ALBANY, NEW YORK

June 3, 1993

12:03 p.m.

REGULAR SESSION

SENATOR HUGH T. FARLEY, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT FARLEY: Senate will come to order. Senators will please find their seats.

Please rise for the Pledge of Allegiance.

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

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

(Whereupon, there was a moment of silence. )

Secretary will begin by reading the Journal.

THE SECRETARY: In Senate, Wednesday, June 2. The Senate met pursuant to adjournment. Senator Farley in the chair upon designation of the Temporary President. Prayer by the Reverend Peter Young of the Blessed Sacrament Church of Bolton Landing, New York. The Journal of Tuesday, June 1, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT FARLEY: Hearing no objection, the Journal will stand approved as read.

The order of business:

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Mr. President, on behalf of Senator Velella, on page number 11, I offer the following amendments to Calendar Number 496, Senate Print Number 3906, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Amendments are received.

SENATOR SKELOS: On behalf of Senator Spano, on page number 18, I offer the

following amendments to Calendar Number 718, Senate Print Number 1988, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Amendments received. The bill will retain its place on the Third Reading Calendar.

Are there any other motions on the floor?

Senator Present.

SENATOR BRUNO: Will you recognize Senator Libous, please.

ACTING PRESIDENT FARLEY: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President. I believe I have a privileged resolution at the desk, and I ask that it be read in its entirety, please.

ACTING PRESIDENT FARLEY: The Secretary will read Senator Libous' privileged resolution.

THE SECRETARY: Legislative Resolution Number 1628, by Senators Libous and Seward, honoring the Norwich High School Boys

Basketball Team in recognition of their outstanding season and capture of the State Public High School Class B Championship.

Whereas, the residents of the Norwich City School District, the Board of Education and the Superintendent, have promoted and nurtured an excellent athletic program.

The members of the Norwich High School Boys Basketball Team, under the guidance of their head coach, Mark Abbott, and assistant coach, Bob Branham, have led their team to achieve an outstanding 27-0 record.

Talent and dedication have helped this dynamic 16-member team, including Manager Joey Alger, to become the 1993 Public High School Class B Champions.

The parents of Jim Boyer, Peter Burton, Rob Hamilton, Jason James, Josh Jankowsky, Jason Lawrence, Bob Lazor, Paul Mackmer, Chris Maynard, Josh Morris, Kevin Pole, Jason Robitelle, Drew Seiler, Glenn Van Houten and Charlie Wightman can be justifiably proud of their athletic achievements.

The championship team has been recognized by New York State as Public High School Scholar/Athlete Champions with a scholastic average greater than 90 percent.

In the finals of the Class B tournament, Norwich High began the fourth quarter with a 10-0 run to achieve the 56-49 victory over Ben Franklin of Rochester.

The victory gave the Tornadoes their first state title in Glens Falls.

Bob Lazor was named Class B Most Valuable Player for the tournament, joining teammates Peter Burton and Charlie Wightman on the All-Tournament Team.

Charlie Wightman established a tournament record with ten three-pointers: Eight in the semi-finals and two in the finals.

Co-captains, Jason Robitelle and Josh Jankowsky inspired the commitment and intensity necessary for this championship with extraordinary teamwork and a competitive spirit.

Senior guard Drew Seiler, whose relentless effort resulted in six assists, four

rebounds, two steals and drawing three charging fouls, epitomized the type of effort that it takes to win a team championship.

Now, therefore, be it resolved, that this legislative body pause in its deliberations to commend the Norwich High School Boys Basketball Team and the staff for their dedication to athletic excellence; and be it further

Resolved, that copies of this resolution, suitably engrossed, be transmitted to Dr. Robert L. Cleveland, Superintendent of Schools; Mr. Robert M. Conron, President of the Board of Education; James B. Walters, Principal; John D. Jones, Athletic Director; and Mark D. Abbott, Varsity Coach.

ACTING PRESIDENT FARLEY: Senator Libous, on the resolution.

SENATOR LIBOUS: Thank you, Mr. President. We are very pleased today to have with us the entire Norwich Basketball Boys Team, and we also have with us the entire cheerleading squad along with their coaches.

And I think it's fitting for us to honor this team today for a number of reasons. Scholastic ability is something that has some rare talent, and we're very honored in the Southern Tier and in Central New York to have a team such as the Norwich Basketball Team to not only be state champions but to go undefeated. And I think today, in 1993, in the sport of basketball, it's very rare for any team to go undefeated.

I am only sorry that I guess Senator Dollinger is not here right now, because I see they beat the Rochester team, and Senator Dollinger and I have an ongoing, I guess, bet with the hockey teams, and I lost to him when the Binghamton Rangers lost earlier this year, and this would be a great opportunity for me to get even.

But we are extremely proud of the men and women of both the cheerleading squad and the basketball team; and beyond being state champs and beyond the fact that they were superb and number one on the court, this team is also

number one in the classroom; and I think that takes mentioning, and I'm just going to state that their classroom performance, at least scholastically, the average was greater than 90 percent for the entire team; and that is, indeed, a very, very special accomplishment and we salute all of you on that accomplishment.

