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ALBANY, NEW YORK

March 16, 1993

10:00 a.m.

REGULAR SESSION

SENATOR JOHN B. DALY, Acting President

STEPHEN F. SLOAN, Secretary

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

2 ACTING PRESIDENT DALY: The
3 Senate will come to order. We will now have the
4 Pledge of Allegiance.

5 (Whereupon, the Senate joined in
6 the Pledge of Allegiance to the Flag.)

7 ACTING PRESIDENT DALY: I would
8 like to now introduce our visiting clergy today,
9 Reverend Vincent Gordon from the Bethany Chapel
10 in Brooklyn, to say the prayer.

11 May we bow our heads in a moment
12 of silence.

13 REVEREND VINCENT GORDON: Let us
14 pray.

15 Our God and our father in heaven,
16 we come to Thee this afternoon in the precious
17 name of Thy son, the Lord Jesus Christ, our
18 Savior.

19 We want to pour out our hearts in
20 gratitude and thanksgivings unto Thee for Thy
21 love and Thy grace and for all kindness that
22 Thou has shown and is showing to us.

23 We thank Thee for this moment

1 that Thou has brought these great men and women
2 together again to discuss matters concerning the
3 people whom Thou has committed to their trust.
4 We thank Thee for their labor of love and their
5 interest and concern.

6 Today, our God, we do pray that
7 Thou sparkle their hearts and burden their
8 hearts with love and compassion for those of us
9 whom Thou has committed unto them.

10 We pray, our God, that the Holy
11 Spirit will motivate their thoughts and the
12 Spirit of God will guide their expressions and
13 grant that everything will be controlled by
14 Thyself, and that the very outcome of this
15 session this evening, whatever may be
16 determined, will be that to which Thou hast
17 already set the seal of Thine own divine
18 approval.

19 We pray for them that Thou bless
20 them, that Thou prosper them and do keep them
21 safely and preserve them from harm and dangers
22 and their families, too.

23 Grant, our father, that they'll

1 continue to discharge the responsibility that
2 Thou hast committed to their trust for the good
3 and welfare of the people whom Thou hast
4 committed unto them.

5 We are inviting Thy presence with
6 us now in the name of the Lord Jesus Christ and
7 for His sake.

8 Amen.

9 ACTING PRESIDENT DALY: The
10 reading of the Journal.

11 THE SECRETARY: In Senate,
12 Monday, March 15. The Senate met pursuant to
13 adjournment. Senator Bruno in the chair upon
14 designation of the Temporary President. The
15 Journal of Sunday, March 14, was read and
16 approved. On motion, Senate adjourned.

17 ACTING PRESIDENT DALY: Hearing
18 no objection, the Journal stands approved as
19 read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 Messages from the Governor.

23 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 SENATOR GOLD: Mr. President.

6 ACTING PRESIDENT DALY: Senator
7 Gold.

8 SENATOR GOLD: Thank you. On
9 behalf of Senator Halperin, on page 8, I offer
10 the following amendments to Calendar 82, Senate
11 Print 32, and ask the bill retain its place on
12 the Third Reading Calendar.

13 ACTING PRESIDENT DALY: Without
14 objection.

15 Senator Nozzolio.

16 SENATOR NOZZOLIO: Yes. Mr.
17 President. On page 12, I offer the following
18 amendments to Calendar Number 93, Senate Print
19 11 on 6, and ask that said bill retain its place
20 on the Third Reading Calendar.

21 ACTING PRESIDENT DALY: Without
22 objection.

23 SENATOR NOZZOLIO: Mr. President.

1 ACTING PRESIDENT DALY: Senator
2 Nozzolio.

3 SENATOR NOZZOLIO: I move to
4 commit Senate Print Number 300, Calendar Number
5 192, on Second Report, to the Committee on
6 Finance.

