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ALBANY, NEW YORK

May 17, 1993

3:07 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 please
4 find their seats.

5 Please rise with me for the
6 Pledge of Allegiance to the Flag.

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

9 Today in the absence of visiting
10 clergy, we'll bow our heads for a moment of
11 silent prayer.

12 (A moment of silence was
13 observed.)

14 ACTING PRESIDENT FARLEY: The
15 Secretary will begin by reading the Journal.

16 THE SECRETARY: In Senate,
17 Friday, May 14th. The Senate met pursuant to
18 adjournment, Senator Farley in the Chair upon
19 designation of the Temporary President. The
20 Journal of Thursday, May 13th, was read and
21 approved. On motion, Senate adjourned.

22 ACTING PRESIDENT FARLEY: Hearing
23 no objection, the Journal will stand approved as

1 read:

2 The order of business:
3 Presentation of petitions.
4 Messages from the Assembly.
5 Messages from the Governor.
6 Reports of standing committees.
7 Reports of select committees.
8 Communications and reports from
9 state officers.

10 Motions and resolutions.

11 Senator Padavan.

12 SENATOR PADAVAN: Mr. President,
13 on page 26, I offer the following amendments to
14 Calendar Number 31, Senate Print 128,, and ask
15 that said bill retain its place on the Third
16 Reading Calendar.

17 ACTING PRESIDENT FARLEY:

18 Amendments are received; bill will retain its
19 place on the Third Reading Calendar.

20 SENATOR PADAVAN: On behalf of
21 Senator Volker, I wish to call up his Bill
22 Number 3165, recalled from the Assembly now at
23 the desk.

1 ACTING PRESIDENT FARLEY:

2 Secretary will read Senator Volker's bill.

3 THE SECRETARY: By Senator
4 Volker, Senate Bill Number 3165, an act to amend
5 the Penal Law, in relation to the definition of
6 trade loans.

7 ACTING PRESIDENT FARLEY: Senator
8 Padavan.

9 SENATOR PADAVAN: I now move to
10 reconsider the vote by which the bill was
11 passed.

12 ACTING PRESIDENT FARLEY: The
13 Secretary will call the roll on reconsideration.

14 (The Secretary called the roll on
15 reconsideration.)

16 THE SECRETARY: Ayes 31.

17 ACTING PRESIDENT FARLEY: The
18 bill is before the house. Senator Padavan.

19 SENATOR PADAVAN: Mr. President,
20 I now offer the following amendments.

21 ACTING PRESIDENT FARLEY:
22 Amendments received. The bill will retain its
23 place.

1 Senator Mega.

2 SENATOR MEGA: Mr. President, on
3 behalf of Senator Cook, would you place a
4 sponsor's star on Senate Print Number 2915,
5 Calendar Number 832, on page 21.

6 ACTING PRESIDENT FARLEY: Bill is
7 starred at the request of the sponsor.

8 SENATOR MEGA: On behalf of
9 Senator Velella, I offer the following
10 amendments to Calendar Number 713, Print Number
11 4395, and ask that said bill retain its place on
12 Third Reading Calendar.

13 ACTING PRESIDENT FARLEY: Without
14 objection.

15 SENATOR MEGA: On behalf of
16 Senator Libous, on page 44, I offer the
17 following amendments to Calendar Number 698,
18 Senate print 3928-A, and ask said bill retain
19 its place on Third Reading Calendar.

20 ACTING PRESIDENT FARLEY: Without
21 objection.

22 SENATOR MEGA: Senator Libous
23 again, I offer the following amendments to

1 Calendar Number 494, Senate Print Number 3517,
2 and ask that said bill retain its place on Third
3 Reading Calendar.

4 ACTING PRESIDENT FARLEY: Without
5 objection.

6 SENATOR MEGA: Behalf of Senator
7 Bruno -- the next three will be on behalf of
8 Senator Bruno -- on page 39, I offer the
9 following amendments to Calendar Number 615,
10 Senate Print Number 4615, and ask that said bill
11 retain its place on the Third Reading Calendar.

12 ACTING PRESIDENT FARLEY: Without
13 objection.

14 SENATOR MEGA: On page 39, I
15 offer the following amendments to Calendar
16 Number 616, Print Number 4616, and ask that said
17 bill retain its place on the Third Reading
18 Calendar.

19 ACTING PRESIDENT FARLEY: Without
20 objection.

21 SENATOR MEGA: Page 39, I offer
22 the following amendments to Calendar Number 617,
23 Senate Bill Number 4617, and ask that said bill

1 retain its place on Third Reading Calendar.

2 ACTING PRESIDENT FARLEY: Without
3 objection, the bills are amended.

4 SENATOR SPANO: Mr. President.

5 ACTING PRESIDENT FARLEY: Senator
6 Spano.

7 SENATOR SPANO: Mr. President,
8 I'd just like to take a minute to make an
9 announcement.

10 Over in the well, today and
11 Wednesday is the OMH exhibition. This is the
12 sixth year that we have been sponsoring this
13 exhibition with the Office of Mental Health and
14 Assemblyman Steve Sanders, who is my colleague,
15 who is my counterpart as chair of the Assembly
16 Mental Health and Developmental Disabilities
17 Committee, and I would ask that the members who
18 are here and within earshot take a few moments
19 to stop by, take a look at the works that are on
20 display, all the works that are made from the
21 hands of people who suffer from a mental
22 illness, people who have been institutionalized,
23 who show that they can, in fact, make a real

1 positive contribution to our community, and I
2 hope that the Senators who are -- who have
3 psychiatric centers that are represented here -
4 we have 19 psychiatric centers, many of them who
5 are represented there -- will maybe get a chance
6 to go down and say hello to their constituents
7 who are there, take a look at some of the
8 products that are being sold, everything from
9 doughnuts to wall furniture is there.

10 Hope that everybody will take an
11 opportunity over the next few days to stop by.

12 ACTING PRESIDENT FARLEY: Thank
13 you, Senator Spano.

14 SENATOR SPANO: Thank you.

15 ACTING PRESIDENT FARLEY: Are
16 there any other announcements, motions on the
17 floor?

18 Senator Present, I think it's
19 your turn.

20 SENATOR PRESENT: Mr. President,
21 I think it's time to take up the non-controvers
22 ial calendar.

23 ACTING PRESIDENT FARLEY:

1 Non-controversial, Secretary will read.

2 THE SECRETARY: On page 26,
3 Calendar Number 138, by Senator Saland, Senate
4 Bill Number 2363-B, an act to amend the Social
5 Services Law and the Public Health Law.

6 ACTING PRESIDENT FARLEY: Read
7 the last section.

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

10 ACTING PRESIDENT FARLEY: Call
11 the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes 34.

14 ACTING PRESIDENT FARLEY: That
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 432, by Senator Cook, Senate Bill Number 2549,
18 an act to amend the Education Law, in relation
19 to -

20 SENATOR GOLD: Lay aside.

21 ACTING PRESIDENT FARLEY: Laid
22 aside.

23 THE SECRETARY: Calendar Number

1 465, by -

2 SENATOR GOLD: Lay aside.

3 ACTING PRESIDENT FARLEY: Laid
4 aside.

5 THE SECRETARY: Calendar Number
6 480, by Senator Lack, Senate Bill Number 937.

7 SENATOR GOLD: Lay aside.

8 ACTING PRESIDENT FARLEY: Lay
9 that bill aside.

10 THE SECRETARY: Calendar Number
11 484, by Senator Lack, Senate Bill Number 3600-A,
12 an act to amend the Civil Service Law, in
13 relation to the compensation of job titles.

14 ACTING PRESIDENT FARLEY: Read
15 the last section.

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

18 ACTING PRESIDENT FARLEY: You can
19 call the roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes 34.

22 ACTING PRESIDENT FARLEY: That
23 bill is passed.

1 THE SECRETARY: Calendar Number
2 538, by Senator Sears, Senate Bill Number 1547
3 A, legalize, validate certain acts and
4 proceedings of the town of Floyd, county of
5 Oneida.

6 ACTING PRESIDENT FARLEY: There's
7 a home rule message here at the desk. Now, you
8 can read the last section.

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

11 ACTING PRESIDENT FARLEY: Call
12 the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 34.

15 ACTING PRESIDENT FARLEY: That
16 bill is passed.

17 SENATOR GOLD: Lay aside. Oh,
18 I'm sorry.

19 ACTING PRESIDENT FARLEY: That
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 602.

23 SENATOR GOLD: Yeah, I'm going to

1 star that.

2 ACTING PRESIDENT FARLEY: Lay it
3 aside.

4 THE SECRETARY: Calendar Number
5 608, by Senator Trunzo, Senate Bill Number 4592.

6 SENATOR GOLD: Lay aside.

7 ACTING PRESIDENT FARLEY: Lay
8 that aside.

9 THE SECRETARY: Calendar Number
10 641, by Senator Saland, Senate Bill Number 3428
11 A, an act to amend the Family Court Act.

12 ACTING PRESIDENT FARLEY: Read
13 the last section.

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

16 ACTING PRESIDENT FARLEY: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes 35.

20 ACTING PRESIDENT FARLEY: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 654, by Senator Volker, Senate Bill Number 3362.