The team is going to be back next year, Mr. President, so we want to say beware to the other schools in the state; that I believe only three members will be leaving. Is that correct? Only three members will be leaving, and hopefully we will be able to be back in this chamber again next year honoring the return of the state champions. I guess if the Chicago Bulls can do it twice, the Norwich Basketball Team can do it twice.

So, Mr. President, on behalf of all the constituents of the Southern Tier, on behalf of all our constituents in New York State, it is with great pleasure that we honor this team today. It is a great pleasure that they be here in Albany so that they will also

see to it that we are extremely proud of them in New York State. And we salute you. And as I said earlier, I tip my hat; and I guess I've got the appropriate hat to wear today.

So to the men and women that are here today from Norwich High School, thank you for an outstanding condition.

ACTING PRESIDENT FARLEY: Senator Seward on the resolution.

SENATOR SEWARD: Thank you, Mr. President. My colleagues. Even though the city of Norwich, per se, is in Senator Libous' Senatorial District, there are portions of the Norwich Central School District that go into my Senatorial District as well, since I represent a portion of Chenango County.

And so I certainly would be remiss if I did not stand also and speak to this resolution. I think the resolution as it was read says it all. Senator Libous' comments are very, very appropriate; and as a State Senator from a portion of Chenango County, I just want to rise and offer my words of congratulations to

this team, their coaches, the cheerleading squad and their advisor.

At a time when we are all looking ahead attempting to build a brighter future for our people here in New York State, I look up in the gallery and view this basketball team and the cheerleading squad and as I look ahead as I view these teams, I can say without question that the future of our area in Central New York and the future of our state is indeed in very good hands.

This team and the squad of cheer leaders epitomizes all that is great with our young people of today.

And so I join with Senator Libous and all of the members of the Senate in congratulating this team. It's a great day for the Norwich School District, it's a great day for our entire community and all of our people. It is a great day for the state of New York as we honor this team today.

ACTING PRESIDENT FARLEY: Senator Stachowski.

SENATOR STACHOWSKI: Yes, I also would like to congratulate the people from the high school and the basketball players in particular, but I'd like to point something out to you; that not only is Senator Libous your Senator and very proud of you, but when he was in high school, his high school coach told him if he was only taller and could jump, he would have been a great basketball player.

ACTING PRESIDENT FARLEY: On the resolution. All those in favor, say aye.

(Response of "Aye.")

Those opposed, nay.

(There was no response. )

The resolution is unanimously adopted.

On behalf of the New York State Senate, let's say how proud we are of Norwich High School and its basketball team. The remarkable academic accomplishment of these players is the reason they are state champions.

Congratulations. We are very proud of you. We will look forward to seeing

you come back here next year as winners also.

(Applause)

Are there any other motions and resolutions on the floor?

(There was no response. )

Senator Present, we're ready.

SENATOR PRESENT: Mr. President, let's go to the non-controversial calendar, please.

ACTING PRESIDENT FARLEY: Secretary will read, non-controversial.

Senator Trunzo has a motion, though, first, Senator Present. Is that all right?

Senator Trunzo.

SENATOR TRUNZO: Mr. President, on behalf of Senator Sears, please remove the star on Calendar Number 178,Print Number 1129A.

ACTING PRESIDENT FARLEY: Star is removed at the request of the sponsor.

THE SECRETARY: On page 5 of today's calendar, Calendar Number 195, by Senator Spano.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 268, by Senator Saland, Senate Bill Number 3379, an act to amend the Family Court Act.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 321, by member of the Assembly Seminario, Assembly Bill Number 6308, an act to amend the Banking Law, in relation to banking stock corporations.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 331, by Senator Daly, Senate Bill Number 3370B, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number

370, by Senator Farley, Senate Bill Number 2726A, an act to amend the Banking Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 685, by Senator lack, Senate Bill Number 4044, an act to amend the Public Authorities Law.

SENATOR GOLD: Can we have one day on that. Lay it aside.

SENATOR PRESENT: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 693, by Senator Farley, Senate Bill Number 2727, an act to amend the Banking Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 694, by Senator Saland, Senate Bill Number 3543, an act to amend the Banking Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 695, by Senator Farley, Senate Bill Number 4584, an act to amend the Banking Law, in relation to powers of a credit union.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 776, by Senator Montgomery, Senate Bill Number 4129A, an act to amend the Labor Law, in relation to defining educational institutions.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call

the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 34.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 790, by member of the Assembly Towns, Assembly Bill Number 4856A, an act to amend the Social Services law, in relation to proceedings for guardianship.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 36.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 863, by member of the Assembly Lentol, Assembly Bill Number 6449, Criminal Procedure Law, in

relation to custody and supervision.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 884, by Senator Farley, Senate Bill Number 2725A, an act to amend the Banking Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 886, by Senator Farley, Senate Bill Number 4948, an act to amend the Banking Law, in relation to credit union directors.

SENATOR GOLD: Sorry. Senator, who is it?

