ALBANY, NEW YORK

February 1, 1994

3:53 p.m.

REGULAR SESSION

SENATOR HUGH T. FARLEY, Acting President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

ACTING PRESIDENT FARLEY: The Senate will come to order. Senators will please find their seats. Please rise with me for the Pledge of Allegiance to the Flag.

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

ACTING PRESIDENT FARLEY: Today, in the absence of clergy, would you please bow your heads for a moment of silent prayer.

(A moment of silence was observed.)

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

THE SECRETARY: In Senate, Monday, January 31st, the Senate met pursuant to adjournment, Senator Farley -- Senators Farley and Kuhl in the Chair upon designation of the Temporary President. The Journal of Sunday, January 30th, 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.

We have a report of a standing committee. Secretary will read it.

THE SECRETARY: Senator Cook, from the Committee on Education, reports the following bills directly for third reading.

Senate Bill Number 4237-A, by Senator Stafford, an act to amend the state aid to the North Warren Central School District.

Senate Bill Number 4788-A, by Senator Cook, an act to amend the Education Law.

6042, by Senator Larkin, an act to amend the Education Law.

6523, by Senator Skelos, an act to amend the Education Law.

ACTING PRESIDENT FARLEY: All those -- we have some more. Hold on.

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

Senate Bill Number 6551, by Senator Tully, an act to amend Chapter 735 of the Laws of 1992 amending the Public Health Law.

Senator Maltese, from the Committee on Crime Victims, Crime and Correction, reports the following bills directly for third reading:

Senate Bill Number 245-A, an act to amend the Executive Law.

2754, by Senator Cook and others, Correction Law and the Civil Practice Law and Rules.

3797, by Senator Maltese, an act to amend the Executive Law.

44 -- excuse me. Senator Lack, from the Committee on Judiciary, reports the following bills directly for third reading:

Senate Bill Number 442, by Senator Stafford and others, Real Property Law.

Senate Bill Number 1936, by Senator Maltese, an act to amend the Court of Claims Act.

2670, by Senator Lack, an act to amend the Real Property Law.

And 6396, by Senator Marino, proposing amendments to the Constitution, filling the vacancy in the office of the Comptroller and Attorney General.

All bills reported directly for Third Reading.

ACTING PRESIDENT FARLEY: All bills are reported directly for third reading.

We have a substitution, Senator Present. Secretary will read it.

THE SECRETARY: On page 5 of today's calendar, Senator Velella moves to discharge the Committee on Insurance from Assembly Bill Number 6289-B and substitute it for the identical Third Reading 59.

ACTING PRESIDENT FARLEY: Substitution is ordered.

Reports of select committees.

Communication and reports from state officers.

Motions and resolutions.

Senator Present.

SENATOR PRESENT: Mr. President, I move that we adopt the Resolution Calendar, a copy of which is on our desk.

ACTING PRESIDENT FARLEY: All in favor of adopting the Resolution Calendar, please say aye.

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The Resolution Calendar is adopted. No motions on the floor. We're ready for the calendar.

Senator Present.

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

ACTING PRESIDENT FARLEY: Non-controversial. Secretary will read.

THE SECRETARY: On page 4,

Calendar Number 36, by Senator Nozzolio, Senate Bill Number 2507-A, an act to amend the Vehicle and Traffic 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: That bill is passed.

THE SECRETARY: Excuse me, ayes 36, nays 1. Senator Wright recorded in the negative.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 40, by Senator Bruno, Senate Bill Number 6300-A, an act to amend the Highway Law, in relation to designating a portion of the state highway system as the C.V. Whitney Memorial Highway.

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: That bill is passed.

THE SECRETARY: Calendar Number 54, by Senator Volker, Senate Bill Number 4944-A.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that bill aside.

THE SECRETARY: Calendar Number 55, by Senator Skelos, Senate Bill Number 1156, an act to amend the Executive Law and Penal Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number

65, by Senator Kuhl, Senate bill Number 5...

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that aside.

THE SECRETARY: Calendar Number 67, by Senator Kuhl, Senate Bill Number 3413-A, an act to amend the Agriculture and Markets Law and Economic Development Law.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 36, nays 1. Senator Leichter recorded in the negative.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 72, by Senator Tully, Senate Bill Number 6419, New York State Medical Care -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 83, by Senator Bruno, Senate Bill Number 2186, Real Prop...

SENATOR GOLD: Lay it aside for Senator Dollinger, please.

ACTING PRESIDENT FARLEY: Lay that bill aside.