1 SENATOR GOLD: Lay aside.

2 ACTING PRESIDENT FARLEY: Laid

3 aside.

4 THE SECRETARY: Calendar Number
5 657, by Senator Tully, Senate Bill Number 4672,
6 amends Chapter 483 of the Laws of 1978, amending
7 the Public Health Law.

8 ACTING PRESIDENT FARLEY: Read
9 the last section.

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

12 ACTING PRESIDENT FARLEY: Call
13 the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes 36.

16 ACTING PRESIDENT FARLEY: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 658, by Senator Tully, Senate Bill Number 4683,
20 an act to amend the Public Health Law.

21 ACTING PRESIDENT FARLEY: Read
22 the last section.

23 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT FARLEY: Call
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes 36.

6 ACTING PRESIDENT FARLEY: That
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 660, by Senator Daly.

10 SENATOR GOLD: Lay aside, please.

11 ACTING PRESIDENT FARLEY: Laid
12 aside.

13 THE SECRETARY: Calendar Number
14 673, by Senator Saland.

15 SENATOR GOLD: Lay aside for
16 Senator Galiber.

17 ACTING PRESIDENT FARLEY: Laid
18 aside.

19 THE SECRETARY: Calendar Number
20 682.

21 SENATOR GOLD: Lay aside.

22 ACTING PRESIDENT FARLEY: Laid
23 aside.

1 THE SECRETARY: Calendar Number
2 699, by Senator Spano, Senate Bill Number
3 4453-A, an act to amend the Mental Hygiene Law,
4 the County Law, the Criminal Procedure Law.

5 ACTING PRESIDENT FARLEY: Read
6 the last section.

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

9 ACTING PRESIDENT FARLEY: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 39.

13 ACTING PRESIDENT FARLEY: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 701, by Senator Farley, Senate Bill Number -

17 SENATOR GOLD: Can I have one day
18 on that, please?

19 ACTING PRESIDENT FARLEY: Lay the
20 bill aside for the day.

21 THE SECRETARY: Calendar Number
22 702, by Senator Tully, Senate Bill Number 2430,
23 an act to amend the Retirement and Social

1 Security Law.

2 ACTING PRESIDENT FARLEY: There's
3 a home rule message here at the desk. You can
4 read the last section.

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

7 ACTING PRESIDENT FARLEY: Call
8 the roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes 40.

11 ACTING PRESIDENT FARLEY: That
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 703, by Senator Kuhl, Senate Bill Number 34 -

15 SENATOR GOLD: Can we have one
16 day on that, please?

17 ACTING PRESIDENT FARLEY: What's
18 your pleasure on that, please, Senator Kuhl?

19 SENATOR KUHL: Lay aside for the
20 day.

21 ACTING PRESIDENT FARLEY: Laid
22 aside for the day.

23 THE SECRETARY: Calendar Number

1 704, by Senator Skelos, Senate Bill Number 3739,
2 Retirement and Social Security Law.

3 ACTING PRESIDENT FARLEY: There's
4 a home rule message here at the desk. You can
5 read the last section.

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

8 ACTING PRESIDENT FARLEY: Call
9 the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes 40.

12 ACTING PRESIDENT FARLEY: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 706, by Senator Spano.

16 SENATOR GOLD: Lay aside.

17 ACTING PRESIDENT FARLEY: Laid
18 aside.

19 THE SECRETARY: Calendar Number
20 707, by Senator Velella, Senate Bill Number
21 4379, Civil Service Law.

22 ACTING PRESIDENT FARLEY: Read
23 the last section.

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

3 ACTING PRESIDENT FARLEY: Call
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes 41.

7 ACTING PRESIDENT FARLEY: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 708, by Senator Trunzo, Senate Bill Number 4707,
11 Education Law, and the Retirement and Social
12 Security Law.

13 ACTING PRESIDENT FARLEY: Read
14 the last section.

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

17 ACTING PRESIDENT FARLEY: Call
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes 41.

21 ACTING PRESIDENT FARLEY: That
22 bill is passed.

23 THE SECRETARY: Calendar Number

1 709, by Senator Skelos, Senate Bill Number 4942,
2 Retirement and Social Security Law.

3 ACTING PRESIDENT FARLEY: Read
4 the last section.

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

7 ACTING PRESIDENT FARLEY: Call
8 the roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes 41.

11 ACTING PRESIDENT FARLEY: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 719, by Senator Halperin, Senate Bill Number
15 2587, an act to amend the Public Authorities
16 Law.

17 ACTING PRESIDENT FARLEY: Read
18 the last section.

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

21 ACTING PRESIDENT FARLEY: Call
22 the roll.

23 (The Secretary called the roll.)

1 THE SECRETARY: Ayes 42.

2 ACTING PRESIDENT FARLEY: That
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 720, by Senator Daly.

6 SENATOR PRESENT: Lay aside.

7 ACTING PRESIDENT FARLEY: For the
8 day, Senator Present?

9 SENATOR DALY: For the day.

10 SENATOR PRESENT: For the day.

11 ACTING PRESIDENT FARLEY: Lay it
12 aside for the day.

13 Senator Present, that's the first
14 time through. What's your pleasure?

15 SENATOR PRESENT: Mr. President,
16 let's take up the controversial calendar.

17 ACTING PRESIDENT FARLEY:
18 Controversial, the Secretary will read.

19 THE SECRETARY: On page 32,
20 Calendar Number 432, by Senator Cook, Senate
21 Bill Number 2549, an act to amend the Education
22 Law, in relation to annual meetings and
23 elections.

1 SENATOR GOLD: Explanation.

2 ACTING PRESIDENT FARLEY:

3 Explanation has been asked for.

4 SENATOR PRESENT: Lay it aside
5 temporarily.

6 ACTING PRESIDENT FARLEY: Laid
7 aside temporarily.

8 THE SECRETARY: Calendar Number
9 465, by Senator Hannon, Senate Bill Number 643
10 A, Emergency Housing Rent Control Law.

11 SENATOR GOLD: Mr. President, I
12 think Senator Leichter has an amendment and I
13 don't know, Senator Hannon, I don't believe is
14 here. Lay it aside temporarily?

15 ACTING PRESIDENT FARLEY: Laid
16 aside.

17 THE SECRETARY: Calendar Number
18 480, by Senator Lack, Senate Bill Number 937,
19 Civil Service Law.

20 SENATOR GOLD: Explanation.

21 THE SECRETARY: In relation to
22 the duration of eligible lists.

23 ACTING PRESIDENT FARLEY: Senator

1 Lack, Senator Gold has asked for an explanation.

2 SENATOR LACK: Lay it aside for
3 the day, would you?

4 ACTING PRESIDENT FARLEY: Laid
5 aside for the day.

6 THE SECRETARY: Calendar Number
7 602, by Senator Velella, Senate Bill Number
8 4481, an act to amend the Insurance Law, in
9 relation to the election of a Superintendent of
10 Insurance.

11 SENATOR SOLOMON: Explanation.

12 ACTING PRESIDENT FARLEY: Laid
13 aside temporarily.

14 SENATOR GOLD: Mr. President,
15 would you recognize Senator Waldon?

16 SENATOR WALDON: Mr. President,
17 am I recognized?

18 ACTING PRESIDENT FARLEY: Senator
19 Waldon.

20 SENATOR WALDON: Thank you very
21 much, Mr. President. My colleagues, I
22 respectfully request unanimous consent to be
23 recorded in the negative on Calendar Number 702.

1 ACTING PRESIDENT FARLEY: 720?

2 SENATOR WALDON: Seven-zero-two.

3 ACTING PRESIDENT FARLEY: 702,

4 O.K., without objection.

5 THE SECRETARY: Calendar Number
6 608, by Senator Trunzo, Senate Bill Number 4592,
7 an act to amend the Civil Service Law.

8 SENATOR STACHOWSKI: Could we lay
9 it aside.

10 ACTING PRESIDENT FARLEY: Senator
11 Trunzo, the request has been made to lay it
12 aside temporarily.

13 THE SECRETARY: Calendar Number
14 654, by Senator Volker, Senate Bill Number 3362,
15 Chapter 198 of the Laws of 1978.

16 SENATOR STACHOWSKI: Can we get
17 one day on that?

18 SENATOR PRESENT: Lay aside.

19 ACTING PRESIDENT FARLEY: Lay the
20 bill aside for the day.

21 THE SECRETARY: Calendar Number
22 660, by Senator Daly, Senate Bill Number 3205,
23 an act to amend the Social Services Law and the

1 Public Health Law.

2 SENATOR HOFFMANN: Explanation.

3 ACTING PRESIDENT FARLEY:

4 Explanation has been asked for, Senator Daly, by
5 Senator Hoffmann.

6 SENATOR DALY: Is this on Senate
7 Print 3205?

8 ACTING PRESIDENT FARLEY: 3205.

9 SENATOR DALY: Thank you.

10 Mr. President, let me begin my
11 explanation of this bill -

12 ACTING PRESIDENT FARLEY: Before
13 you begin, I'd like to ask for a little order in
14 the chamber.

15 Senator Daly.

16 SENATOR DALY: Mr. President, let
17 me begin by just talking about what really
18 precipitated this bill. I'm holding in my hand
19 a newspaper clipping from western New York, two
20 newspaper clippings in fact, one which says
21 Medicaid to Cover Birth by Woman with \$160,000,
22 another Medicaid Abuse Seen as Road to
23 Bankruptcy.