ACTING PRESIDENT FARLEY: Gold it was. No, Farley.

SENATOR GOLD: Who was the last bill?

ACTING PRESIDENT FARLEY: Senator Farley.

SENATOR GOLD: Oh.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 934, by Senator Sheffer, Senate Bill Number 3009, an act to amend the Tax Law.

SENATOR GOLD: Can we have one day on this?

SENATOR SHEFFER: No. Would you place a sponsor star on it, please.

ACTING PRESIDENT FARLEY: Star the bill.

SENATOR GOLD: On the other hand -- thank you.

THE SECRETARY: Calendar Number 939, by Senator Sears.

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

ACTING PRESIDENT FARLEY: Lay it aside for the day.

THE SECRETARY: Calendar Number 940, by Senator Spano, Senate Bill Number 3787, providing service credit in the New York State and local police and fire retirement systems.

ACTING PRESIDENT FARLEY: Read

the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 942, by Senator cook, Senate Bill Number 4176, authorizing the exemption -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 943, by Senator Lack, Senate Bill Number 4180A, an act to amend Chapter 994 of the Laws of 1984.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call

the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 944, by Senator Larkin, Senate Bill Number 4402, an act to amend the County Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay the bill aside.

THE SECRETARY: Calendar Number 946, by Senator Saland, Senate Bill Number 4660, an act to amend the Family Court Act.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 947, by Senator Saland, Senate Bill Number 4734, an act to amend the Executive Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 948, by Senator Daly, Senate Bill Number 4795, Education Law, in relation to required observance of Conservation Day.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call

the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 949, by Senator Levy, Senate Bill Number 4849, an act to amend the Public Authorities Law and Chapter 774 of the Laws of 1950.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 951, by Senator Stafford.

SENATOR PRESENT: Lay it aside temporarily.

ACTING PRESIDENT FARLEY: Lay it aside temporarily.

THE SECRETARY: Calendar Number 952, by Senator Nozzolio, Senate Bill Number 5008, an act providing for the extension of maximum maturity of certain bond anticipation notes.

ACTING PRESIDENT FARLEY: There is a home rule message here at the desk.

Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 953, by Senator Mega, Senate Bill Number 5289, Judiciary Law, in relation to orders allowing audio-visual coverage of judicial proceedings.

ACTING PRESIDENT FARLEY: Read

the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 955, by Senator Bruno, Senate Bill Number 5324, Highway Law, designating a portion of state highway system in Albany and Rensselaer Counties.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

SENATOR BRUNO: Mr. President.

ACTING PRESIDENT FARLEY: Senator

Bruno.

SENATOR BRUNO: I want just to explain my vote. I want to say a word of thank you to my colleagues for unanimously supporting this particular bill.

Assemblyman Kelleher is an individual that everyone in this room knows. He served 13 years in the Assembly, several years as a councilperson in Troy, a couple of terms as mayor, and this bridge is known as the 112th Street Bridge presently. It's in his hometown. He lives a short distance from it. If Neil were here, he would just be saying thank you.

He hasn't asked for this honor, but we think it's appropriate given the distinguished career that Neil W. Kelleher has had serving the people of this state.

So thank you for the support, and thank you, Mr. President.

SENATOR GOLD: How do you vote?

SENATOR PRESENT: I vote yes.

ACTING PRESIDENT FARLEY: Mr. Secretary, where are we on this bill? Results.

THE SECRETARY: Ayes 41.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 958, by Senator Padavan, Senate Bill Number 5572, General City Law, Chapter 772 of the Laws of 1966.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 41.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 959, by the Senate Committee on Rules, Senate Bill Number 5701, extending certain police disability retirement benefits.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 41.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present, that's the first time through.

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

ACTING PRESIDENT FARLEY: Controversial. Secretary will read.

THE SECRETARY: On page 5, Calendar Number 195, by Senator Spano, Senate Bill Number 1005B, Mental Hygiene Law, in relation to defining the need for involuntary care and treatment.

SENATOR SMITH: Explanation.

ACTING PRESIDENT FARLEY: Explanation has been asked for.

Senator Spano.

SENATOR SPANO: Mr. President, this is a bill that we discussed briefly yesterday. It adds a new subdivision to the Mental Hygiene Law which would clarify a person in need of involuntary care and treatment.

What we tried, as I said yesterday, was not to expand the scope of the involuntary commitment statute but to allow the mental health providers and the mental health professionals across the state to have the force of law behind them if they do in fact make a decision that a person will be a -- harmful, can cause harm to themselves or to others in the foreseeable future.

So what we did is take case law and put it into statute.

ACTING PRESIDENT FARLEY: Read the last section.

Senator Smith. I'm sorry. I didn't see you. You're getting right behind the lamp there.

SENATOR SMITH: Thank you, Mr.

President. Would Senator Spano please yield for a few questions?

ACTING PRESIDENT FARLEY: Senator Spano, will you yield to a question from Senator Smith?

SENATOR SPANO: Yes.

SENATOR SMITH: Thank you, Senator Spano. Could you please define for us what harmful to oneself means?

