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ALBANY, NEW YORK

July 8, 1993

8:31 a.m.

REGULAR SESSION

LT. GOVERNOR STAN LUNDINE, President

STEPHEN F. SLOAN, Secretary

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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.

1 Messages from the Assembly.
2 Messages from the Governor.
3 Reports of standing committees.
4 Reports of select committees.
5 Communications and reports from
6 state officers.
7 Motions and Resolutions.
8 The Calendar.
9 Senator Present.
10 SENATOR PRESENT: Can we call up
11 Calendar 588, please.
12 THE PRESIDENT: Secretary will
13 read.
14 THE SECRETARY: On page 8 of the
15 regular calendar, Calendar Number 588, by
16 Senator Kuhl, Senate Bill Number 3539-B, an act
17 to amend the Agriculture and Markets Law.
18 THE PRESIDENT: Last section.
19 THE SECRETARY: Section 2.
20 THE PRESIDENT: Senator
21 DeFrancisco.
22 SENATOR DeFRANCISCO: On the bill.
23 This particular bill, I believe, goes a little

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

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

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

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

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

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

13 THE PRESIDENT: Senator Leichter.

14 SENATOR LEICHTER: Last section.

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

17 THE PRESIDENT: Call the roll.

18 (The Secretary called the roll.)

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

1 negative.

2 THE PRESIDENT: The bill is
3 passed.

4 SENATOR PRESENT: Calendar 833,
5 please.

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

9 THE PRESIDENT: Last section.

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

12 THE PRESIDENT: Call the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 58.

15 THE PRESIDENT: The bill is
16 passed.

17 SENATOR PRESENT: And Number 1108.

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

22 THE PRESIDENT: Last section.

23 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes 58.

5 THE PRESIDENT: The bill is
6 passed.

7 Senator Marino.

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

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

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

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

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

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

23 To Ron Stafford, Chairman of

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

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

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

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

21 Thank you for a wonderful
22 session.

23 THE PRESIDENT: Senator

1 Ohrenstein.

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

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

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

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

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

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

13 (Laughter).

14 But having said that, I want to
15 thank:

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

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

22 Senator Mendez, president, the
23 chairman of our conference.

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

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

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

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

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

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

19 THE PRESIDENT: So ordered.

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

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