1 Basically, what these newspaper
2 stories are talking about, Mr. President, they
3 are the PCAP program which is an exceptionally
4 good program, as long as it covers the right
5 people.

6 Now, under the existing law, any
7 woman can qualify for PCAP, PCAP being, by the
8 way, Mr. President, prenatal care, the birth
9 itself and post-natal care. Any woman can
10 qualify for PCAP without listing -- listing the
11 liquid assets of that -- that the family has
12 and, in this particular case I referred to
13 before, the family actually had \$160,000 in
14 liquid assets.

15 We debated this bill last year,
16 Mr. President. Let me begin also by commenting,
17 this bill does not -- does not, I repeat, apply
18 to people on Medicaid.

19 ACTING PRESIDENT FARLEY: Senator
20 Daly, there seems to be a lot of noise in the
21 chamber, conversations, and so forth, and some
22 of the Senators are having trouble hearing you.
23 I'm going to ask that they either take their

1 conversations out of the chamber or we'll ask
2 them to leave the chamber.

3 Senator Daly.

4 SENATOR DALY: Thank you, Mr.
5 President.

6 The bill would mandate that any
7 person who applies for PCAP aid would fill out
8 the same form in exact... and answer the same
9 questions as required by people applying for
10 Medicare -- Medicaid and welfare. It's
11 interesting that they both must fill out the
12 same form, but those applying for PCAP do not
13 have to answer the section called "Resources"
14 dealing with liquid resources.

15 Now, what are liquid resources?
16 The bill spells it out, Mr. President, and let
17 me read that section to you.

18 "Liquid resources not to exceed
19 \$15,000", which is the limit we placed in the
20 bill on the amount of liquid resources a person
21 can have, "which shall be increased annually by
22 the same percentage as the percentage increase
23 in the federal Consumer Price Index. Liquid

1 resources, for the purpose of this paragraph,
2 means cash on hand, negotiable instruments,
3 demand deposits and time deposits within banking
4 organizations, stocks, bonds and mutual fund
5 shares, provided, however, such accounts
6 designated as Individual Retirement Accounts
7 shall not be considered liquid resources."

8 Now, if you interpret this bill,
9 and I should say follow the program as this bill
10 -- the existing law would have it, it would
11 mean that anyone with a half a million dollars,
12 a million dollars, in liquid resources could
13 apply for PCAP.

14 Mr. President, we certainly are
15 not trying to hurt or hinder or take away
16 benefits from those people who require them.
17 The point I'm making with this bill is that,
18 one, to allow people with that amount of liquid
19 resources literally hurts all of the programs
20 that we have in the state for the poor, because
21 it is -- it really destroys the credibility of
22 our entitlement program and, when this story
23 broke in my district, my -- my office was

1 inundated with calls. I received many letters,
2 people who would complain about this and say
3 this is an indication of why the entitlement
4 program in the state is so bad.

5 Now, we've amended this bill this
6 year, so that the last -- the bill before this
7 house last year, we had a limit of \$12,000 in
8 liquid resources. We've increased that amount
9 to 15,000. We've also added another paragraph
10 and I'll read to you, "Notwithstanding the
11 provisions of paragraph (b) of the subdivision,
12 a pregnant woman shall be presumed eligible
13 during such time as the Department of Social
14 Services considers the exemption of available
15 resources as provided."

16 So a person who is -- might be on
17 the line, might be questionable, still will
18 receive the prenatal care that she deserves.

19 In summation, Mr. President, I
20 feel this law should be changed. No one in this
21 house would deny the right of the person in need
22 to receive the benefits he or she deserves, but
23 I submit to my colleagues that to have a

1 loophole in the law where someone with liquid
2 resources of 100,000, 200,000, 500,000 and on,
3 certainly should not be subsidized by the people
4 of the state.

5 We hurt the poor. Here again, we
6 have an example of where the poor can subsidize
7 the rich. No one wants to destroy or even
8 injure the PCAP program, Mr. President.
9 However, we don't think that the people of the
10 state should be expected to subsidize people
11 with large amounts of liquid resources. We have
12 a tough time as it is, Mr. President, taking
13 care of the poor. Holes in our laws such as
14 this complicate that problem because importantly
15 it hurts the credibility of all of our Medicaid
16 and welfare program.

17 People tend to generalize and
18 they see a loophole like this and they say,
19 Look, that's what we're paying taxes for so that
20 people with a half a million, in this particular
21 case \$160,000, can receive prenatal and
22 post-natal care.

23 In essence, Mr. President, that

1 is the bill and the purpose for the bill.

2 ACTING PRESIDENT FARLEY: Senator
3 Smith, I think was first up.

4 SENATOR HOFFMANN: Mr. President,
5 I wanted to ask if Senator Daly would yield for
6 a question.

7 SENATOR DALY: I certainly would
8 yield.

9 ACTING PRESIDENT FARLEY: Senator
10 Smith, is that all right with you? She was next
11 on the list.

12 Senator Hoffmann.

13 SENATOR HOFFMANN: Would Senator
14 Daly yield for a question?

15 SENATOR DALY: Yes, Mr.
16 President.

17 SENATOR HOFFMANN: Senator Daly,
18 how many cases did you say had been documented
19 of this alleged abuse in the PCAP program?

20 SENATOR DALY: I did not say how
21 many cases were documented, Senator. Very
22 frankly, I can't give you an exact figure, and,
23 very frankly, it doesn't matter. This is a

1 matter of principle. Even if there are only two
2 cases in the state, no loophole such as that
3 should continue in law.

4 There are -- there have been
5 more. We can estimate maybe a savings of up to
6 a million dollars, again depending, California
7 has amended its laws so that it too limits the
8 amount, the availability of this program to
9 those people with a large number, I should say a
10 large amount of liquid resources.

11 SENATOR HOFFMANN: Would Senator
12 Daly yield for a further question?

13 ACTING PRESIDENT FARLEY: Senator
14 Daly, will you yield?

15 SENATOR DALY: Yes, I will.

16 SENATOR HOFFMANN: Am I correct
17 in understanding, then, that there are no
18 additional documented cases beyond the one case
19 that was the subject of a news story in your
20 area, last year?

21 SENATOR DALY: Mr. President, I
22 didn't want to -- I didn't look for any more
23 documented cases.

1 SENATOR HOFFMANN: Thank you, Mr.
2 President.

3 SENATOR DALY: The law stands as
4 is. I don't need cases, Mr. President, to tell
5 me when I think a law is bad and should be
6 changed. Again, back to the principle, Mr.
7 President: Should the people of the state,
8 those people who are earning 25,000, \$30,000
9 subsidize people with a half a million dollars,
10 in this particular case subsidize a person with
11 \$160,000?

12 I think that's really a violation
13 of the very intent of our entitlement program.

14 ACTING PRESIDENT FARLEY: Senator
15 Smith.

16 SENATOR SMITH: Thank you, Mr.
17 President.

18 Before we proceed, could you
19 please explain to me what is the procedure for
20 being recognized in this chamber?

21 ACTING PRESIDENT FARLEY: Well,
22 generally speaking, it's the first person that I
23 recognize that attracts my attention. I saw

1 your hand go up first, and then I saw Senator
2 Hoffmann's.

3 SENATOR SMITH: Is there not a
4 procedure when you want to speak having your
5 name listed so that you may speak?

6 ACTING PRESIDENT FARLEY: Yes,
7 there is, if there's a long list.

8 SENATOR SMITH: Thank you, Mr.
9 President.

10 ACTING PRESIDENT FARLEY: I
11 didn't list anybody's name per se.

12 SENATOR SMITH: Excuse me. I had
13 asked earlier.

14 ACTING PRESIDENT FARLEY: Yes, I
15 understand. I recognized you first. Would -

16 SENATOR SMITH: Mr. President,
17 would you ask Senator Daly, if he would yield
18 for a few questions?

19 ACTING PRESIDENT FARLEY: Senator
20 Daly, will you yield to Senator Smith?

21 SENATOR DALY: Yes, Mr.
22 President.

23 SENATOR SMITH: Senator Daly, I

1 promise that this year I won't ask you when was
2 the last time that you had a baby.

3 SENATOR DALY: I think that's on
4 the record from last year, Senator.

5 SENATOR SMITH: Senator Daly, if
6 a female has 12 children, what is the minimum
7 under this legislation that she would be
8 eligible to have in liquid assets?

9 SENATOR DALY: Under this
10 legislation, Mr. President, \$15,000 but, Mr.
11 President, of course, that does not apply to
12 homes, automobile, only applies to the liquid
13 assets that I read before from the bill.