SENATOR SPANO: What we did was take that specific language directly out of three court cases that were relevant. As a matter of fact, at one of the hearings I think that you were at in the City, Senator, there was a representative there from the Civil Liberties Union who at that point used exactly the same language that we have put in this statute as the basis for us declaring a person to be able to be involuntarily committed.

So what we did was, we put that language in and then we also expanded it a bit because we recognized that the system lacks the ideal services that are needed to help many of

the mentally ill individuals in this state, and so that we -- you know, we're not going to be able to correct to make it an ideal situation here but we are able to create a better standard so that we can ensure that the facilities are available and the care will be provided.

SENATOR SMITH: Senator Spano, would you continue to yield?

SENATOR SPANO: Yes.

SENATOR SMITH: You didn't answer the question. But under 2-B of the bill, I think there is an attempt to try to explain what I was asking. And in leading that, my next question to you is, how do we determine what is harmful?

SENATOR SPANO: That determination would be a clinical decision that would be made by mental health professionals who are part of a team.

SENATOR SMITH: Senator Spano, is it not true, from reading this bill, if you and I were walking down the street, once again, and I exhibited behavior or you exhibited behavior

that may be deemed by someone to be harmful or possibly in their eyesights negative and that they can possibly be dangerous to themselves that they can be hospitalized under this particular provision of the law?

SENATOR SPANO: I thought for a long time, Senator, from the first day I met you that you would fall within the purview of this legislation but -

No, Senator, what we tried to do, we recognized that we don't want to step on the individual rights and freedoms of people in the state or violate the civil liberties, which is one of the reasons that we took the Alliance for the Mentally Ill suggestion and placed into the bill the words "except for reasons of indigence," so that we can -

SENATOR SMITH: I'm having difficulty hearing you.

SENATOR SPANO: What I'm saying, Mr. President, is that what we tried to do is recognize people's rights to their individual freedoms and not violate their civil liberties

but at the same time we also received some recommendations for amendments to this bill by the Alliance for the Mentally Ill which we incorporated into the B version that would make it clearer that we can't just automatically - if a person is homeless and is acting a little strangely, that they can't just scoop this person up and involuntarily commit them to a mental health facility.

The language that is in this bill are the court cases that the mental health professionals are basing their decisions on today when they involuntarily commit a person. So they are using the court cases today. What we're doing simply is putting that language into statute.

SENATOR SMITH: Senator Spano, in your explanation, we are using court cases which sometimes are a little sanitized or whatever. Can you explain to me how, in layman's terms, you would see a person not being picked up just for being homeless and a little strange if this bill was passed into law?

SENATOR SPANO: In layman terms, I would never be put in a position, Senator, of making a decision whether or not a person should be involuntarily committed. That's a decision that is made by a team of individuals, including a physician, psychiatrist, social worker, and a nurse that is out on the team, say in the city of New York Project Help, where Project Help would make that decision based on these conditions. So you or I would not be making that determination. Although the language may look a little vague -- the language may look a little vague to us as laymen, but to mental health professionals and to the court of law they would be very clear.

SENATOR SMITH: Senator Spano, Project Help or any individual that would be out on -- any group that would be out on the street that would come into contact with such a person that could possibly be deemed to be in this condition, what would be their background and to be able to bring this person off the street?

SENATOR SPANO: Their background

would have to be clinical psychologist, psychiatrist, social workers. The decision to involuntarily commit someone would be made by a doctor and that team. In Project Help, they have a psychiatrist on their team, they have a social worker and a nurse.

SENATOR SMITH: Senator Spano, is this always the case? Because these people are not always the ones that are roaming around the streets; and if this person is acting out, this agency or any other agency such as that may not be available. It may be a police officer. It may be someone else that is at that point in time determining that this individual is harmful to himself or someone else. And I mean oftentimes walking down the street, you know, some of us often act a little strange. Oftentimes, I might have wanted to have you voluntarily committed.

SENATOR SPANO: The current law, Senator, provides for a psychiatrist or a doctor to make that decision. We don't change that. A police officer would not have the right to make

that decision.

SENATOR SMITH: Senator Spano, stop right there. We're on the streets. How do we get the person from the streets to be diagnosed? If you're telling me that, then we're going to have to have professionals in the streets, roaming the streets all the time, looking for these kinds of individuals.

SENATOR SPANO: Exactly.

SENATOR SMITH: Which would be a cost factor -

SENATOR SPANO: No, we -

SENATOR SMITH: And have you provided for that cost factor, to have psychiatrists roaming the streets all around the state of New York looking for people that could be possibly dangerous and harmful to themselves or to others?

ACTING PRESIDENT FARLEY: Senator Spano.

SENATOR SPANO: Mr. President, we wanted to be very specific with this bill. We did not want to alter the standard of

dangerousness. We did not want to expand the scope of involuntary commitment. We did not want to allow for people just to roam through the streets and arbitrarily pick people up and put them into psychiatric centers.

