroad; and

"WHEREAS, 33 nationalists who formed the core of the Samil Movement convened at Taehwagwan Restaurant in Seoul, Korea, to read the Korean Declaration of Independence that had been drawn up by the historian/writer Choe Namseon and the poet/Buddhist monk Manhae, also known as Han Yongun; and

"WHEREAS, The nationalists initially planned to assemble at Tapgol Park

in downtown Seoul but decided on the more private location out of fear that the gathering might turn into a riot. The leaders of the movement signed the document and sent a copy to the Japanese Governor General; and

"WHEREAS, In the early 1950s, thousands of Koreans fleeing from war, poverty and desolation came to the United States seeking opportunities; and

"WHEREAS, Korean-Americans, like waves of immigrants that came to the United States before them, have taken root and thrived in the United States through strong family ties, community support, and hard work; and

"WHEREAS, The partnership of the United States and South Korea helps maintain peace and stability in the Asia-Pacific region and provides economic benefits to the people of both nations and the rest of the world; and

"WHEREAS, The contributions of Korean-Americans to the United States include the development of the first beating heart operation for coronary artery disease, the development of several varieties of the

nectarine, and achievements in engineering, architecture, medicine, acting, singing, sculpture and writing; and

"WHEREAS, The State of New York is fortunate to have in its midst a substantial number of citizens who trace their origins to Korea; and

"WHEREAS, The unique beauty of Korean culture, and the contribution of its people to literature, the arts and sciences, and to the economy are well-known and well-appreciated around the world. The contributions of Korean-Americans are especially bountiful throughout the Empire State and are distinguished by their excellence; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate March 1, 2010, as Korean Independence Day; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the Brooklyn Korean Association, the Korean-American Association of Greater New York, Reverend Nam Su Kim, Adam Kim, and

Insik Hwang."

ACTING PRESIDENT VALESKY: Senator Adams, on the resolution.

SENATOR ADAMS: Thank you, Mr. President.

And I'm sure my colleague Senator Stavisky wanted to also speak on this resolution, but she's not here with us now.

Joining in the chamber with me is Mr. Hwang, the former president of the Brooklyn Korean-American Association, Mr. Kim, who's the former president also of the Brooklyn Korean-American Association, Mr. Jung-Kibok, who's the representative of the Korean-American Association of Greater New York, and Mr. Adam Kim.

Last week we had the opportunity to acknowledge men and women who were here in the chamber from the Dominican Republic. And I think that we give great acknowledgment to our country each time we identify and uniquely examine each string of the quilt of the diversity of this country.

The Korean-Americans, when you look at their history, you'll see a unique

identification with the history and development of America. Their independence movement day that we celebrate today, after the tyrannical acts of Japan and some of the abuse that they had to undergo, 33 nationalists sat down and read and signed their declaration of independence. This is an important document, just as the Declaration of Independence is important for our country.

It is clear that when you look at the pollen of freedom from the flowers of our land has reached the soil of Korea and put the flowers of hope there. They saw what we went through through our independence struggle from Britain and borrowed from that and united around to have freedom also.

So it doesn't matter what part of the globe or where we are, the desire to be free, the desire to be independent and the desire to have self-determination is paramount.

And each time I talk about any particular ethnic group or a particular group from a different geographical area of the globe, I always acknowledge those first

arrivals and how important it is that they too love America and the spirit of America and the contribution that the many Korean nationalists and those Korean immigrants to America, how they contribute to the greatness of this country.

And nothing touched me more than during the Haitian earthquake. Some of the men and women who are here from the Korean-American community immediately called my office. Senator Parker and I, we have two of the largest Haitian populations in the state, and they raised thousands of dollars. But they went one step further. They also bought clothing for those who are in Haiti and didn't have clothing, and raised food.

And during the various times of the year, they use their businesses to give clothing and coats to those who are in this city and state that do not have coats during the winter months.

So there's a continuous contribution that they are making. And it just adds to the fact and the reality that what's great about this country is that we in

our diversity is something we can celebrate.

And I commend those men and women from the Korean-American community and continue to call on us the importance of opening our borders and allowing all groups to come in and contribute to what's great about the United States of America.

So on this day, March 1, 2010, I want to applaud the Korean community and the Korean Independence Day movement and state that we are glad to be a part of this great country.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Adams.

Senator Craig Johnson, on the resolution.

SENATOR CRAIG JOHNSON: Thank you very much, Mr. President.