THE SECRETARY: Calendar Number 88, by Senator Levy, Senate -

SENATOR GOLD: Lay it aside, please.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 103, by Senator Stafford, Senate Bill -

SENATOR GOLD: Lay it aside for Senator Dollinger.

ACTING PRESIDENT FARLEY: Lay that aside.

THE SECRETARY: Calendar Number 111, by Senator Skelos, Senate Bill Number 6548,

amend Chapter 208 of the Laws of 1992.

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 40.

ACTING PRESIDENT FARLEY: The bill is passed. That's the first time through.

Senator Present.

SENATOR PRESENT: Let's take up the controversial calendar, please.

ACTING PRESIDENT FARLEY: Controversial, page 4.

THE SECRETARY: On page 4, Calendar Number 54, by Senator Volker, Senate Bill Number 4944-A, an act to amend the Civil Rights Law, the Criminal Procedure Law and the Executive Law.

SENATOR PRESENT: Lay it aside.

ACTING PRESIDENT FARLEY: Lay the

bill aside temporarily.

THE SECRETARY: On page 5, Calendar Number 55, by Senator Skelos, Senate Bill Number 1156, Executive Law and the Penal Law, in relation to the payment of fees by persons sentenced to probation.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Explanation, Senator Skelos. Senator Gold.

SENATOR PRESENT: Lay it aside temporarily.

ACTING PRESIDENT FARLEY: Lay it aside temporarily.

THE SECRETARY: Calendar Number 65, by Senator Kuhl, Senate Bill Number 535-A, an act to amend the Agriculture and Markets Law.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Explanation, Senator Kuhl.

SENATOR PRESENT: Lay it aside temporarily.

ACTING PRESIDENT FARLEY: Lay this bill aside temporarily.

THE SECRETARY: Calendar Number 72, by Senator Tully, Senate Bill Number 6419, amend the New York State Medical Care Facilities Finance Agency Act.

SENATOR GOLD: Lay it -

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 2. This -

SENATOR GOLD: I'm sorry.

SENATOR PRESENT: Lay it aside temporarily.

ACTING PRESIDENT FARLEY: Lay the bill aside temporarily.

THE SECRETARY: Calendar Number 83, by Senator Bruno, Senate Bill Number 2186, Real Property Tax Law, in relation to residential improvement exemption in certain cities.

ACTING PRESIDENT FARLEY: Read the last section.

SENATOR LEICHTER: Explanation.

ACTION PRESIDENT FARLEY:

Explanation, Senator Bruno.

SENATOR BRUNO: Yes, Mr. President. This bill is introduced at the request of the city of Troy, and the intent is to enable people to upgrade their property residentially, one- or two-family homes within the city limits of Troy, and when they improve their property, there will be no tax liability.

For example, someone owns a $100,000 home, they spend 10,000 to renovate it, rehab' it, beautify it, all the good things that neighbors like to see happen in a municipality, there will be no increase in their tax liability for having done that, unless, Senator, and hopefully in anticipation of your question, the property changes hands.

If the property changes hands, then they go back and re-assess or do whatever is normally done that relates it to market value. If the inhabitants are increased, if it goes from one-family or two-family, is upgraded from there, well, then we start over with the tax liability.

So the bottom line is that in Troy, many properties are not improved because people living on fixed income, limited incomes, can't afford the high taxes that they presently pay, never mind the potential of increasing the taxes on top of the cost of upgrading the property. A great bill, Mr. President. Hopefully we will have the support of this body.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT FARLEY: Senator Leichter.

SENATOR LEICHTER: Yeah. Would Senator Bruno yield to a question on his great bill?

SENATOR BRUNO: With great pleasure.

SENATOR LEICHTER: Senator, suppose I take a shack, two-room shack, and I make it -- I rehabilitate it, renovate it, alter it, becomes a million-dollar mansion. Now it has 30 rooms and gilded marble plates, gold faucets, and so on. Are you telling me there will be no increase in my tax?

SENATOR BRUNO: Within the city of Troy, I am telling you that what you have just done is you have upgraded the property of everyone around you, the entire municipality in Troy, by having spent that million dollars upgrading that shack. We applaud you. There will be no tax consequences to you as long as you own it.

SENATOR LEICHTER: Senator, now as you say, I bestowed this enormous benefit on all of my neighbors, none of whom have altered their property. Are they going to get a tax increase because the assessment in the community of houses is so much better because they're all living next to the Leichter Mansion?

SENATOR BRUNO: Senator, as you know, when people do comparables, they will look at a comparable and they will say this shack is not increased at all in its tax liability. Consequently, we have no additional liability, so I would guess not, Senator, so live there in great comfort and, Senator, think about all of the jobs that are created by the million-dollar

rehab' project that you have just accomplished. Congratulations to you, Senator Leichter.