What this bill is designed to do is to help a very select few people. And believe me, even of the estimated 10,000 homeless people, say, in the city of New York and it's estimated up to half of them could be suffering from a mental illness, very few of them would fall within the guidelines as expressed in this bill. So we do have -- we're not going to put any additional burden on the system because we have many -- we have teams - I mean I bring back again Project Help. The only reason I bring that up is because they are providing a great service in the city of New York, where they actually identify homeless mentally ill individuals. They track their condition, their mental condition as well as their physical condition. They get to know them. They feed them on a regular basis. They

keep a little history on those people, and then if they determine at some point in time that they need to be involuntarily committed, they can go ahead and do that.

What has happened recently is that people have taken it to court. And very often mental health professionals because they can't pick up the Mental Hygiene Law and read this statute, they have to base it on court cases. What we're doing is taking those court cases and putting them into the statute. We are very, very careful, though, not to expand the scope of it so that it's not going to place that burden that you are rightfully concerned about.

SENATOR SMITH: Senator Spano, are you aware that the majority of the advocates for the homeless state that the major reason for homelessness is that many people have been let out of mental institutions, out of facilities where they need help, and are now wandering the streets without homes or without the ability to be cared for?

SENATOR SPANO: Sure, I readily admit that a good many of the homeless mentally ill people who are currently roaming the street have been placed there because of a reckless policy of deinstitutionalization of the Governor, yes.

SENATOR SMITH: Are you also aware that many of them are no longer in any system or no one knows who they are or where they came from?

SENATOR SPANO: There are a great number of people who would much rather live out on the streets than live in some systems that do exist for them, namely, the shelter system. Some people would rather live in a refrigerator box because they are afraid to live in those shelters, yes.

ACTING PRESIDENT FARLEY: Senator Smith.

SENATOR SMITH: Are you also aware that there are not enough beds or placements for these individuals?

SENATOR SPANO: There aren't

enough beds, that's true. I don't think that should be an excuse for us to allow people who are going to cause harm to themselves or others to roam the streets, and I think that that would be a pretty sad commentary on us if we allowed that to happen.

I think what we have to do is recognize that we do need to build a community based system of care for the mentally ill. Our budget that we passed this year recognizes that because we put substantial money into the community. We are in the process of negotiating a community reinvestment bill where we will be able to capture money on the institutional side, reinvest it into the community. So we're recognizing that the community programs are not adequate; but at the same time, we also have to recognize that there are people who are out on the streets who may cause themselves harm or others harm, and that's what we're trying to cover here.

We have support for this bill from the Alliance for the Mentally Ill, namely,

because they recognize that there are people in our communities who need help and because of their own mental state cannot ask for it.

SENATOR SMITH: Senator Spano, are there any memos in opposition to this bill?

SENATOR SPANO: I have not received any. I have a memo that Senator Gold mentioned yesterday that he gave me from the Civil Liberties Union, which is a memo on the original print 1005. I do have a memo from the Alliance for the Mentally Ill in favor of the bill, but I don't have anything in opposition.

SENATOR SMITH: Senator Spano, thank you for your explanations, and you should thank me for allowing you to give a promo on the community -

SENATOR SPANO: I thank you all the time, Senator.

ACTING PRESIDENT FARLEY: Senator Smith, on the bill.

SENATOR SMITH: On the bill.

Senator Spano, once again, I understand your great commitment to the mentally

ill, and on most occasions you and I do agree.

However, once again, I feel that this bill goes a little too far, and it will restrict the civil liberties of those that may be on the fringe of having a problem and that it cannot be clearly defined by having legislation.

I think what we need to do is to educate, and this bill does not allow for it. It allows for people to be put into institutions involuntarily, and that to me raises a problem.

ACTING PRESIDENT FARLEY: Read the last section.

Oh, Senator Leichter. I'm sorry.

SENATOR LEICHTER: Mr. President, I wonder if Senator Spano would be good enough to yield.

ACTING PRESIDENT FARLEY: Senator Spano, will you yield to a question from Senator Leichter?

SENATOR SPANO: Yes.

ACTING PRESIDENT FARLEY: I think he will.

SENATOR LEICHTER: Senator, thank you, and I confess I came in late and I hope I'm not covering matters that were already raised by Senator Smith, but as I look at this bill, Senator -- and let me just preface by saying that I think there are a lot of people out in the street who are a danger to themselves and a danger to society, that ought to be removed. I think it's appalling what we have done in the deinstitutionalization in failing to give support to people who need assistance of having them out on the street, and I have no problem under well-defined and clear guidelines having those people for their sake removed from the street.

But I must tell you, as I read your bill, unless I'm missing something and I well may be, it seems to me like the most unfelicitous language imaginable. I don't know what this language means when the test is whether a person is capable of surviving in freedom or is helpless to avoid the hazards of freedom. I don't know what the hazards of

freedom are.

SENATOR SPANO: What we did, Senator, was take that specific language directly out of two court cases in the Supreme Court. It was O'Connor versus Donaldson where it was stated in that exact language, "not capable of surviving in freedom," and also "helpless to avoid the hazards of freedom," which are currently the court cases which mental health professionals are using today to involuntarily commit someone.

