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ALBANY, NEW YORK

February 2, 1993

3:16 p.m.

REGULAR SESSION

SENATOR HUGH T. FARLEY, Acting President

STEPHEN F. SLOAN, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT FARLEY: The
3 Senate will come to order. Senators will find
4 their seats. If you will please rise with me
5 for the Pledge of Allegiance to the Flag.

6 (The assemblage repeated the
7 Pledge of Allegiance to the Flag.)

8 Today in the absence of clergy,
9 we'll bow our heads for a moment of silence.

10 (A moment of silence was
11 observed.)

12 Secretary will begin by reading
13 the Journal.

14 THE SECRETARY: In Senate,
15 Monday, February 1st. The Senate met pursuant
16 to adjournment, Senator Farley in the Chair upon
17 designation of the Temporary President. Prayer
18 by Rabbi Dr. Samuel I. Cohen, Executive
19 Vice-president of the Jewish National Fund, of
20 Lawrence, New York. The Journal of Friday,
21 January 29th was read and approved. On motion,
22 Senate adjourned.

23 ACTING PRESIDENT FARLEY: Hearing

1 no objection, the Journal will stand approved as
2 read.

3 The order of business:
4 Presentation of petitions.
5 Messages from the Assembly.
6 Messages from the Governor.
7 Reports of standing committees.

8 We have a report of a standing committee. The
9 Secretary will read.

10 THE SECRETARY: Senator Mega,
11 from the Committee on Judiciary, reports the
12 following bills directly for third reading:

13 Senate Bill Number 240, by
14 Senator Bruno, an act to amend the General
15 Obligations Law;

16 Senate Bill Number 442, by
17 Senator Stafford and others, Real Property Law;

18 Senate Bill Number 573, by
19 Senators Cook and DeFrancisco, an act to amend
20 the Lien Law.

21 Senator Skelos, from the
22 Committee on Aging, reports the following bills
23 directly for third reading:

1 Senate Bill Number 463, by
2 Senator Holland, amends Chapter 779 of the Laws
3 of 1986;

4 Senate Bill Number 631, by
5 Senator Skelos and others, an act to amend the
6 Executive Law;

7 Senate Bill Number 718, by
8 Senator Farley, authorize state aid to the town
9 of Hadley.

10 Also Senator Levy reports the
11 following bills from the Committee on
12 Transportation directly for third reading:

13 Senate Bill Number 73, by Senator
14 Levy, Vehicle and Traffic Law, right-of-way in
15 crosswalks;

16 Senate Bill Number 74, by Senator
17 Levy, an act to amend the Highway Law and the
18 Executive Law;

19 Senate Bill Number 78, by Senator
20 Levy, an act to amend the General Business Law;

21 Senate Bill Number 435, by
22 Senator Stafford, an act to amend the Highway
23 Law;

1 Senate Bill Number 610, by
2 Senators LaValle and Cook, an act to amend the
3 Vehicle and Traffic Law; and

4 Senate Bill Number 678, by
5 Senator Saland, an act to amend the Highway Law,
6 arterial highway in the city of Beacon.

7 All bills reported directly for
8 third reading.

9 ACTING PRESIDENT FARLEY: All
10 bills are reported directly to third reading
11 without objection.

12 SENATOR TULLY: Mr. President.

13 ACTING PRESIDENT FARLEY: Hold on
14 just a second, Senator Tully. What's -- go
15 ahead, Mr. Secretary.

16 THE SECRETARY: Senator Stafford,
17 from the Committee on Finance, reports the
18 following nomination: Member of the State
19 Commission on Correction, Thomas Joseph Goldrick
20 of Blauvelt.

21 ACTING PRESIDENT FARLEY: Senator
22 Holland.

23 SENATOR HOLLAND: Yeah, I'd like

1 to say a few words about my good friend, Tom
2 Goldrick. We've done a little bit of research
3 also, and I'd like to tell you about that.

4 Tom has been a friend for many,
5 many years, but at 18 he joined the United
6 States Army and joined the 85th Infantry Combat
7 Division, part of the Fifth Army, and stayed 18
8 months as a foot soldier in Italy. He was
9 awarded a Purple Heart. When he came back, he
10 was assigned as an M.P. on Governor's Island and
11 this laid the groundwork for his future
12 assignments.

13 He was assigned to the 44th
14 Precinct in the Bronx after graduating from the
15 Police Academy. Tom became community relations
16 officer, because -- and I can attest to this -
17 of his natural ability to help and communicate
18 with others. He started summer vacation
19 programs with community kids whose parents
20 couldn't afford to send their children to camp.
21 This helped nearly 600 kids get placed in camps
22 all over the Northeast.