14 SENATOR SMITH: If a person has
15 four children, what is the amount that they can
16 have in liquid assets?

17 SENATOR DALY: The bill, \$15,000,
18 Mr. President.

19 SENATOR SMITH: So \$15,000 in
20 liquid assets would apply to a family of one,
21 being a single mother, or to a person having 15
22 children.

23 SENATOR DALY: Mr. President, let

1 me clarify that.

2 ACTING PRESIDENT FARLEY: Senator
3 Daly.

4 SENATOR DALY: Under the federal
5 PCAP law, you qualify when you're up to 185
6 percent of the poverty -- federal poverty
7 level. Also the federal law itself changes,
8 differentiates between a household with one
9 child and a household with eight children. I
10 have a copy of that right here, Senator, and
11 there would be -- when you hit 185 percent of
12 income, for example, you would go up to
13 \$17,000.

14 SENATOR SMITH: And how many -

15 SENATOR DALY: I don't have it
16 for 12.

17 SENATOR SMITH: Would you yield
18 -- would the Senator yield for another
19 question?

20 ACTING PRESIDENT FARLEY: Senator
21 Daly, you still yielding?

22 SENATOR DALY: Yes, Mr.
23 President.

1 SENATOR SMITH: Senator Daly, how
2 many people in that household for \$17,000?

3 SENATOR DALY: I'm sorry,
4 Senator. I did not hear that question.

5 SENATOR SMITH: How many people
6 would constitute a household to -- under \$17,000
7 to be eligible after \$17,000?

8 SENATOR DALY: How many people
9 would constitute a household?

10 SENATOR SMITH: If they had
11 \$17,000, how many people in that household?

12 SENATOR DALY: That would be
13 eight and, again, Senator, can I correct you?
14 You said made \$17,000. This has nothing to do
15 -- this has to do with the liquid resources
16 they have available, does not have anything to
17 do, for example, with their income. That's
18 handled separately under the federal. We don't
19 change that; we do not change that. That stays
20 as is.

21 Remember, this is a program
22 subsidized by both the federal and the state.
23 What we have is a figure for liquid assets, as I

1 defined before, of up to \$15,000.

2 SENATOR SMITH: Would the Senator
3 yield?

4 SENATOR DALY: By the way, Mr.
5 President, I might say if a person had that, was
6 over 185 percent of the federal poverty level,
7 they would not qualify for PCAP under the
8 existing program. We're not assaulting the
9 federal guidelines or the federal standards, Mr.
10 President. We're dealing with that part of the
11 law with which the state can deal and that deals
12 with liquid resources and, again, I repeat to
13 the Senator, you must, when you apply for
14 Medicaid, list your liquid resources. Isn't it
15 interesting you don't have to list your liquid
16 resources, your liquid assets, when you apply to
17 PCAP?

18 And what we're saying, Mr.
19 President, is to be fair that a person should be
20 forced to list their liquid resources whether or
21 not they're applying for Medicaid or for PCAP.

22 SENATOR SMITH: Is the Senator
23 still yielding?

1 ACTING PRESIDENT FARLEY: Are you
2 still yielding, Senator Daly?

3 SENATOR DALY: Yes, Senator.

4 ACTING PRESIDENT FARLEY: Yes, he
5 is.

6 SENATOR SMITH: Senator Daly, how
7 do we normally acquire liquid assets?

8 SENATOR DALY: You acquire liquid
9 assets by saving money, by investing, perhaps
10 receiving it from your family. May -- does that
11 answer your question?

12 May I ask, would the Senator
13 yield for a question?

14 ACTING PRESIDENT FARLEY: Would
15 you yield, Senator Smith?

16 SENATOR SMITH: Certainly.

17 SENATOR DALY: Does the Senator
18 feel that it is just and right for someone with,
19 let us say, a half a million dollars in liquid
20 assets and stocks and bonds to be subsidized by
21 the people of the state for prenatal and post
22 natal care?

23 SENATOR SMITH: Senator Daly, I

1 feel that, just because one of your constituents
2 was able to circumvent existing law, does not
3 mean that we should penalize all the other women
4 of the state of New York.

5 SENATOR DALY: Mr. President.

6 ACTING PRESIDENT FARLEY: Senator
7 Daly.

8 SENATOR DALY: I want to answer
9 that. Interestingly, the Senator did not answer
10 my question when I asked her should someone with
11 a half a million dollars receive the benefits of
12 PCAP, as you can under existing law, and that's
13 what upsets me.

14 SENATOR SMITH: And -

15 SENATOR DALY: I certainly don't
16 want to take anything away from the person who
17 needs it. That's why I asked the question.

18 SENATOR SMITH: I believe I asked
19 him to yield for a question, and I asked -

20 SENATOR DALY: And -

21 ACTING PRESIDENT FARLEY: And,
22 Senator Daly, I've forgotten who has the floor.
23 Senator Smith, you've got it.

1 SENATOR SMITH: Thank you, Mr.
2 President.

3 Senator Daly, I believe that I
4 have answered your question about your
5 constituents and their non-compliance with the
6 law, and I do not feel that the constituents
7 that I represent who are honest, hard-working -

8 SENATOR DALY: Mr. President.

9 SENATOR SMITH: -- and often
10 times on Medicaid.

11 SENATOR DALY: Would the Senator
12 yield for an important point?

13 ACTING PRESIDENT FARLEY: Would
14 you yield to Senator Daly?

15 SENATOR DALY: Please, Senator.

16 SENATOR SMITH: I haven't heard
17 one yet, but I'll yield.

18 SENATOR DALY: Well, maybe I'll
19 find one for you, Senator.

20 The point is this, Senator: You
21 said a constituent of mine who did not comply
22 with the law. That's the problem; that's the
23 problem. She did comply with the law and,

1 Senator, would the Senator recognize that if
2 someone had \$500,000 or a million dollars in the
3 bank and applied for PCAP, applied for PCAP,
4 that she would comply with the law and the state
5 would have to recognize that?

6 ACTING PRESIDENT FARLEY: Senator
7 Smith.

8 SENATOR SMITH: Mr. President,
9 may I continue now that he's given me some more
10 questions to ask. Will you yield?

11 ACTING PRESIDENT FARLEY: Senator
12 Daly?

13 SENATOR DALY: I will be happy
14 to, yes, Mr. President.

15 SENATOR SMITH: A few moments
16 ago, you read to me the federal guidelines for
17 PCAP; is that correct?

18 SENATOR DALY: Yes, I did.

19 SENATOR SMITH: And what did you
20 indicate were the federal guidelines for PCAP?

21 SENATOR DALY: 185 percent of the
22 federal poverty level. Remember, Senator, that
23 PCAP does not apply to anyone on Medicaid, first

1 of all. It only is, since people on Medicaid
2 are already covered, this is for people who are
3 above the Medicaid.

4 SENATOR SMITH: Mr. President,
5 would the Senator yield for another question?

6 ACTING PRESIDENT FARLEY: Would
7 you yield for another question?

8 SENATOR DALY: Certainly.

9 SENATOR SMITH: Your constituent
10 who circumvented the law, what was her income at
11 that time?

12 SENATOR DALY: Mr. President, she
13 did not circumvent the law, and that's the
14 problem with the law. The law allows that.
15 That's the point I'm making. The law says -
16 the law says, Mr. President, that when you apply
17 for PCAP, you don't have to fill out that same
18 question that you have to fill out when you
19 apply for Medicaid. You leave out -- you leave
20 out liquid resources, liquid assets, so that
21 person did not circumvent the law. That person
22 was fully in compliance with the law. The
23 county involved had to put the person on PCAP.

1 That's the problem. If someone
2 with a half a million dollars in liquid
3 resources, liquid assets, applies to PCAP, she
4 can -- and meets the rest of the requirements,
5 she can not be refused.

6 SENATOR SMITH: Mr. President.

7 ACTING PRESIDENT FARLEY: Senator
8 Smith.

9 SENATOR SMITH: May I continue
10 with my -

11 ACTING PRESIDENT FARLEY: If
12 Senator Daly is still yielding, which I think he
13 will.

14 SENATOR DALY: Certainly.

15 SENATOR SMITH: Senator Daly, you
16 said that there was a requirement under federal
17 guidelines, did you not?

18 SENATOR DALY: Yes.

19 SENATOR SMITH: What were those
20 requirements?

21 SENATOR DALY: That income, as I
22 said, they have to come within 185 percent of
23 the federal -

1 SENATOR SMITH: Well, you still
2 haven't answered our question, Mr. -- Senator
3 Daly.

4 SENATOR DALY: What is it? I'm
5 sorry.

6 SENATOR SMITH: You keep
7 circumventing it.

8 SENATOR DALY: Well, what -- would
9 you repeat the question one more time?

10 SENATOR SMITH: The question was,
11 your constituent that circumvented the law, what
12 was her income at the time that she received
13 PCAP?

14 SENATOR DALY: Obviously, Mr.
15 President, her income was less than 185 percent,
16 but what they had, Mr. President, was stocks and
17 bonds from which they were receiving no income
18 but which were in the bank which could have been
19 sold, part of them could have been sold to pay
20 for the birth of that child, and the care of
21 that child, and I'm submitting, Mr. President,
22 that's exactly the point of the bill, that
23 person with that amount of money should be

1 spending her own money or his own money for the
2 birth of the child.