We're taking the court cases that are relevant to this issue and placing them into statute.

SENATOR LEICHTER: Can you give me some specific examples? When you talk about the hazards of freedom, how do we define in relation to an individual that this individual is not capable of dealing with the hazards of freedom? What does it mean?

SENATOR SPANO: I think an example would be, Senator, if a person is not able to provide for their basic needs such as

food, clothing and shelter, or a deterioration of a person's ability to function on their own in a community.

One case that comes up is the Batiste case in the city of New York. Clearly, a person who should have been involuntarily committed in my opinion. But I think the decisions with respect to this, as I shared with Senator Smith, the decisions with respect to who makes that determination are clinical decisions that are based by a doctor -- not by a police officer, not by an individual but by a doctor. The only difference is they won't have to base it on the case law. They'll base it on the statute.

SENATOR LEICHTER: Mr. President, if Senator Spano would continue to yield?

Senator, I like your definition as you gave it much more than the definition of hazard. You said somebody who is incapable of meeting their needs. I can understand that. My concern is that a health worker or whoever is sent out to try to look and to see people who

should not be on the streets that this is not a definition, "hazards of freedom," that guide them. I don't know whether I do such a good job in avoiding the hazards of freedom and maybe the rest of you here at one time or another.

You may define hazards in all sorts of different ways. The hazards of freedom is, as my friend Senator Connor just pointed out, one of the hazards of freedom is you go to the subway in the morning and there's some guy sticking his hand at you and trying to put a piece of literature into your hand, saying, "Vote for me." That's a hazard of freedom. I want to go on the subway, and here this guy gets in the way. I know. I do that myself. You ask people, and they say, "This is a real hazard."

It's the ambiguity of that phrase. It is so incredibly broad. Now, I haven't read the decision. I don't know whether in context it made more sense; or even if that was in the decision, Senator, it's hard for me to believe that a court is going to say that we gave sufficient guidance to the health officials

in knowing who to remove and who not to remove, and that's really my concern, and that's why I would have a lot of difficulty under this language supporting this bill.

SENATOR SPANO: The distinction though, Senator, with respect to greeting a person who hands you a piece of literature at the subway station, the difference between that hazard of freedom and the hazard of freedom that we're relating to in this bill is that it's not life-threatening, unless he decides to throw you down the steps.

SENATOR LEICHTER: Would you yield just on that?

SENATOR SPANO: Sure.

SENATOR LEICHTER: Where in your bill does it say that the hazard of freedom has to be life-threatening? If it said that, I would have no problem.

SENATOR SPANO: Because it's very difficult for us to write a statute that is going to have a clear definition of when and under what conditions a person can be

involuntarily committed. We have to give some degree of flexibility to the mental health professionals who are out there in the field to make that decision.

SENATOR LEICHTER: But, Senator -

SENATOR SPANO: Senator, if I can continue. I gave some examples before, and I said that, you know, if a person can't take care of their basic needs such as food and clothing and shelter. Obviously, if we put that into the bill, many, many people in our community can't meet those basic needs, but the decision has to rest with the mental health professionals who are in the process of evaluating people and evaluating their condition.

ACTING PRESIDENT FARLEY: Senator Leichter.

SENATOR LEICHTER: If you will yield to one more question, Senator?

SENATOR SPANO: Sure.

ACTING PRESIDENT FARLEY: One more question.

SENATOR LEICHTER: And I appreciate your answers, and I agree with you it is extremely difficult to write a bill that covers all of these situations and that gives the guidance that we want for the health official.

But I think that's the responsibility and obligation we have before we take somebody and deny them their freedom. Talk of the hazards of freedom, one of the hazards of freedom is going to be that under Spano's bill some health official can come along and say, "Geez, you're muttering to yourself, Leichter. I'm taking you off the street." That is a real hazard. My point is that we're giving such enormous power to health officials to grab somebody and say I'm going to confine you, and that's a terrible awesome power that we're giving, and we need to define that accurately and carefully, precisely, and I'm afraid that your bill, particularly the early language, the language that you and I have been talking about, about the hazard of freedom, I think it would be

a much better bill if you took that language out.

SENATOR SPANO: But if this was a bill, Senator, that expanded the scope of the involuntary commitment statute, then we can make an argument on that basis. What this bill simply does is clarify the definition of involuntary care and treatment by placing case law that mental health professionals are basing their decisions on today and placing that case law into statute. So we're not expanding the definition at all.

SENATOR LEICHTER: Well, excuse me. On that point, Senator, if you'd yield? You are. Because we presently have language in there that says somebody who is in need of involuntary care and treatment means a person who has a mental illness and so on. Now, you are adding another standard. You are adding a subdivision B, "or that a person has a mental illness and because of the mental illness is incapable of surviving in freedom or is helpless to avoid the hazards of freedom." So you are

not defining it more precisely. You are broadening this and in a way that I think is so ambiguous that it gives no accurate or careful guidance to a health official.

