ALBANY, NEW YORK

July 8, 1993

8:31 a.m.

REGULAR SESSION

LT. GOVERNOR STAN LUNDINE, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

Like to ask everyone present to rise and repeat the Pledge of Allegiance with me.

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

In the absence of clergy, I think we should have a moment of silence.

(A moment of silence was observed.

The Secretary will read the Journal.

THE SECRETARY: In Senate, Wednesday, July 7th. The Senate met pursuant to adjournment. The Journal of Tuesday, July 6th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and Resolutions.

The Calendar.

Senator Present.

SENATOR PRESENT: Can we call up Calendar 588, please.

THE PRESIDENT: Secretary will read.

THE SECRETARY: On page 8 of the regular calendar, Calendar Number 588, by Senator Kuhl, Senate Bill Number 3539-B, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Last section.

THE SECRETARY: Section 2.

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: On the bill. This particular bill, I believe, goes a little

bit further than is prudent as far as waste - the waste stream and protection of the environment.

Basically in my county, in Onondaga County, there is an EPA-approved and a DEC-approved procedure for the disposal of sludge. Despite the fact that it has been so approved, if this bill passes, that manner of disposal will no longer be permitted in Onondaga County.

It's nice to say that we're going to stop various types of activities that purportedly protect the environment, but on the other hand, we're always complaining or a lot of time we're complaining about how stringent the rules of the EPA or the DEC are, and this even goes further than that.

So I would -- it's going to cause my county a very big problem if this particular bill passes since they will have no process and no procedure and no place to dispose of this particular material, whereas now they do in an EPA- and DEC-approved procedure.

The DEC is against this bill and I believe that the DEC for the most part adequately protects us, and I would hope that we would consider this and consider what alternatives, if any, the counties would have if they were bound by this legislation.

There is also a memo in opposition by the New York State Association of Counties; so I believe it's going to affect more than just Onondaga County. So I would strongly urge the members to consider this carefully and vote no on this particular piece of legislation.

THE PRESIDENT: Senator Leichter.

SENATOR LEICHTER: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 588 are Senators DeFrancisco, Galiber, Halperin, Leichter, Mendez, Nozzolio, Oppenheimer, Spano and Wright. Ayes 49, nays 9; also Senator Daly in the

negative.

THE PRESIDENT: The bill is passed.

SENATOR PRESENT: Calendar 833, please.

THE SECRETARY: On page 14, Calendar Number 833, by Senator Holland, Senate Bill Number 3656-A, Social Services Law.

THE PRESIDENT: Last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 58.

THE PRESIDENT: The bill is passed.

SENATOR PRESENT: And Number 1108.

THE SECRETARY: On page 17, Calendar Number 1108, by Senator Goodman, Senate Bill 1622-A, an act to amend the Social Services Law.

THE PRESIDENT: Last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 58.

THE PRESIDENT: The bill is passed.

Senator Marino.

SENATOR MARINO: All of you have contributed to a very good session. We haven't accomplished everything we wanted. There is a lot more to be done, but we'll be back once or twice. We have to come back in August, the latter part of August, and complete our work with the Court of Appeals appointment and we have one or two other items at that time to do. But, beyond that, we should be free until January for our new session; and in the interim, hopefully, we will be negotiating other bills.

Let me thank Fred Ohrenstein, the Minority Leader -- for all of the coopeeration I have received from you, Fred, throughout the session -- and Senator Gold for his steadfast work on behalf of the Minority each and every

day; all of the members on this side of the aisle for the hard work throughout the session and all of the staff members who work for the Minority for all of the good work that was done in the session.

I would like to thank my staff: My secretaries, Anna Febraio, Lois Williams, Teri VanWagenen, Maria DeLorenzo. My counsel Angelo Mangia, who worked very, ver hard throughout this year. Ron Pedersen. John McArdle.

Our good secretary, Steve Sloan. Frank Febraio. Joe Cornell, who does an outstanding job each and every year. Our sergeant-at-arms, John Everhart. Pauline Williman, who has been outstanding and done yeoman service throughout the year. All our pages and messengers who were there when we need them.

My deputy, Jess Present, for his work throughout this session which has been outstanding. My thanks, Jess.

To Ron Stafford, Chairman of

Finance, for his work on the budget and throughout this extraordinary session.

To our good Lieutenant Governor, Stan Lundine, for presiding over our work and ensuring that our work got done in an orderly fashion.

To all members on this side of the aisle who have helped me and have been loyal to me and have contributed to the success of this session, and to all of the staff members who worked not only in recent days but throughout this lengthy session and have contributed to our success.

I appreciate all the work that's been done. I appreciate your presence here throughout the last 24 hours, and I wish you all a wonderful summer. I'm sure you'll be happy to be getting out of Albany, as I will. I want you to enjoy a great vacation and come back refreshed.

Thank you for a wonderful session.

THE PRESIDENT: Senator

Ohrenstein.

SENATOR OHRENSTEIN: Mr. President. It's hard to believe that we've reached this moment. I think starting some time in the middle of last week -- I think it was last week -- it got to be harder and harder to believe that this moment would ever arrive.

So I, first of all, want to congratulate Senator Marino for getting us here at precisely at 8:00 o'clock and 41 minutes a.m. and with the prospect of finally leaving Albany and joining our patient families and, of course, our constituents who have missed us a great deal over these last few days.

I want to thank Senator Marino for his patience and for his fortitude in guiding this house through what has been a very, very, very difficult and hard task in the last few -- ten days especially.

It's been a rough session in many respects. But, as Senator Marino, I will fore bear making any comments on the ups or downs of this very tedious process.

I want to thank, first of all, my colleagues here on this side of the aisle for continuing to be patient with me. I know I try your patience every day of the week, so thank you very much.

And, of course, our colleagues on the other side of the aisle for putting up with the continued protest, the loud and continued protest of the Minority of this side. When the comments are good, they came from me. When they are bad, they come from Senator Gold. So please understand where the fault lies.

(Laughter).

But having said that, I want to thank:

Manny Gold for continuing to be our floor leader and having the sagacity and the fortitude to lead this very rebellious group.

Senator Galiber, who has been this year the chairman of our Policy Committee and who has done a tremendous job.

Senator Mendez, president, the chairman of our conference.

Senator Masiello, and so many others who contribute to our work.

My wonderful staff led by Dave Langdon and Bob Bergin and so many of the other people on the floor here, some of them novices who have been broken and who are now tried war horses. I want to thank all of you.

I want to wish you all a very, very enjoyable summer. I'm sorry we have to be back, but I guess our work never ends.

I left out one of my best friends here and my tennis partner, Bill Stachowski, who has been a wonderful help.

So have a good summer and a well-earned vacation, and thanks for everything.

SENATOR MARINO: Mr. President. Would you please recommit all the bills on the calendar to the Committee on Rules.

THE PRESIDENT: So ordered.

SENATOR MARINO: There being no further business, I move we adjourn subject to the call of the Majority Leader, intervening days to be legislative days.

THE PRESIDENT: Senate stands adjourned.

(Whereupon, at 8:45 a.m., Senate adjourned.)