SENATOR LEICHTER: Senator, can I ask another question?

SENATOR BRUNO: Yes.

SENATOR LEICHTER: Senator, has the city of toy asked us to pass this bill?

SENATOR BRUNO: Yes.

SENATOR LEICHTER: There's a home rule message?

SENATOR BRUNO: We have a great sponsor. This is at the request of -- this legislation is introduced at the request of the city of Troy, and I guess the best demonstration of that would be that the Assembly sponsor is a great colleague, good friend, fellow Democrat, Ron Canestrari, who serves on the Ways and Means with great distinction, and he sponsors this bill in the Assembly and has full intent of seeing it become law with your support, Senator.

SENATOR LEICHTER: Senator Bruno, let me say, I think the bill is -- to my mind,

is badly flawed, but if the city of Troy wants it and it has such a distinguished sponsor -- I don't know about the Assembly sponsor, but certainly the Senate sponsor -

SENATOR BRUNO: Thank you.

SENATOR LEICHTER: -- I'm going to vote for it.

SENATOR BRUNO: Thank you.

ACTING PRESIDENT FARLEY: Senator Jones.

SENATOR JONES: Yes, Mr. President. Would the sponsor yield to a question, please?

SENATOR BRUNO: Yes.

SENATOR JONES: Senator Bruno, could you just clarify for me. The city of Rochester had requested for -- a bill last year for the similar kinds of property exemptions. We then passed a statewide bill, and the city agreed that they would abide by that even though they had different conditions in their bill. I'm wondering why the city of Troy, the statewide bill we passed isn't applicable and

what are the differences now that we need another bill?

SENATOR BRUNO: Thank you, Senator.

The statewide bill that we did, my recollection is that it was similar at the beginning, but as you went forward each year after you spend a million dollars rehabing' that shack, as Senator Leichter just did, the next year, you lose by the statewide application, twelve and a half percent of the benefit, and you lose twelve and a half percent every year for years until eight years later, you are then on the tax rolls for that million instead of where you started. So the city of Troy sees that as some inhibition, because maybe the average income levels are different there than Rochester, but it just seemed like an additional liability to those people that they are trying to encourage to upgrade their properties, so that's why we're asking for special legislation, Senator.

SENATOR JONES: Mr. President,

would the Senator yield to one more question?

ACTING PRESIDENT FARLEY: Senator Bruno, would you yield to another question from Senator Jones?

SENATOR BRUNO: Yes, Mr. President.

SENATOR JONES: Senator, would it be your recommendation then that each city then would resubmit, because Rochester didn't want those same conditions either, then they should resubmit a new bill this year for themselves and ignore the statewide then?

SENATOR BRUNO: Senator, I think each person that represents a constituency has to make their judgments on what they see as the best interests of the majority of their constituency, and in your great wisdom, if you think that approach is worth bringing to the floor, then if I were you, I would be doing that.

SENATOR JONES: Thank you, Senator.

ACTING PRESIDENT FARLEY: 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 47.

ACTING PRESIDENT FARLEY: The bill is passed.

SENATOR PRESENT: Mr. President, can we take up Calendar 72, please.

ACTING PRESIDENT FARLEY: Calendar Number 72, by Senator Tully, on page 6. Secretary will read it.

THE SECRETARY: Calendar Number 72, by Senator Tully, Senate Bill Number 6419, New York State Medical Care Facilities Finance Agency Act.

SENATOR JONES: Explanation.

ACTING PRESIDENT FARLEY: Explanation has been asked for, Senator Tully.

SENATOR TULLY: Yes, Mr. President. Who asked for the explanation?

ACTING PRESIDENT FARLEY: I think it was Senator Jones, as I recall.

SENATOR TULLY: Thank you, Mr. President.

This bill deals with the financing of Life Care Communities and it deals basically with development costs of the projects. The bill was unanimously passed in the Senate last year also in the Assembly and the Governor, in his less than infinite wisdom, chose to veto it last year. In his veto message which I have somewhere here, the Governor indicated that he anticipated having no objection to making development cost loans available through state public authorities where appropriate. If I understood the nature of his veto message, as we sometimes have to read between the lines, he thought it was a great bill but last year wasn't the time for it. This year is. I would expect that, after it passes this house and passes the Assembly, that he will then sign it because it might be the appropriate time for this excellent legislation.

SENATOR JONES: Mr. President, would the Senator yield for a question, please?