SENATOR SPANO: We obviously are adding another section of the law, but that section of law that we're adding is meant to clarify not expand the statute.

SENATOR LEICHTER: Well, I guess that's where we disagree. I understand the intent, but I think instead of clarifying it, I think you are making it much vaguer and much more ambiguous, and it's hard for me to believe that a court would not have to strike this down.

ACTING PRESIDENT FARLEY: Read the last section.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: Yeah, I just wanted is to pointed out that we've had this bill a number of times, although it is amended. I want to thank Senator Spano for the one day.

The courtesy is appreciated.

I would like to take the remarks by Senator Smith and Senator Leichter and make believe I said them, and point out that Senator Connor, and Galiber and myself and Senator Halperin and Hoffmann and Leichter and Markowitz, the distinguished Senator from the Bronx, Senator Mendez, Senator Montgomery, Ohrenstein, Stavisky and Waldon, all voted in the negative, and I hope we'll do it again.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Those recorded in the negative on Calendar 195 are Senators Connor, Galiber, Gold, Leichter, Markowitz, Mendez, Montgomery, Ohrenstein, Santiago and Smith. Ayes 36, nays 10.

ACTING PRESIDENT FARLEY: The

bill is passed.

Senator Present, Senator Daly has a motion. Can we go out of order for that, sir?

Senator Daly.

SENATOR DALY: Mr. President, I offer the following amendments to Senate Print 5402A, Calendar Number 910, page number 38, and ask that said bill retain its position on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Amendments are received. The bill will retain its place.

Regular order.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: I'm sorry. Was that business completed, sir?

Yes, Mr. President. With the permission of the Majority Leader,, I'd like to offer the following privileged resolution, waive its reading, and move its immediate adoption.

ACTING PRESIDENT FARLEY: Without objection.

THE SECRETARY: Legislative Resolution, by Senator Gold, commending Anthony H. Atlas, upon the occasion of his designation as Man of the Year by Rego Park Jewish Center.

ACTING PRESIDENT FARLEY: All in favor of the resolution, say aye.

(Response of "Aye.")

Those opposed, nay.

(There was no response. )

The resolution is adopted.

Regular order.

THE SECRETARY: Calendar Number 685, by Senator Lack, Senate Bill Number 4044.

SENATOR GOLD: Can we get one day on this please?

SENATOR PRESENT: Yes.

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

THE SECRETARY: Calendar Number 942, by Senator Cook, Senate Bill Number 4176, authorizing the exemption from real property

taxes of certain property owned by the county of Sullivan.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT FARLEY: Senator Leichter.

SENATOR LEICHTER: Yes, Mr. President. Senator Cook, would you yield to one or two questions, please?

SENATOR COOK: Sure.

SENATOR LEICHTER: Senator, as I understand your bill, it permits late filing of an application for real estate tax exemption by the Industrial Development Agency in a particular town in Sullivan County; right?

SENATOR COOK: M-m h-m-m, yes.

SENATOR LEICHTER: Senator, what is the amount of the tax exemption? How much is it?

SENATOR COOK: Well, Senator, we don't know because the building was just built; and so until such time as it's been assessed, we don't know what the tax value of it is.

The problem is that because the

IDA just failed -- the transfer took place on the 25th of February, and they were supposed to file by March 1, and they didn't file until March 3, and they failed to file the exemption in a timely manner, and that's all we're letting them do.

But, Senator, I think that your question raises exactly the pertinent point relative to IDAs; and that is, you are saying what is the value of the exemption. If you were to place a value of the exemption right now, it would be on the bare land. The point is that there has been a very substantial building put on the land, and that in due time that building will be assessable and will be a part of the tax base of the county. That building would not have been there were it not for the IDA.

So, in effect, the answer to your question is that the tax base is going to be substantially enhanced by virtue of this structure being there as opposed to focusing on what the exemption would be.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT FARLEY: Senator Leichter.

SENATOR LEICHTER: On the bill.

Senator Cook, let me say maybe it isn't fair to take this bill and to raise the whole issue of the IDA because if the premise of your bill is correct that it really was just a late filing, I assume we ought to excuse it.

My problem is that the IDA system is so out of control and is costing the state so much money, and you and I debated it last year, and I don't think you are in charge any longer of the committee that has jurisdiction over it, but I know you and I discussed trying to deal with the IDA problem. It costs the state of New York a large sum of money every year because part of the benefits that we give is an exemption from the sales tax and there is really no control.

In fact, we don't even know how much money is lost or is given in subsidies under the IDA. As you pointed out in this particular instance, we don't know what the

final cost is going to be. And, Senator Cook, you get very often on bills trying to preserve the local tax base, trying to avoid costs on the localities. Well, of course, this is a tax expenditure. This is going to cost the locality money.

And for you to say, well, they are going to put up a big building and that building wouldn't have been built otherwise and actually they are going to gain from it, I don't know if that's so. Those decisions are made by non-elected officials. Very often in some of the IDAs, you have attorneys and bankers who benefit from the project. They sit on the IDA board.