3 SENATOR SMITH: Mr. President.

4 ACTING PRESIDENT FARLEY: Senator
5 Smith.

6 SENATOR SMITH: Is Senator Daly
7 still yielding?

8 SENATOR DALY: Yes.

9 ACTING PRESIDENT FARLEY: Yes, he
10 still yields.

11 SENATOR SMITH: You stated that
12 it is obvious. It is not obvious, and if you
13 are attempting to make new guidelines, then I
14 think that we have to be a little clearer and
15 have the evidence of what we are portraying so
16 that we can make a clear decision, but you still
17 have not answered the question that has been put
18 forward.

19 SENATOR DALY: May I try one more
20 time? We're looking at two parts -- two
21 different parts. One says your income, how much
22 money is your family receiving every week or
23 every month. That has to be under the federal

1 guideline of no more than 185 percent of the
2 federal poverty level.

3 But there's another section, Mr.
4 President, that deals with liquid resources,
5 liquid assets, money that you have in the bank
6 or that you have in stocks and bonds -- I read
7 the list before -- from which you're not
8 receiving income at this time, but that money is
9 there in the family. It's sitting in stocks,
10 bonds or whatever, not being used, and the
11 purpose of this bill, Mr. President, is to tell
12 those people who are -- who have that type of
13 money, the liquid assets, they must use that
14 money to defray the cost of prenatal care and
15 post-natal care rather than the people of the
16 state of New York.

17 ACTING PRESIDENT FARLEY: Senator
18 Smith.

19 SENATOR SMITH: Mr. President, on
20 the bill.

21 ACTING PRESIDENT FARLEY: On the
22 bill.

23 SENATOR SMITH: I would just like

1 to ask that some of the comments from last year
2 be added to this year, that nothing has changed
3 and this is -- this bill is just as unfair to
4 the women of the state of New York in 1993 as it
5 was in 1992. Thank you.

6 ACTING PRESIDENT FARLEY: Senator
7 Hoffmann.

8 SENATOR HOFFMANN: Thank you, Mr.
9 President.

10 I want to praise Senator Daly for
11 attempting to modify the bill that he presented
12 last year, but I'm afraid that it does not come
13 close to making it an acceptable piece of
14 legislation and it embarrasses me somewhat to be
15 in a chamber today with all of the problems that
16 we have in the state and have something that
17 smacks of a stereotyped element of prejudice.

18 I'm reminded of a song a number
19 of years ago that was very popular on the
20 country charts for a little while called
21 "Welfare Cadillac". It preyed on every
22 conceivable stereotype about poor people and
23 very self-righteously somebody sang about how

1 tax money is wasted on and people who should
2 have been out working and should not have been
3 driving around in a Welfare Cadillac.

4 SENATOR DALY: Mr. President.

5 ACTING PRESIDENT FARLEY: Senator
6 Daly, why do you rise?

7 SENATOR DALY: Will Senator
8 Hoffmann yield for a question?

9 ACTING PRESIDENT FARLEY: Will you
10 yield, Senator Hoffmann, to a question from
11 Senator Daly?

12 SENATOR HOFFMANN: I will.

13 SENATOR DALY: Going back to your
14 comparison -

15 SENATOR HOFFMANN: It wasn't a
16 comparison, I was reminded of something.

17 ACTING PRESIDENT FARLEY: Please
18 address your comments through the Chair.

19 SENATOR DALY: Are you aware,
20 Senator, that this doesn't apply to anyone on
21 Medicaid, anyone on welfare, this bill?

22 SENATOR HOFFMANN: Thank you,
23 Senator Daly.

1 SENATOR DALY: Are you aware of
2 that?

3 SENATOR HOFFMANN: Thank you.

4 SENATOR DALY: Thank you.

5 SENATOR HOFFMANN: As I said, we
6 are talking in stereotypes and we make reference
7 to people who have allegedly taken advantage of
8 the system and we're talking to a population
9 where everybody feels over-taxed and over-worked
10 and we know certainly most Americans, most New
11 York State residents work until June or July in
12 order to pay their taxes before they start
13 working for themselves.

14 It's very easy to introduce a
15 bill and talk about how it's going to end in
16 abuse, but what is particularly sad about this
17 bill and the thinking behind it is that it is
18 aimed to end an abuse possibly based on one
19 case, possibly based on many cases, but in
20 attempting to curb an alleged abuse, it would
21 create a tremendous step backward from the great
22 strides that have been taken with a very
23 important, necessary program.

1 SENATOR DALY: Mr. President.

2 SENATOR HOFFMANN: On a national
3 level, we have a problem in our country that
4 puts us in line with many third world
5 countries.

6 SENATOR DALY: Will the Senator
7 yield?

8 SENATOR HOFFMANN: Our mortality
9 rate is astronomically higher than it should be.

10 ACTING PRESIDENT FARLEY: Senator
11 Hoffmann, would you yield to a question from
12 Senator Daly?

13 SENATOR HOFFMANN: Yes, I'll
14 yield.

15 SENATOR DALY: Senator, my bill
16 would say, or it does say, that if you have
17 15,000, less than \$15,000 in liquid assets you
18 could qualify. Can you give me a figure right
19 now of how much -- the present law says that if
20 you have a million dollars in liquid assets that
21 you're not tapping at a particular time, not
22 receiving income from, that you can qualify for
23 PCAP. Can you pick a figure for me, Senator,

1 how much money should someone have in stocks and
2 bonds so that they would not qualify for PCAP so
3 that the prenatal care, the birth and the
4 post-natal care would be taken care of by the
5 family from their liquid assets? Would you say
6 that perhaps a family should be allowed up to a
7 hundred thousand dollars?

8 SENATOR HOFFMANN: Senator Daly,
9 I am -

10 SENATOR DALY: Give me a figure,
11 give me a figure.

12 SENATOR HOFFMANN: You're through
13 with your question. I will respond to it, Mr.
14 President.

15 In response to Senator Daly's
16 question, no, I am not interested in picking a
17 figure or discussing figures or even discussing
18 the element of liquid assets in this issue
19 because that is precisely the problem, as I see
20 it. My fear is that the introduction of this
21 new barrier to people who are, in fact,
22 deserving of prenatal health care, sends a
23 terrible message for this state.

1 We have, as I started to say
2 before, an infant mortality crisis in this
3 state. I am sorry to say that my district has
4 one of the highest infant mortality rates in the
5 state and, along with Senator DeFrancisco, I am
6 very worried about the effect of any kind of
7 barrier to prenatal health care for people who
8 truly need it.

9 The issue of a means test is much
10 more than finding out what assets are and what
11 government's programs can address. The issue of
12 a means test when we are talking about prenatal
13 health care is how a young woman -- how a young
14 girl is going to be able to comprehend that
15 there is a barrier and how she is going to get
16 past that barrier in order to get health care
17 for an unborn infant and for herself, and I
18 believe that it is essential that we eliminate
19 as many barriers as we can to bring the largest
20 number of young women and girls into this net of
21 protection.

22 We're now looking at ways that
23 the state can assist funding school-based

1 clinics to provide prenatal care for pregnant
2 teenagers, even junior high school students in
3 this state, who are asking for prenatal care for
4 their infants and in order for them to get that
5 care, there must be no barrier whatsoever. They
6 must know that they can easily obtain -

7 ACTING PRESIDENT FARLEY: Senator
8 Present, why do you rise?

9 SENATOR PRESENT: Senator
10 Hoffmann, may I interrupt for a moment?

11 SENATOR HOFFMANN: Certainly, Mr.
12 President.

13 SENATOR PRESENT: Mr. President,
14 may I have the last section of this bill read
15 and have two people's names called so that they
16 can vote.

17 ACTING PRESIDENT FARLEY:
18 Secretary will read the last section of this
19 bill. There are two people to vote.

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

22 SENATOR PRESENT: May Senator
23 Oppenheimer's name be called?

1 THE SECRETARY: Senator
2 Oppenheimer.

3 SENATOR OPPENHEIMER: I vote in
4 the negative. Thank you.

5 SENATOR PRESENT: And Senator
6 Marchi's name be called.

7 THE SECRETARY: Senator Marchi.

8 SENATOR MARCHI: I vote aye.

9 ACTING PRESIDENT FARLEY: Close
10 the roll.

11 SENATOR PRESENT: Have the roll
12 call withdrawn. Senator Hoffmann, thank you.

13 SENATOR DALY: Mr. President.

14 ACTING PRESIDENT FARLEY: Senator
15 Hoffmann.

16 SENATOR HOFFMANN: I'm not going
17 to yield at this time, Mr. President. I prefer
18 not to yield, and I think I will wait and
19 finish.

20 ACTING PRESIDENT FARLEY: She
21 refuses to yield.

22 SENATOR HOFFMANN: I think
23 there's been a lot of yielding going on, and I

1 think I will stick to my train of thought and
2 try to move things along a little bit faster.