First I want to commend Senator Adams for sponsoring this resolution. And I too want to share in congratulating the growing Korean-American community for this resolution.

The history of Korean independence

is such an incredible one, especially when you look and see the struggles that the nationalists in Korea had to undergo with respect to their dealings with imperial Japan. And if you look at the history, especially in the '30s and '40s during the Second World War, and what Korean women had to suffer through at the hands of the Imperial Japanese Army during the Second World War, we must look on with admiration to their independence.

The Korean-American community is a growing community in Long Island and in particular in my district. And in reading the resolution, Senator Adams, I want to commend you for one particular section which talks about the fact that New York State is fortunate to have in its midst a substantial number of citizens who trace their origins to Korea.

What many in this body maybe do not realize is I can attest to that personally, as my sister Karen is from South Korea. She was born in Seoul, South Korea, in 1973, and my family adopted her in 1974. And I've been lucky to have such an incredible human being

in my life, as my sister has taught me so much.

And so I want to echo what Senator Adams has put forth in this resolution. The Korean-American community contributes so much to New York State in so many fields. And I know they will continue to do so.

So I thank you, Senator Adams, for recognizing this day. I congratulate the men who are here today as representatives of the Korean-American community, and I thank you for your time.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Johnson.

Senator Larkin, on the resolution.

SENATOR LARKIN: Thank you, Mr. President.

As someone who served in Korea in combat in 1950 and '51, I feel that this is a most important event of planning this to make sure that we understand the culture of our two countries, what was done.

Anybody who's ever seen the photographs of what went on in 1950 when we

went to Korea, July the 15th, what happened at Inchon and the blasting we took at Hoengsong and Hungnam and at the Yalu.

I think that -- there's a national magazine that I hope -- I'll wait for Mr. Adams.

Mr. Adams, on the resolution being dispatched, I think it's most appropriate that a copy of this resolution be sent to the Korean War Veterans Association of America. It's a national organization authorized by Congress, and it communicates between the Korean community in America, the Korean community in Korea, and members of the armed forces that have served in Korea and how they handle some of these issues.

Some of your guests here from Korea know that we now have what we call a revisit program, where those who served in combat in Korea are taken back to Korea, with their families, go to areas where they were and see it. For me, I plan to go next year, if the good Lord lets me.

I have three children that were born in Korea. They're here, they're American

citizens now. One is a schoolteacher, another is an investment planner, and the other one is working here at St. Peter's in Albany and enjoying life.

But the culture that we get from you -- I will give you a copy of the magazine, Senator Adams, and you will see the mutual respect and cordiality between the communities of Korea and those of Americans, talking about what we did and where we did it and how we did it and what was the complete cooperation in those days.

I wouldn't want to go through it again. But your country has a lot to offer to a lot of people.

Thank you.

ACTING PRESIDENT VALESKY: Thank you, Senator Larkin.

Senator Stavisky, on the resolution.

SENATOR STAVISKY: Thank you, Mr. President.

And I must say I am so proud to represent thousands of Korean-Americans, particularly in the Flushing community,

because they have contributed so much to the everyday life, the political life, the cultural life, the business community, the life in the business community.

And yet I am proud to call them my friends. They're not my what I call hyphenated friends, they're not my Korean-American friends, they're friends. They're people whom I've known for many years. And they have made such a significant contribution to the life in both Queens and in New York State.

They came to the United States over a hundred years ago, and they have worked hard, they obey the laws, they contribute to society. They have large numbers of organizations, the Korean American Association being probably one of the most significant. But there are so many groups. And they lend their experience and their cultural experience to what goes on in the city.

And as we gather today to celebrate the Korean independence, it's particularly appropriate because just two weeks we celebrated the Asian Lunar New Year. And we

marched together through the streets of Flushing to celebrate the Year of the Tiger.

So to my friends in the chamber and to my constituents, may you have a very happy and prosperous Year of the Tiger as we come together to celebrate another day together, that of Korean independence.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Stavisky.

Senator Padavan, on the resolution.

SENATOR PADAVAN: To you, Mr. President, and Senator Adams, I say [in Korean], which for those of you who don't know what that means, is "thank you very much."

We thank those who are representing the Korean community here today and the thousands and thousands of Korean families throughout my district and elsewhere who have made a significant contribution to the quality of life of our city, many parts of it.