23 In connection with his youth

1 work, Tom established citizens councils that
2 worked to promote activities for kids in the
3 44th Precinct.

4 In 1959, Tom and his wife Mary
5 moved to Rockland County. Mary -- where Mary
6 became a school teacher and, in fact, taught
7 many of my children in school. Tom himself
8 returned to school in 1959, via a New York
9 Police Department program, and worked hard for
10 seven years to receive his degree from John Jay
11 College.

12 After 20 years of service with
13 the New York P.D., Tom decided to pursue other
14 pursuits and became a teacher. He also returned
15 to school to earn his Master's degree in
16 criminal justice and, after that, became
17 chairman of the criminal justice program at the
18 Rockland Community College, and I took a couple
19 of courses under his direction.

20 After years of teaching and still
21 being interested in law enforcement, Tom decided
22 to run for sheriff of Rockland County. He was
23 elected right away, and he has been an excellent

1 sheriff, an interested sheriff, for ten years in
2 Rockland County, until he recently retired.

3 Tom, I believe from personally
4 knowing him for many years, is a very competent,
5 capable, personable father, policeman, he's an
6 excellent singer, and that's the way he got
7 elected all the time in Rockland County. He
8 went around to all the dinners singing. Isn't
9 that true, Tom?

10 It is really my pleasure to
11 endorse a good friend, Tom Goldrick, for this
12 position.

13 ACTING PRESIDENT FARLEY: On the
14 nomination, all in favor say aye.

15 (Response of "Aye.")

16 Those opposed nay.

17 (There was no response.)

18 The nominee is confirmed.

19 Tom Goldrick is with us in the
20 chamber and, on behalf of the Senate, let me
21 congratulate you and wish you well. That's
22 quite an endorsement that Senator Holland gave
23 you. Best wishes.

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(Applause)

Senator Present.

SENATOR PRESENT: Mr. President,

I move we adopt the Resolution Calendar.

ACTING PRESIDENT FARLEY:

Secretary will read the numbers of the Resolution Calendar. The whole Resolution Calendar, all in favor of adopting the Resolution Calendar say aye.

(Response of "Aye.")

Those opposed nay.

(There was no response.)

The Resolution Calendar is adopted.

SENATOR GOLD: Oh, Mr. President.

ACTING PRESIDENT FARLEY: Wait a second. Senator Tully.

SENATOR GOLD: Yeah.

SENATOR TULLY: On the Resolution Calendar.

SENATOR GOLD: Yeah, I rise to say yes. After Senator Tully, though, could you please call Senator Jones.

1 ACTING PRESIDENT FARLEY: I
2 certainly shall.

3 SENATOR TULLY: Mr. President,
4 may I have Resolution 319 read, please.

5 ACTING PRESIDENT FARLEY: The
6 Secretary will read Resolution Number 319.

7 THE SECRETARY: Legislative
8 Resolution commemorating Hope Day in New York
9 State on Friday, February 12th, 1993.

10 SENATOR TULLY: Mr. President,
11 this resolution acknowledges the efforts of the
12 New York Chiropractic Council in sponsoring the
13 second annual Hope Day helping other people
14 eat.

15 In 1992, Hope Day raised 50,000
16 pounds of food for hungry men, women and
17 children throughout New York. This food was
18 donated by chiropractic patients who received
19 their examinations from over 60 Hope Day doctors
20 of chiropractic, in exchange for their
21 contributions of non-perishable food.

22 I hope you'll all join me in
23 wishing the Chiropractic Council the best of

1 health, an even more successful year, and at
2 this time, Mr. President, I would like to offer
3 this resolution up to anyone who would like to
4 join me in sponsoring it.

5 Thank you.

6 ACTING PRESIDENT FARLEY: If you
7 would please let the desk know if you'd like to
8 be a sponsor of the chiropractic resolution.

9 The resolution has already been
10 adopted.

11 Senator Jones.

12 SENATOR JONES: I -- yes. I
13 would like to open up Resolution 320 for anyone
14 who would like to sponsor it, and we are holding
15 an event in my home town to honor Jack Perry for
16 his years of service in the 54th Senate
17 District, and to my town of Irondequoit, and I
18 don't have to tell any of you about Jack because
19 I'm sure he spent more time here with all of you
20 than he did with us.

21 But I would just say from where I
22 come from, Jack was one person at home who
23 always put what he believed in ahead of his

1 party. He was his own person, and he always
2 supported an issue regardless of who proposed
3 it. Education always found a friend in Jack and
4 he went from being an educator himself as you
5 well know, to fighting for the rights of
6 children through legislation.