It's a bad system. It really needs to be changed. This particular bill, I'm not going to vote against it because it's just a matter of late filing, but there is a serious need to reform the whole process, and we ought to address it.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 50.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Hoffmann.

SENATOR HOFFMANN: Mr. President, I request unanimous consent to be recorded in the negative on Calendar 195.

ACTING PRESIDENT FARLEY: 195, Senator Hoffmann will be in the negative.

SENATOR HOFFMANN: Thank you.

THE SECRETARY: Calendar Number 944, by Senator Larkin, Senate Bill Number 4402, an act to amend the County Law.

SENATOR GOLD: Will the Senator yield to a question?

ACTING PRESIDENT FARLEY: Senator Larkin, will you yield to a question from Senator Gold?

SENATOR LARKIN: Yes, Senator.

SENATOR GOLD: Senator, the bill as I understand it eliminates the requirement that the Comptroller approve the creation of county water and sewage districts financed through bonding, and the bill, it says it's State Comptroller's Bill Number 27.

My question is, has this been discussed with the new Comptroller? The Comptroller that filed this didn't even want to be the Comptroller. He left. Do you know the attitude of the present Comptroller?

SENATOR LARKIN: No, I don't.

SENATOR GOLD: Senator, this was brought to my attention really two minutes ago. Can we have one day? I'm curious to know what the Comptroller -

SENATOR LARKIN: No problem.

SENATOR GOLD: Thank you very much.

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

THE SECRETARY: Calendar Number 951, by Senator Stafford, Senate Bill Number

4963, authorize the conveyance of certain state lands to the Malone Central School District.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 50.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present, that completes the calendar.

SENATOR PRESENT: Mr. President, there will be an immediate meeting of the Rules Committee in Room 332. We will now stand at ease awaiting the Rules report which will be for Monday's calendar. Upon receipt of the Rules report, we shall adjourn until Monday at 2:30 p.m.

ACTING PRESIDENT FARLEY: The Senate will stand at ease pending the report of

the Rules Committee. Then we will adjourn until Monday at the regular hour.

(Whereupon, at 1:02 p.m., Senate was at ease. )

(Whereupon, at 1:28 p.m., Senate reconvened with Senator Volker in the chair.)

ACTING PRESIDENT VOLKER: Senator Present.

SENATOR PRESENT: Mr. President. May I do a little housekeeping first.

I wish to call up Senator Sears' bill, Print 3316A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT VOLKER: Secretary will read it.

THE SECRETARY: By Senator Sears, Senate Bill Number 3316A, an act to amend the General Business Law.

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

ACTING PRESIDENT VOLKER: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration. )

THE SECRETARY: Ayes 51.

ACTING PRESIDENT VOLKER: The bill is before the house.

SENATOR PRESENT: Mr. President, the bill now is before the house, and I offer the following amendments.

ACTING PRESIDENT VOLKER: Amendments received and adopted.

SENATOR PRESENT: Mr. President, can we return to the reports of standing committees.

ACTING PRESIDENT VOLKER: Clerk will read.

THE SECRETARY: Senator Marino, from the Committee on Rules, reports the following bills directly for third reading:

Senate Bill Number 511, by Senator Stavisky, Vehicle and Traffic Law.

999A, by Senators Levy and Tully, General Obligations Law.

1093, by Senator Daly and others,

Environmental Conservation Law.

1094, by Senator Daly and others, Environmental Conservation Law.

1946B, by Senator Larkin, Administrative Code of the city of New York.

2456, by Senator Marchi, Department of Environmental Conservation.

3137, by Senator Daly, Public Health Law.

4508, by Senator Maltese, Correction Law.

4794A, by Senator Daly, Education Law.

5693, by Senator Volker, an act to amend the Penal Law.

5703, by the Committee on Rules, Public Authorities Law.

5709, by the Committee on Rules, reopening of optional 20-year retirement.

5710, by the Committee on Rules, to allow certain persons with previous service in public employment.

5720, by Senator Masiello,

authorize the Commissioner of General Services to sell real property.

5723, by Senator Kuhl, Eminent Domain Procedure Law.

5731, by Senator Present, General Municipal Law.

5732, by Senator Mega, Judiciary Law and the city of New York Civil Court Act.

5736, by Senator Bruno, an act to amend the Tax Law.

5737, by Senator Hannon, Commissioner of General Services, to sell state armory.

5738, by Senator Spano, Vehicle and Traffic Law.

5744, by Senator Larkin, authorize the city of Newburgh to issue serial bonds.

5748, by Senator Seward, General City Law.

5782, by Senator LaValle, Criminal Procedure Law.

All bills reported directly for

third reading.

ACTING PRESIDENT VOLKER: Without objection, third reading.

SENATOR PRESENT: Mr. President, there being no further business, I move that we adjourn until Monday, June 7, at 2:30 p.m., intervening days being legislative days.

ACTING PRESIDENT VOLKER: Senate adjourned until Monday, June 7, at the regular time, 2:30.

(Whereupon, at 1:34 p.m., Senate adjourned.)