Korean immigration began over a hundred years ago when Koreans came to the Island of Hawaii to work on the nascent plantations that were being built for cane

sugar and pineapple. And then, of course, they spread to the West Coast and became an integral part of the fabric of many communities throughout our country.

Our nations were bound together on two momentous occasions. One, obviously, in defeating the Japanese and freeing Korea from that terrible, terrible yoke of bondage in which they found themselves. And secondly, of course, in defending South Korea against North Korea and the Chinese.

There are two memorials in New York City that relate to those conflicts. One of them is in Battery Park, and the other is in Kissena Park, in my district, which was established and funded by myself and many others, as well as the Korean community, veterans of the Republic of Korea as well as veterans from the United States. And it's a beautiful monument surrounded by a park. And on the inscription it tells us of the sacrifices made by so many, both Koreans and Americans, to keep that country free.

So we're delighted to join with my colleagues to simply thank the Korean

community for all its contributions, both in terms of business, in terms of the arts, culture, and for their very, very deep commitment to families. I probably have a hundred Korean churches in my district of every denomination. And when I go to them and I visit them on various occasions, it's just amazing to see how family-oriented they are and how important that is to them as a community.

So again, Mr. President, Senator Adams, thank you very much for introducing this resolution.

ACTING PRESIDENT VALESKY: Thank you, Senator Padavan.

Are there any other Senators who wish to be heard?

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The resolution is adopted.

Senator Adams has indicated that he would like to open the resolution to the entire body for cosponsorship. Anyone not wishing to cosponsor the resolution should inform the desk.

A very sincere welcome to our special guests today.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time I move to recall Senate Resolution Number 3303, by Senator Fuschillo, which was adopted on January 12th. I ask that the title of the resolution be read and that Senator Fuschillo be recognized to make some brief remarks.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: By Senator Fuschillo, Legislative Resolution Number 3303, mourning the death of Joseph R. Sugar, distinguished citizen and devoted member of his community.

ACTING PRESIDENT VALESKY: Senator Fuschillo.

SENATOR FUSCHILLO: Thank you,

Mr. President. And thank you, Senator Klein.

Today is NYSSMA's advocacy day here in the state, and I want to welcome all the advocates for being here today. And it's only fitting that I recognize a man by the name of Joe Sugar. And his son Tom and wife Clara are in the gallery, and I welcome you to Albany once again.

Joe Sugar was Mr. Music. He dedicated more than 50 years of his life in the art of education and teaching and music in our schools. But it was more than that. He knew the importance of music as a way of life for everybody.

Joe dedicated his entire life to the advancement of music education. He was the director of bands at Indiana University, director of bands at Matawan High School, director of bands at Bethpage High School, director of bands at Hewlett High School and director of music at Hewlett-Woodmere School District, where his son Tom is now the teacher.

And I understand, Tom, one of the students told you that their parents knew the

real Mr. Sugar who was the teacher there long before you.

You know, I, during my almost 12 years in the Senate, one year didn't make NYSSMA's advocacy day celebration. And boy, was I scolded by Joe Sugar. But when I went back to my district, I was almost afraid to see him one day out at an event. And he gave it to me. You know: "Where were you?" And I told him I was in session. Clara, it wasn't a good enough excuse for him that I wasn't there.

But at that moment, I saw his compassion, his dedication, and his love for music. His resume of teaching music throughout this state is second to none. But his love for people is really what took me. And this year I'm going to miss him terribly.

And as I said, today is the advocacy day for NYSSMA throughout the halls of this chamber. But I'm proud that I found out that it's been renamed after Joe Sugar. And that's a great tribute to a man that dedicated his entire life.

And, Clara, his legacy will go on

forever. So it's with deep sorrow that I rise on the passing of your husband, but I'm proud that I knew him. God bless you.

And thank you very much, Mr. President.

ACTING PRESIDENT VALESKY: Thank you, Senator Fuschillo.

Are there any other Senators who wish to be heard?

As Senator Klein indicated, this resolution was unanimously adopted on January 12th.

Thank you very much for being with us today.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time can we please move to a reading of the calendar.

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

THE SECRETARY: Calendar Number 10, by Senator Savino, Senate Print 5481A, an act to amend the Executive Law, in relation to establishing Women's Equality Day.

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, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 33, by Senator L. --

SENATOR KLEIN: Lay the bill aside for the day.