ACTING PRESIDENT FARLEY: I'm sure he will. Senator Tully.

SENATOR JONES: Senator Tully, could you clarify for me, I just saw the figure of 7 million mentioned in the memo. Is this in addition to MCFFA's already, their allotment, or is it just a reallocation of the money they already -

SENATOR TULLY: Under existing law, MCFFA has a cap of $3 million. This is an additional 7 million, so it will be 7- on top of the 3- giving the ability to extend the cap to $10 million.

SENATOR JONES: Would the Senator yield to another question?

ACTING PRESIDENT FARLEY: Senator Tully.

SENATOR JONES: Senator, it has come to my intention from some people that there has been some problems with Life Care communities, in that they basically have become

financially insolvent. Do you have any evidence of this, or have you looked into this issue?

SENATOR TULLY: Mr. President, that's not really accurate. In 1989, my legislation was passed additional bills, one of which passed and signed by the Governor which provided for the development of Life Care communities. This bill is one of a part -- of a group of bills, the first one of which is to provide for the development costs as this bill does. The additional bills, one of which passed through the Local Government today, which provided for financing through one of the mechanisms that we recommended which is the IDA, utilizing IDA for the loans. Additional bills will come through that will also provide for long-term financing through utilization of pension funds as well.

SENATOR JONES: On the bill, Mr. President.

ACTING PRESIDENT FARLEY: On the bill, Senator Jones.

SENATOR JONES: I still find

myself a little bit concerned about the debt, that I think there is some potential there for lost revenue. However, the potential cost savings to the state and local governments and Medicaid, I think is worth the risk, but -- I will support the bill, but I'm glad to hear what you said, Senator Tully, that we are looking for long-range ways of funding this as we continue in our efforts to cut Medicaid costs.

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.)

ACTING PRESIDENT FARLEY: Senator Tully to explain his vote.

SENATOR TULLY: Yes, Mr. President.

Just to allay the concerns of Senator Jones and anyone else that might be out there. It really is a disgrace that this state

which leads in so many things is so far behind in this most essential area, that -- the development of Life Care communities. Too many times our seniors in this state have been forced to reduce themselves and lose their dignity by virtue of transactions that some people might call fraudulent to avoid the constraints that come for providing for themselves in their later years.

This bill is specifically directed to precluding any concern with respect to fraud and concern with respect to the loss of senior citizens' money. The economic impact on this state would be somewhere in the area of $2 billion.

Right now, youngsters are forced to visit their parents, if you will, in other states, and the other states are gaining the benefit of the economic development that these Life Care communities provide and all of the jobs -- jobs, Mr. President, that we need so much and so urgently in this state.

I think I can say with some

degree of certainty that this is legislation that everyone knows is sorely needed, and I think probably this year we'll see it signed by the Governor, hopefully as expeditiously as possible.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT FARLEY: Results.

THE SECRETARY: Ayes 50.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present.

SENATOR PRESENT: Calendar 54, please.

ACTING PRESIDENT FARLEY: Calendar 54, on page 4, Senator Volker.

THE SECRETARY: Calendar Number 54, by Senator Volker, Senate Bill Number 4944-A, Civil Rights Law.

SENATOR VOLKER: Mr. President, this is a bill that has passed this house in the past, and by the way -- pardon?

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: Calendar 55, please.

ACTING PRESIDENT FARLEY: Calendar Number 55, on page 5.

THE SECRETARY: Calendar Number 55, by Senator Skelos, Senate Bill Number 1156, Executive Law and the Penal Law.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Explanation, Senator Skelos.

SENATOR SKELOS: This bill which we discussed on other occasions, states that subject to a court order, non-indigent criminals

sentenced to probation shall reimburse the county or the city for the actual cost of their supervision during the probationary period. It's estimated that in counties like Nassau, this could save them 3- to $4 million a year.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Hold it up.

SENATOR GOLD: Mr. President, as a courtesy to Senator Skelos, we won't have to really redebate this, but I just want to refresh some recollections, last year Senator Connor and Espada and Galiber and myself, Leichter, Markowitz, Montgomery, Ohrenstein, Onorato, Smith, Stavisky and Waldon voted in the negative. There he is.

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 Number 55 are Senators Gold, Leichter, Markowitz, Ohrenstein, Smith and Waldon. Ayes 44, nays 6.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present.

SENATOR PRESENT: Calendar 65, please.

ACTING PRESIDENT FARLEY: Calendar 65, by Senator Kuhl.

SENATOR KUHL: Senator Waldon.

SENATOR WALDON: Thank you, Mr. President. I respectfully request unanimous consent to be recorded in the negative on Calendar 54.