3 I do agree with Senator Daly
4 about abuses of this program. I worry about
5 abuses. I worry about other things as well.
6 One of the abuses I worry about is the
7 tremendous absence of enforcement for child
8 support, court-ordered child support by fathers
9 who are not paying their fair share for the
10 support of children they have helped bring into
11 this world, and I wish that Senator Daly and
12 other members of this chamber would aggressively
13 pursue that tremendous abuse. I understand
14 we're owed something like a billion dollars in
15 child support by delinquent fathers in this
16 state. That's the type of abuse that I think
17 the taxpayers of my district would better
18 understand than the potential abuse by one
19 individual or even number of hypothetical
20 individuals who may have had some bank accounts
21 or may have had some stocks and bonds.

22 And let me point out in case some
23 of my colleagues on the other side of the aisle

1 have not thought of this, that very often those
2 liquid assets that you are discussing, the
3 liquid assets that are the basis of this bill
4 are in the control of men. There may, in fact,
5 be a woman out there with a half a million
6 dollars hypothetically in liquid assets who
7 doesn't have a clue that there are a half a
8 million dollars in liquid assets available to
9 her or should be available to her, and there are
10 probably many, many women and girls out there
11 who don't know or don't have access to their
12 family's financial resources, and to make a
13 young woman or a teen-aged girl -- and I have to
14 come back and say teen-aged girl again and again
15 so that you grasp what it is that we are really
16 talking about here -- we are talking about young
17 frequently uneducated, very culture -- very
18 often culturally deprived women, women and
19 girls, who don't even understand the basics of
20 medical care for themselves who have to learn
21 what prenatal care for an infant is.

22 This is not your garden variety
23 middle class family going to an obstetrician

1 gynecologist getting ready to have a baby. This
2 program is for women and girls at risk and it is
3 to give us a better start in educating and
4 having healthy babies in this state, planned or
5 unplanned. Those, in fact, deserve to have the
6 very best type of prenatal health care we can
7 afford, and to be particularly callous about it,
8 it is in the best financial interest of all the
9 taxpayers of the state to see that they get that
10 early head start on a healthy life because we
11 know that the costs are astronomical to educate
12 a low birth weight infant. In fact, the
13 American College of Obstetricians and
14 Gynecologists, in opposing this bill, points out
15 to us that the lifetime cost for caring for a
16 low birth weight infant can reach \$400,000.
17 Let's bear that expense and let's ensure that
18 some of those low birth weight infants can have
19 a good head start on life and be meaningful,
20 productive citizens. Let's not prejudge them by
21 prejudging the woman who didn't know what her
22 family's resources were or failed to calculate
23 correctly, and simply went to a clinic and said,

1 "I'm pregnant; I want my baby to have the right
2 kind of care. I can't afford it or I don't
3 think I can afford it. Can a doctor see me?"
4 Why would we punish that infant?

5 But that's what will happen under
6 this bill because there are women there who will
7 be discouraged. There will be girls there who
8 will simply not understand what these
9 complicated forms mean and they simply will not
10 go and seek that health care.

11 48 other states have taken
12 aggressive action to streamline Medicaid
13 eligibility and make the access to prenatal
14 health care more readily available. New York
15 State has always had it readily available. Why
16 now, at a time when we still have a terrible in
17 fant mortality rate, why now would we take a
18 step backwards? Why would we do something less
19 enlightened to help stem the tide of these low
20 infant births at a time when the rest of the
21 country has recognized that we need to do more?

22 I understand the frustration
23 about abuse of the system. We all have to

1 respond to that, but let's pick something that
2 shows that we're going after the right people.
3 Let's not pick something that is once again an
4 example of poor bashing, an example of blaming
5 those who can least defend themselves.

6 I'm not going to try to produce a
7 dozen 14-year-old girls to come into the Capitol
8 and explain and lobby why they need this
9 program. It should be self-evident why they
10 need this program, but they are out there and we
11 all represent them and we should all be
12 responding to their needs, not to the abuse or
13 the alleged abuse by one individual in one part
14 of the state.

15 SENATOR DALY: Mr. President,
16 will the Senator yield?

17 ACTING PRESIDENT FARLEY: Senator
18 Daly.

19 SENATOR DALY: Would Senator
20 Hoffmann yield now?

21 ACTING PRESIDENT FARLEY: Senator
22 Hoffmann, would you yield to Senator Daly?

23 SENATOR HOFFMANN: Certainly,

1 Senator Daly.

2 SENATOR DALY: Senator, are you
3 familiar with the language on page 3 of the bill
4 where we say a pregnant woman shall be presumed
5 eligible during such time as the Department of
6 Social Service considers the exemption?

7 SENATOR HOFFMANN: I'm familiar
8 with most of the language of the bill, Senator
9 Daly.

10 Mr. President, in response to
11 Senator Daly's question, I would say again that
12 it is not the language of the bill, it is not
13 the dollar amount, it is the intent to establish
14 a barrier that is the problem in this bill.
15 We're dealing with a question here of semantics
16 when Senator Daly asks me a question about do I
17 know the language or what dollar amount would I
18 find acceptable?

19 That is not the issue. The issue
20 here is that we should not be imposing a means
21 test. We should not be establishing the
22 principle that Senator Daly has suggested be
23 incorporated in this bill. There's a very basic

1 difference of opinion on that bill.

2 ACTING PRESIDENT FARLEY: Senator
3 Daly.

4 SENATOR DALY: Mr. President,
5 isn't it interesting that every time I ask the
6 question, almost every time I don't get an
7 answer. I ask the people on the other side,
8 give me a number, tell me how much money a
9 person should have in resources. I get no
10 answer. I have -- should someone with a half a
11 million dollars in stocks and bonds be
12 subsidized by the people of the state? I don't
13 get an answer; right around the corner.

14 I ask people over there that have
15 read the bill and they know that a person's
16 covered, automatically covered until it's proven
17 that she's not eligible. I still don't get an
18 answer. As you know, Mr. President, it's very
19 easy to become emotional about an issue like
20 this. We're dealing with children and you know,
21 no one likes to feel that they're callous and
22 uncaring but, you know, Mr. President, when you
23 look at this particular section of law and

1 compare it, you know, compare these people who
2 are above the Medicaid welfare limit and see
3 that they're treated differently and privileged,
4 given privilege that Medicaid and welfare
5 recipients do not have, a Medicaid and welfare
6 recipient has to fill out that part of the form,
7 a person whose income is above the Medicaid
8 welfare eligibility limit does not. So
9 literally I see this bill as discriminating -
10 discriminating against the poor, Mr. President.

11 Again, it's a matter of
12 principle. Should the taxpayers of this state
13 be asked to subsidize people who have, in this
14 particular case, \$162,000, a million dollars?
15 That's the hole. That's the law. The law says
16 that, if you want people -- if you want to
17 request PCAP, you don't have to tell the state
18 how much you have in liquid assets.

19 We destroy the credibility of our
20 entitlement programs, of our necessary Medicaid
21 and welfare programs when we refuse to fill in
22 holes in our law that exist. We get complaints
23 from the people all the time about the money

1 we're spending on Medicaid/welfare. They picked
2 this up and, by God, the door is open and the
3 screaming begins, and it hurts. It hurts the
4 poor people that require assistance, that
5 deserve assistance, that should get that
6 assistance.

7 All I'm saying is someone with a
8 large amount of resources, liquid assets in this
9 particular case, should not -- should not be
10 subsidized, and people such as that should pay
11 for their own. To do otherwise again, clearly
12 destroys the faith of the people of this state
13 in our entitlement program, and welfare bashing
14 begins all over.

15 ACTING PRESIDENT FARLEY: Read
16 the last section.

17 THE SECRETARY: Section 3. This
18 act shall take effect on the 60th day after it
19 shall have become a law.

20 SENATOR HOFFMANN: Slow roll
21 call.

22 SENATOR STACHOWSKI: Slow roll
23 call.

1 ACTING PRESIDENT FARLEY: Slow
2 roll call. Ring the bell.
3 THE SECRETARY: Senator Babbush
4 excused.
5 Senator Bruno.
6 SENATOR BRUNO: Yes.
7 THE SECRETARY: Senator Connor.
8 SENATOR CONNOR: No.
9 THE SECRETARY: Senator Cook.
10 SENATOR COOK: Yes.
11 THE SECRETARY: Senator Daly.
12 SENATOR DALY: Yes.
13 THE SECRETARY: Senator
14 DeFrancisco.
15 SENATOR DeFRANCISCO: To explain
16 my vote.
17 ACTING PRESIDENT FARLEY: Senator
18 DeFrancisco to explain his vote.
19 SENATOR DeFRANCISCO: I'm voting
20 yes, and it's not because I'm callous, it's not
21 because I'm against people getting quality
22 health care. I just seem to believe, have the
23 radical thought if you have assets you should

1 pay for your services, as opposed to having
2 someone else pay for them, and I would think if
3 the assets are liquid and there's \$15,000, then
4 it's not unreasonable to assume that someone,
5 whether you're 13 years old or 50 years old,
6 should have to pay for their own services
7 especially when there's a presumption of eli
8 gibility and there's immediate service. So I'm
9 going to vote yes for those reasons.