ACTING PRESIDENT VALESKY: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 80, by Senator Adams, Senate Print 6352A, an act to amend the Racing, Parimutuel Wagering and Breeding Law, in relation to equine drug testing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 82, by Senator --

SENATOR KLEIN: Lay the bill aside for the day.

ACTING PRESIDENT VALESKY: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 86, by Senator Foley, Senate Print 5945, an act to amend the Election Law, in relation to authorizing registration records.

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, 57.

ACTING PRESIDENT VALESKY: The

bill is passed.

THE SECRETARY: Calendar Number 97, by Senator Squadron, Senate Print 3775C, an act to amend the Alcoholic Beverage Control Law, in relation to the siting of certain premises.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect December 31, 2010.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 103, by Senator Morahan, Senate Print 5328A, an act to amend the Real Property Tax Law, in relation to temporarily extending.

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, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 109, by Senator Foley, Senate Print 3703A, an act to amend the Banking Law, in relation to requirement.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date as Section 8 of Chapter 472 of the Laws of 2008.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 117, by Member of the Assembly Rosenthal, Assembly Print Number 8678A, an act to amend the Education Law, in relation to requiring licensure.

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, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 127, by Senator Sampson, Senate Print 5720, an act to amend the Real Property Law, in relation to online listing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

130, by Senator Breslin, Senate Print 3554, an act to amend the Insurance Law, in relation to losses sustained.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 1. Senator Marcellino recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 132, by Senator Sampson --

SENATOR KLEIN: Lay the bill aside for the day, please.

ACTING PRESIDENT VALESKY: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 135, by Senator Breslin, Senate Print 402, an act to amend the Vehicle and Traffic Law, in relation to special vehicle identification.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 139, by Senator Stavisky, Senate Print 1538B, an act to amend the Executive Law, in relation to providing information.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number

140, by Senator LaValle, Senate Print 2923, an act to amend the Correction Law, in relation to requiring.

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, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Klein, that completes the reading of the noncontroversial active list.

SENATOR KLEIN: Mr. President, at this time can we please move to a reading of the supplemental active list.

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

Senator Klein.

SENATOR KLEIN: Mr. President, are there any substitutions at the desk?

ACTING PRESIDENT VALESKY: There

is a substitution at the desk.

The Secretary will read.

THE SECRETARY: On page 13, Senator Larkin moves to discharge, from the Committee on Finance, Assembly Bill Number 1003A and substitute it for the identical Senate Bill Number 638A, Third Reading Calendar 111.

ACTING PRESIDENT VALESKY: Substitution ordered.

The Secretary will now proceed with the reading of the supplemental active list.

THE SECRETARY: Calendar Number 94, by Senator Fuschillo, Senate Print 5760A, an act to authorize the First United Methodist Church.

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: In relation to Calendar Number 94: Ayes, 55. Nays, 2.

Senators Bonacic and Larkin recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 101, by Senator Fuschillo, Senate Print 30, an act to amend the Real Property Tax Law, in relation to allowing.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 111, substituted earlier by Member of the Assembly Gunther, Assembly Print Number 1003A, an act to amend the Insurance Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 120th day.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 125, by Senator Nozzolio, Senate Print 3271, an act to amend Chapter 219 of the Laws of 2002 amending the Judiciary 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, 57.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 128, by Senator Volker --

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

ACTING PRESIDENT VALESKY: The bill is laid aside for the day.

Senator Klein, that completes the reading of the supplemental active list.

SENATOR KLEIN: Mr. President, on behalf of Senator Smith, I hand up the following committee notice and ask that it be filed in the Journal.

ACTING PRESIDENT VALESKY: So ordered.

Senator Klein.

SENATOR KLEIN: Also, Mr. President, can you please recognize Senator Ruth Hassell-Thompson at this time.

ACTING PRESIDENT VALESKY: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

There will be an immediate meeting of the Majority in the Majority Conference Room, Room 332, following this session.

ACTING PRESIDENT VALESKY: Immediate meeting of the Senate Majority in Room 332 immediately following session.

Senator Klein.

SENATOR KLEIN: Is there any further business at the desk?

ACTING PRESIDENT VALESKY: The desk is clear.

SENATOR KLEIN: There being no further business, I move that we adjourn until Tuesday, March 2nd, at 3:00 p.m.

ACTING PRESIDENT VALESKY: On motion, there being no further business to come before the Senate, the Senate stands adjourned until Tuesday, March 2nd, at 3:00 p.m.

(Whereupon, at 4:06 p.m., the Senate adjourned.)