7 ACTING PRESIDENT DALY: Without
8 objection.

9 Senator Markowitz.

10 SENATOR MARKOWITZ: I know I was
11 just looking at you and commiserating how our
12 Irish dinner had to be delayed until next Monday
13 due to the weather. But Albany is always the
14 Mecca of, as you know, major, major movers and
15 shakers. Mayor Dinkins is up here today, as you
16 may know; and Chancellor of New York City Board
17 of Education, Joseph Hernandez; and also some of
18 the best in Brooklyn -- Prospect Heights High
19 School is here with us today, and I know that
20 all of us are proud to have them.

21 ACTING PRESIDENT DALY: Thank
22 you, Senator.

23 Secretary will read.

1 THE SECRETARY: On page 4 of
2 today's calendar, Senator Stafford moves to
3 discharge the Committee on Tourism, Recreation
4 and Sports Development from Assembly Bill Number
5 1929 and substitute it for the identical First
6 Report Calendar Number 198.

7 ACTING PRESIDENT DALY:
8 Substitution ordered.

9 Senator Present, are we ready for
10 the calendar?

11 SENATOR PRESENT: Mr. President,
12 I move that we adopt the Resolution Calendar.

13 ACTING PRESIDENT DALY: The
14 question is on the adoption of the resolutions.
15 All those in favor, aye.

16 (Response of "Aye.")

17 All opposed.

18 (There was no response.)

19 The resolution is carried.

20 SENATOR PRESENT: Mr. President.
21 Let's take up the noncontroversial calendar.

22 ACTING PRESIDENT DALY:
23 Noncontroversial calendar. Clerk will read.

1 THE SECRETARY: On page 7,
2 Calendar Number 54, by Senator Babbush, Senate
3 Bill Number 725A, an act to amend Chapter 606 of
4 the Laws of 1902, relating to the incorporation
5 of the Brooklyn Public Library.

6 ACTING PRESIDENT DALY: Read the
7 last section.

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

10 ACTING PRESIDENT DALY: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes 48.

14 ACTING PRESIDENT DALY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 176, by Senator Hannon, Senate Bill Number 277.

18 ACTING PRESIDENT DALY: Lay it
19 aside.

20 THE SECRETARY: Calendar Number
21 177, by Senator Hannon, Senate Bill Number -

22 SENATOR GOLD: Lay it aside.

23 ACTING PRESIDENT DALY: Lay it

1 aside.

2 THE SECRETARY: Calendar Number
3 179, by Senator Stachowski, Senate Bill Number
4 1371, an act in relation to allowing certain
5 persons.

6 ACTING PRESIDENT DALY: Home rule
7 message at the desk.

8 Read the last section.

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

11 ACTING PRESIDENT DALY: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 46. Nays
15 2. Senators Gold and Leichter recorded in the
16 negative.

17 ACTING PRESIDENT DALY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 180, by Senator Spano, Senate Bill Number 1987,
21 an act to amend the Civil Service Law, in
22 relation to providing New York State public
23 employees with the right to have a union

1 representative.

2 ACTING PRESIDENT DALY: Read the
3 last section.

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

6 ACTING PRESIDENT DALY: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes 48.

10 ACTING PRESIDENT DALY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 181, by Senator Nolan, Senate Bill Number 2107,
14 an act in relation to the duration of the
15 eligibility list for fire lieutenant.

16 ACTING PRESIDENT DALY: Home rule
17 resolution at the desk.

18 Read the last section.

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

21 ACTING PRESIDENT DALY: Call the
22 roll.

23 (The Secretary called the roll.)

1 THE SECRETARY: Ayes 48.

2 ACTING PRESIDENT DALY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 182, by Senator Tully, Senate Bill Number 2718,
6 to authorize Donald Murray, employed by the
7 village of Stewart to file a request for
8 retroactive membership in New York State
9 employees retirement system.

10 ACTING PRESIDENT DALY: Home rule
11 message at the desk.

12 Read the last section.

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

15 ACTING PRESIDENT DALY: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes 46. Nays
19 2. Senators Gold and Leichter recorded in the
20 negative.