10 ACTING PRESIDENT FARLEY:

11 Continue the roll.

12 THE SECRETARY: Senator

13 Dollinger.

14 SENATOR DOLLINGER: No.

15 THE SECRETARY: Senator Espada

16 excused.

17 Senator Farley.

18 SENATOR FARLEY: Aye.

19 THE SECRETARY: Senator Galiber.

20 SENATOR GALIBER: No.

21 THE SECRETARY: Senator Gold.

22 (There was no response.)

23 Senator Gonzalez.

1 (There was no response.)

2 Senator Goodman.

3 SENATOR GOODMAN: Yes.

4 THE SECRETARY: Senator

5 Halperin.

6 (There was no response.)

7 Senator Hannon.

8 (There was no response.)

9 Senator Hoffmann.

10 SENATOR HOFFMANN: Mr. President,

11 to explain my vote.

12 ACTING PRESIDENT FARLEY: Senator

13 Hoffmann to explain her vote.

14 SENATOR HOFFMANN: I was pleased

15 last year that this bill was not voted along

16 party lines, that there were, in fact, three

17 members on the other side of the aisle,

18 including the chair of the Health Committee,

19 Senator Tully, who chose to vote against

20 imposing restrictions of this sort upon the

21 pregnant women of this state.

22 And so I would hope, once again,

23 that we would have people think twice about the

1 kind of message this sends. The issue is not
2 simply whether there are assets or whether or
3 not there are assets. The issue is that it
4 creates a barrier, real or imagined. If the
5 barrier is there, and if it is going to prevent
6 some young people, pregnant teen-age girls in
7 particular, from obtaining prenatal health care
8 and if it is going to create more low infant -
9 low weight infants in this state and hurt us in
10 terms of a higher rate of infant mortality than
11 any civilized country should accept, then I
12 believe it's a very bad vote, and I'm happy to
13 vote no.

14 ACTING PRESIDENT FARLEY:

15 Continue the roll.

16 THE SECRETARY: Senator Holland.

17 SENATOR HOLLAND: Yes.

18 THE SECRETARY: Senator Johnson.

19 SENATOR JOHNSON: Aye.

20 THE SECRETARY: Senator Jones.

21 SENATOR JONES: No.

22 THE SECRETARY: Senator Kuhl.

23 SENATOR KUHL: Aye.

1 THE SECRETARY: Senator Lack.
2 SENATOR LACK: Aye.
3 THE SECRETARY: Senator Larkin.
4 SENATOR LARKIN: Aye.
5 THE SECRETARY: Senator LaValle.
6 SENATOR LAVALLE: Aye.
7 THE SECRETARY: Senator
8 Leichter.
9 SENATOR LEICHTER: No.
10 THE SECRETARY: Senator Levy.
11 (There was no response.)
12 Senator Libous.
13 SENATOR LIBOUS: Aye.
14 THE SECRETARY: Senator Maltese.
15 SENATOR MALTESE: Aye.
16 THE SECRETARY: Senator Marchi
17 voting in the affirmative earlier today.
18 Senator Marino. Aye.
19 Senator Markowitz.
20 SENATOR MARKOWITZ: No.
21 THE SECRETARY: Senator
22 Masiello.
23 SENATOR MASIELLO: No.

1 THE SECRETARY: Senator Mega.
2 SENATOR MEGA: Yes.
3 THE SECRETARY: Senator Mendez.
4 (There was no response.)
5 Senator Montgomery excused.
6 Senator Nolan.
7 SENATOR NOLAN: No.
8 THE SECRETARY: Senator
9 Nozzolio.
10 SENATOR NOZZOLIO: Aye.
11 THE SECRETARY: Senator
12 Ohrenstein. No.
13 Senator Onorato excused.
14 Senator Oppenheimer voting in the
15 negative earlier today.
16 Senator Padavan.
17 SENATOR PADAVAN: Yes.
18 THE SECRETARY: Senator Pataki.
19 SENATOR PATAKI: Yes.
20 THE SECRETARY: Senator
21 Paterson.
22 SENATOR PATERSON: No.
23 THE SECRETARY: Senator Present.

1 SENATOR PRESENT: Aye.
2 THE SECRETARY: Senator Saland.
3 SENATOR SALAND: Aye.
4 THE SECRETARY: Senator
5 Santiago.
6 SENATOR SANTIAGO: No.
7 THE SECRETARY: Senator Sears.
8 (There was no response.)
9 Senator Seward.
10 SENATOR SEWARD: Aye.
11 THE SECRETARY: Senator Sheffer.
12 SENATOR SHEFFER: Aye.
13 THE SECRETARY: Senator Skelos.
14 SENATOR SKELOS: Yes.
15 THE SECRETARY: Senator Smith.
16 SENATOR SMITH: No.
17 THE SECRETARY: Senator Solomon.
18 SENATOR SOLOMON: Yes.
19 THE SECRETARY: Senator Spano.
20 SENATOR SPANO: Aye.
21 THE SECRETARY: Aye.
22 Senator Stachowski.
23 SENATOR STACHOWSKI: No.

1 THE SECRETARY: Senator
2 Stafford.
3 SENATOR STAFFORD: Aye.
4 THE SECRETARY: Senator
5 Stavisky.
6 (There was no response.)
7 Senator Trunzo.
8 SENATOR TRUNZO: Yes.
9 THE SECRETARY: Senator Tully.
10 SENATOR TULLY: No.
11 THE SECRETARY: Senator Velella.
12 (There was no response.)
13 Senator Volker excused.
14 Senator Waldon.
15 (Negative indication.)
16 THE SECRETARY: No.
17 Senator Wright.
18 SENATOR WRIGHT: Aye.
19 ACTING PRESIDENT FARLEY:
20 Absentees.
21 THE SECRETARY: Senator Gold.
22 (There was no response.)
23 Senator Gonzalez.

1 (There was no response.)

2 Senator Halperin.

3 (There was no response.)

4 Senator Hannon.

5 SENATOR HANNON: Mr. President,
6 to explain my vote.

7 ACTING PRESIDENT FARLEY: Senator
8 Hannon to explain his vote.

9 SENATOR HANNON: I think it's
10 necessary to measure the aims of the legislation
11 and those people who have spoken against it, I
12 think, have unsuccessfully tried to muddy the
13 waters as to what the aims are. This bill
14 doesn't try to address problems of pregnancy,
15 teen-age or otherwise, doesn't try to address
16 uncollected support payments, and what it does
17 try to do is whether or not some people who have
18 sufficient assets are taking advantage of the
19 system and measuring it in terms of those
20 goals. It doesn't address it perfectly, but it
21 certainly addresses it perfectly enough,
22 sufficiently enough, to support it.

23 For those reasons, I would vote

1 yes.

2 ACTING PRESIDENT FARLEY: Senator
3 Hannon in the affirmative.

4 Continue the roll.

5 THE SECRETARY: Senator Levy.

6 SENATOR LEVY: Aye.

7 THE SECRETARY: Senator Mendez.

8 (There was no response.)

9 Senator Sears.

10 SENATOR SEARS: Yes.

11 THE SECRETARY: Senator

12 Stavisky.

13 (There was no response.)

14 Senator Velella.

15 (There was no response.)

16 ACTING PRESIDENT FARLEY:

17 Results.

18 THE SECRETARY: Ayes 33, nays

19 17.

20 ACTING PRESIDENT FARLEY: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 673, by Senator Saland, Senate Bill Number 4417,

1 an act to amend the Criminal Procedure Law and
2 the Family Court Act.

3 SENATOR STACHOWSKI: Explanation.

4 ACTING PRESIDENT FARLEY:

5 Explanation. Senator Saland.

6 SENATOR SALAND: All right, Mr.
7 President. This bill would permit the crimes
8 victims board access to sealed records for the
9 purpose of enabling the board to properly
10 investigate claims for crime victims
11 compensation.

12 The board has determinations
13 which it has to make which from time to time and
14 sometimes frequently the information which they
15 need to determine the eligibility of an
16 applicant, a crime victim making a claim for
17 services or payments, that information can only
18 be obtained through records that may sometimes
19 be sealed, and this would add the crime victims
20 board to a list of other persons or groups that
21 have access to such records in particular
22 situations.

23 ACTING PRESIDENT FARLEY: Read

1 the last section.

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

4 ACTING PRESIDENT FARLEY: Call
5 the roll.

6 (The Secretary called the roll.)

7 SENATOR GALIBER: May I have -

8 ACTING PRESIDENT FARLEY: Senator
9 Galiber to explain his vote.

10 SENATOR GALIBER: Yes, Mr.
11 President. Sorry I missed the debate. I
12 probably wouldn't be able to add much more than
13 this but we start opening up a number of files
14 in areas where I don't think it's necessary and
15 the possibility once we open up the files, with
16 all the protection we put around that open
17 process, there's always that possibility of
18 something leaking out.