7 Jack is one who spoke, as you
8 well know, to reform time and again in spite of
9 his agenda seeming to fall on deaf ears. No one
10 ever came to Jack's office and got an insincere
11 platitude. You might have walked away not
12 liking his answer, but if he committed to help
13 you, you knew the job would be done.

14 As I do say so often in
15 Rochester, it took two of us to replace Jack
16 Perry, and I, frankly, am pleased to be one of
17 them.

18 ACTING PRESIDENT FARLEY: On the
19 resolution on Senator Jack Perry, anybody that
20 wishes to be on it, please notify the desk right
21 now.

22 We have a substitution.
23 Secretary will read a substitution.

1 THE SECRETARY: On page 4 -- on
2 page 4 of today's calendar, Senator Cook moves
3 to discharge the Committee on Investigations,
4 Taxation and Government Operations from Assembly
5 Bill Number 2253 and substitute it for the
6 identical Calendar Number Third Reading 33.

7 ACTING PRESIDENT FARLEY: Without
8 objection, substitution ordered.

9 Senator Present, do you have some
10 things to hand up?

11 Senator Present, do you wish to
12 go to non-controversial?

13 SENATOR PRESENT:
14 Non-controversial, please.

15 ACTING PRESIDENT FARLEY:
16 Secretary will read non-controversial.

17 THE SECRETARY: On page 4,
18 Calendar Number 4, by Senator Kuhl.

19 SENATOR GOLD: Lay aside.

20 ACTING PRESIDENT FARLEY: Laid
21 aside.

22 SENATOR KUHL: Mr. President.

23 ACTING PRESIDENT FARLEY: Senator

1 Kuhl.

2 SENATOR KUHL: Would you put a
3 sponsor's star on that bill, please?

4 ACTING PRESIDENT FARLEY:
5 Calendar Number 4 is starred at the request of
6 the sponsor.

7 THE SECRETARY: Calendar Number
8 17, by Senator Holland, Senate Bill Number 205
9 A, an act to amend the Criminal Procedure Law.

10 ACTING PRESIDENT FARLEY: Read
11 the last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the 1st day of
14 November.

15 ACTING PRESIDENT FARLEY: Call
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes 49.

19 ACTING PRESIDENT FARLEY: That
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 27, by Senator Levy, Senate Bill Number 67, an
23 act in relation to requiring the Department of

1 Motor Vehicles to inform the public of problems
2 associated with nighttime driving.

3 ACTING PRESIDENT FARLEY: Read
4 the last section.

5 SENATOR GOLD: Last section.

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

8 ACTING PRESIDENT FARLEY: Call
9 the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Those recorded in
12 the negative on Calendar Number 27 are Senators
13 DeFrancisco, Farley, Hoffmann, Holland and
14 Present; also Senator Cook and Senator Maltese,
15 also Senator Larkin, also Senator Libous.

16 ACTING PRESIDENT FARLEY:
17 Results. The bill is passed.

18 THE SECRETARY: Calendar Number
19 33, substituted earlier today, by member of the
20 Assembly Faso, Assembly Bill Number 2253, an act
21 to amend the Tax Law, in relation to sales and
22 use taxes to be imposed in the county of
23 Greene.

1 ACTING PRESIDENT FARLEY: Is
2 there a home rule on this? Read the last
3 section.

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

6 ACTING PRESIDENT FARLEY: Call
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes 50, nays
10 one, Senator Libous recorded in the negative.

11 ACTING PRESIDENT FARLEY: The
12 bill is passed.

13 Senator Present.

14 SENATOR PRESENT: Mr. President,
15 on behalf of Senator Marino, I'll offer up the
16 Majority Leadership joint commission, special
17 and select committee, subcommittee and task
18 force assignments, and ask that it be filed in
19 the Journal.

20 ACTING PRESIDENT FARLEY:
21 Submission will be filed appropriately.

22 Senator Stafford?

23 SENATOR PRESENT: Mr. President.

1 ACTING PRESIDENT FARLEY: Senator
2 Present.

3 SENATOR PRESENT: Mr. President,
4 there being no further business, I move that we
5 adjourn until Monday, February 8th, 2:30 p.m.,
6 intervening days be legislative days.

7 ACTING PRESIDENT FARLEY: The
8 Senate will stand adjourned until Monday at the
9 regular hour, intervening legislative days.

10 (Whereupon at 3:32 p.m., the
11 Senate adjourned.)

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