21 ACTING PRESIDENT DALY: The bill
22 is passed.

23 That's the first time through,

1 Mr. Majority Leader. Are you ready for the
2 controversial calendar?

3 SENATOR PRESENT: No. Let's
4 stand at ease for a few minutes.

5 ACTING PRESIDENT DALY: Stand at
6 ease.

7 (Whereupon, at 3:53 p.m., the
8 Senate was at ease.)

9 (Whereupon, at 4:03 p.m., Senate
10 reconvened.)

11 SENATOR PRESENT: Mr. President.

12 ACTING PRESIDENT DALY: Senator
13 Present.

14 SENATOR PRESENT: Would you
15 recognize Senator Velella.

16 ACTING PRESIDENT DALY: Senator
17 Velella.

18 SENATOR VELELLA: Mr. President,
19 I offer up the two following privileged
20 resolutions and ask that the title be read.
21 Waive the reading.

22 ACTING PRESIDENT DALY: Secretary
23 will read.

1 THE SECRETARY: Legislative
2 Resolution, by Senators Velella and Spano,
3 honoring Lieutenant John Mission of the fire
4 department of the city of Yonkers, New York, in
5 recognition of his bravery and courageous action
6 in the rescue of a woman trapped in her burning
7 home on December 10, 1992.

8 Also Legislative Resolution, by
9 Senators Velella and Spano, honoring fire
10 fighter John Michael Dunne for his bravery and
11 courageous action during a structure fire in a
12 burning apartment building in Yonkers, New York,
13 on Monday, April 27, 1992.

14 ACTING PRESIDENT DALY: On the
15 resolution. All in favor.

16 (Response of "Aye.")

17 All opposed.

18 (There was no response.)

19 The resolution is adopted.

20 SENATOR PRESENT: May we return
21 to report of standing committees.

22 ACTING PRESIDENT DALY: Report of
23 standing committees.

1 Secretary will read.

2 THE SECRETARY: Senator Stafford
3 from the Committee on Finance reports the
4 following bill directly for third reading:

5 Senate Bill Number 3615, by
6 Senator Mega, an act to amend Chapter 502 of the
7 Laws of 1992, relating to certain non-judicial
8 officers and employees of the Unified Court
9 System.

10 Also, Senator Stafford from the
11 Committee on Finance, reports Senator Mega's
12 bill, Senate Bill Number 2784, an act to amend
13 Chapter 502 of the Laws of 1992, relating to
14 certain non-judicial officers and employees of
15 the Unified Court System.

16 Also, Senator Stafford from the
17 Committee on Finance, reports the following bill
18 directly for third reading:

19 Senate Bill Number 3531, by
20 Senator Trunzo, an act to amend the Executive
21 Law, in relation to making technical corrections
22 to such law necessitated by the collectively
23 negotiated agreement.

1 All three bills reported directly
2 to third reading.

3 ACTING PRESIDENT DALY: Without
4 objection, third reading.

5 Senator Present.

6 SENATOR PRESENT: Can we call up
7 Senate 3531 to have its third reading at this
8 time.

9 ACTING PRESIDENT DALY: Secretary
10 will read.

11 THE SECRETARY: Senate Calendar
12 Number 209, Senate Bill Number 3531, by Senator
13 Trunzo, an act to amend the Executive Law, in
14 relation to making technical corrections to such
15 law necessitated by the collectively negotiated
16 agreement.

17 ACTING PRESIDENT DALY: Read the
18 last section.

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

21 ACTING PRESIDENT DALY: Call the
22 roll.

23 (The Secretary called the roll.)

1 THE SECRETARY: Ayes 48.

2 ACTING PRESIDENT DALY: The bill
3 is passed.

4 Senator Present.

5 SENATOR PRESENT: Mr. President.

6 There being no further business, I move we
7 adjourn until tomorrow at 3:00 p.m.

8 ACTING PRESIDENT DALY: Senate is
9 adjourned until tomorrow at 3:00 p.m.

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

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