19 We seal files where youthful
20 offenders are concerned. We seal files as far
21 as juveniles are concerned. Slowly but surely
22 we've been making exceptions, and they were put
23 there for a purpose. As far as the victims no

1 one's more concerned about victims than myself
2 and others here in the chamber, but the danger
3 some time to solve one problem we open up gates
4 which create a number of other problems.

5 So I think there's not another
6 way to do it, but I think the information that
7 the Senator is trying to accomplish with this
8 bill by opening up for the purpose of the victim
9 in terms of victims' compensation could be
10 acquired another way.

11 In the very beginning we have the
12 statement of the probation reports, we have
13 statements from the victims from the outset.
14 There are peers report on the pleadings, peer
15 reports on the sentencing and there are a number
16 of other ways where we can accomplish the same
17 thing. I just think it's a bad practice to
18 start opening up in areas where we've heretofore
19 sealed for a good purpose.

20 I vote no.

21 ACTING PRESIDENT FARLEY:

22 Results.

23 THE SECRETARY: Ayes 51, nays

1 one, Senator Galiber recorded in the negative.

2 ACTING PRESIDENT FARLEY: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 682, by Senator Stafford, Senate Bill Number
6 2399, an act to amend the Highway Law.

7 SENATOR STACHOWSKI: Could we
8 have one day on that, please?

9 ACTING PRESIDENT FARLEY: Senator
10 Stafford, what's your pleasure?

11 SENATOR STAFFORD: A month!

12 ACTING PRESIDENT FARLEY: Lay it
13 aside for the day.

14 THE SECRETARY: Calendar Number
15 706, by Senator Spano.

16 SENATOR PRESENT: Lay it aside
17 for the day, please.

18 ACTING PRESIDENT FARLEY: Laid
19 aside for the day.

20 Senator Present that's the first
21 time around. What's your pleasure?

22 SENATOR PRESENT: Will you drop
23 down to 432, please.

1 ACTING PRESIDENT FARLEY: 432.

2 THE SECRETARY: Calendar Number
3 432, by Senator Cook, Senate Bill Number 2549,
4 an act to amend the Education Law, in relation
5 to annual meetings and elections in certain city
6 school districts.

7 SENATOR STACHOWSKI: Explanation.

8 ACTING PRESIDENT FARLEY:
9 Explanation. Senator Cook.

10 SENATOR COOK: Mr. President,
11 this bill gives to the residents of small city
12 school districts the same opportunity to vote on
13 school budgets as currently exists now in all
14 the central school districts throughout the
15 state.

16 The historic reasons why this is
17 -- why different rules apply to different types
18 of districts are somewhat obscure, but suffice
19 it to say that when the voters changed the
20 Constitution to remove the constitutional tax
21 limit on small city school districts, the
22 residents of those districts were given a
23 promise on the part of, I think the Legislature

1 and the Governor as well, that the law would be
2 changed so that they would have the opportunity
3 to vote on the budget, and this is simply an
4 effort to make good on that obligation, and I
5 think we owe to them.

6 ACTING PRESIDENT FARLEY: Read
7 the last section.

8 THE SECRETARY: Section 18. This
9 act shall take effect immediately.

10 ACTING PRESIDENT FARLEY: Call
11 the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes 52.

14 ACTING PRESIDENT FARLEY: The
15 bill is passed.

16 Excuse me, Senator Nolan is in
17 the negative.

18 THE SECRETARY: Ayes 51, nays
19 one, Senator Nolan recorded in the negative.

20 ACTING PRESIDENT FARLEY: The
21 bill is passed.

22 Senator Present.

23 SENATOR PRESENT: Calendar Number

1 608, please.

2 ACTING PRESIDENT FARLEY: 608,
3 the Secretary will call up 608.

4 THE SECRETARY: Calendar Number
5 608 by Senator Trunzo, Senate Bill Number 4592,
6 an act to amend the Civil Service Law, in
7 relation to extending the effectiveness of
8 provisions establishing dispute resolution.

9 ACTING PRESIDENT FARLEY: Read
10 the last section.

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

13 SENATOR STACHOWSKI:
14 Explanation.

15 ACTING PRESIDENT FARLEY:
16 Explanation has been asked for. Senator
17 Trunzo.

18 SENATOR TRUNZO: Mr. President,
19 this bill is a two-year extender for the binding
20 arbitration for police and firemen.

21 SENATOR CONNOR: Mr. President.

22 ACTING PRESIDENT FARLEY: Senator
23 Connor.

1 SENATOR CONNOR: Thank you, Mr.
2 President.

3 I have an amendment at the desk
4 that I would call up now and waive its reading
5 and explain it.

6 ACTING PRESIDENT FARLEY: The
7 amendment is here at the desk. You have the
8 floor. Go ahead.

9 SENATOR CONNOR: Thank you, Mr.
10 President.

11 Mr. President, once again, we
12 revisit arbitration for police and firefighters,
13 a good idea, a necessary idea, necessary because
14 certainly those are essential services that we
15 cannot afford to have disrupted by labor
16 disputes and really all the parties concerned
17 have agreed that this is the way to deal with
18 it, binding arbitration, deal with it in an
19 objective way, make sure that we guarantee to
20 our citizens no disruption in police or fire
21 services.

22 The thing about this, Mr.
23 President, is that year after year after year,

1 two years after two years after two years, we
2 see it extended, two years at a time. Now, if
3 it's a good idea, and I think we all agree it's
4 a good idea, it ought to be a permanent part of
5 the law. In fact, Mr. President, I suggest that
6 it's unfair and unseemly to have the concerned
7 parties have to come back hat in hand to this
8 Legislature every two years to get an extension
9 of this law which really is not controversial;
10 it's not experimental. It has worked. Every
11 one agrees it's necessary and a good idea.

12 My amendment, Mr. President,
13 would simply make binding arbitration for police
14 and fire permanent. Were there a time the
15 people's representatives decided it wasn't a
16 good idea, they could always repeal it. But it
17 just doesn't make any sense to take up the time
18 of this Legislature every two years, to worry
19 the representatives of the police and fire
20 fighters that, Gee, arbitration might expire,
21 we're in the midst of something with management
22 in our respective area, and to have to come and
23 say, Gee, we are going to get an extension.

1 I think we do this in far too
2 many areas, Mr. President, and I think leaving
3 aside what the reality is or isn't, I think the
4 reality is, it's just a bad habit we have. I
5 think the perception is very, very bad that
6 these groups are constantly beholding to the
7 Legislature because if we simply sit on our
8 hands, something like this binding arbitration
9 would expire.

10 So I would urge all of my
11 colleagues to just, once and for all, let's make
12 it part of the permanent law. It's a good
13 idea. It's a necessary idea. Let's stop the
14 charade every two years having to bring out a
15 bill for a two-year extension, having to have me
16 stand up and say, let's make it permanent and
17 offer an amendment.

18 Frankly, Mr. President, it gets
19 boring to see these kind of two-year extenders
20 time after time, and I really think it's irre-
21 sponsible of this Legislature not to put this in
22 the permanent law with all the management units
23 concerned and all the representatives of police

1 and firefighters knowing that that's the law.
2 Let's deal with it that way. So I urge adoption
3 of the amendment, Mr. President.

4 ACTING PRESIDENT FARLEY: On the
5 amendment, all in favor say aye.

6 (Response of "Aye.")

7 Those opposed, nay.

8 (Response of "Nay.")

9 The nays have it. The amendment
10 is not accepted.

11 Read the last section of the
12 bill.

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

15 ACTING PRESIDENT FARLEY: Call
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes 52.

19 ACTING PRESIDENT FARLEY: The
20 bill is passed.

21 Senator Present.

22 SENATOR PRESENT: Mr. President,
23 there are no housekeeping items at the desk?

1 ACTING PRESIDENT FARLEY: We've
2 got some housekeeping items.

3 SENATOR PRESENT: Let's do it.

4 ACTING PRESIDENT FARLEY: Senator
5 Libous.

6 SENATOR LIBOUS: Thank you, Mr.
7 President.

8 On behalf of Senator Sears, on
9 page 50, I offer the following amendments to
10 Calendar Number 187, Senate Print 2003, and ask
11 that said bill retain its place on Third Reading
12 Calendar.

13 ACTING PRESIDENT FARLEY:
14 Amendments received; bill will retain its
15 place.

16 SENATOR LIBOUS: Mr. President,
17 on behalf of Senator Levy, I'd like to star
18 Calendar 727.

19 ACTING PRESIDENT FARLEY: Bill is
20 starred at the request of the sponsor.

21 SENATOR LIBOUS: In behalf of
22 myself, I'd like to star Calendar 581.

23 ACTING PRESIDENT FARLEY: 581 is

1 starred at the request of the sponsor.

2 SENATOR LIBOUS: Thank you, Mr.
3 President.

4 ACTING PRESIDENT FARLEY: You're
5 welcome.

6 Senator Present.

7 SENATOR PRESENT: Mr. President,
8 there being no further business, I move we
9 adjourn until tomorrow at 3:00 p.m.

10 ACTING PRESIDENT FARLEY: The
11 Senate stands adjourned until tomorrow at 3:00
12 p.m.

13 (Whereupon at 4:23 p.m., the
14 Senate adjourned.)

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