ACTING PRESIDENT FARLEY: 54, Senator Waldon will be in the negative.

ACTING PRESIDENT FARLEY: Senator Kuhl's bill, Secretary will read it. I'm

sorry. Senator Stavisky.

SENATOR STAVISKY: May I be recorded in the negative on Calendar 55.

ACTING PRESIDENT FARLEY: 55 -

SENATOR CONNOR: Mr. President.

ACTING PRESIDENT FARLEY: Senator Connor.

SENATOR CONNOR: May I have unanimous consent to be recorded in the negative on Calendar Number 55?

ACTING PRESIDENT FARLEY: Without objection.

Senator Onorato.

SENATOR ONORATO: May I have unanimous consent on Calendar Number 55?

ACTING PRESIDENT FARLEY: Without objection, Senator Onorato's in the negative.

THE SECRETARY: Calendar Number 65, by Senator Kuhl, Senate Bill Number 535-A, an act to amend the Agriculture and Markets Law.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Explanation, Senator Kuhl.

SENATOR KUHL: Yes, Mr. President. This is a bill that mandates -- and I underscore the word "mandates" -- a comprehensive review of regulations and rules as they might relate to the agricultural industry and the harmful effect they might have on that industry and also provides a detailed procedure by which those bills or those regulations would be reviewed and dealt with.

SENATOR GOLD: Is that it?

Will Senator Larkin yield to a question? In other words, that was an unauthorized -

Mr. President.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: Last year we had 17 people voting in the negative, and I just want to point out without making the same speech I've made so many other times, that we have the capacity for legislative oversight. If -

If -- Senator Kuhl, if you think that there are regulations of agencies that are

adversely affecting agriculture, and you want to make a study of it, then you should talk to the lady in red. When you see the red flag, you'll see Administrative Regulations Review will go right into it, but these mandates on departments and having them do studies -- my colleague from Nassau County is not here, so I won't mention Senator Levy by name, but we're always telling departments to make studies, and then we're complaining about the cost to government, and maybe one of the ways you cut the cost of government is not passing bills telling them to study things that maybe the Legislature ought to be doing.

At any rate, Senators Connor and myself and Senator Espada, Galiber, Gold, Gonzalez, Halperin, Leichter, Markowitz, Mendez, Montgomery, Ohrenstein, Onorato, Oppenheimer, Paterson, Smith, Solomon and Senator Stavisky.

Last section.

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 Number 65 are Senators Connor, Gold, Leichter, Markowitz, Ohrenstein, Onorato and Smith. Ayes 43, nays 7.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present.

SENATOR PRESENT: Mr. President, on behalf of Senator Nozzolio, I would like to announce an immediate meeting of the Elections Committee in Room 332. We'll stand at ease awaiting that committee's report. Upon receipt of the report, we'll adjourn until Monday at 3:00 p.m.

ACTING PRESIDENT FARLEY: Senator Present, we have another committee before it, if we may read that.

SENATOR PRESENT: Let's read that.

ACTING PRESIDENT FARLEY: There will be an immediate meeting of the Elections Committee in Room 332. Is it all right to read this standing committee's report?

SENATOR PRESENT: Yes.

THE SECRETARY: Senator Larkin, from the Committee on Local Government, reports the following bills directly for third reading.

Senate Bill Number 219, by Senator Farley, an act to amend the County Law, in relation to county office hours of work.

281, by Senator Hannon, authorizing the county of Nassau to accept an application for real property tax exemption.

362, by Senator Farley and others, Real Property Tax Law.

371, by Senators Bruno -- Senator Bruno and others, Real Property Tax Law.

379, by Senator Volker, General Municipal Law and the State Finance Law.

438, by Senator Stafford and others, Real Property Tax Law.

1153, by Senator Larkin, Real

Property Tax Law.

1428, by Senators LaValle and others, General Municipal Law.

2449, by Senator Kuhl, an act to amend the County Law.

2523-B, by Senator Stafford, an act to amend the County Law, in relation to authorizing the county of Franklin to appoint up to three public defenders.

2537, by Senator Present, Real Property Tax Law.

2702, by Senator Cook, Real Property Tax Law.

3180, by Senator Cook, Real Property Tax Law.

3412, by Senator Kuhl, an act to amend the Real Property Tax Law.

3867-A, by Senator Cook, County Law, in relation to appointment of deputies.

4066, by Senator Larkin, Real Property Tax Law.

6318, by Senator Stafford, an act to amend the Town Law, authorizing the town of

Indian Lake, county of Hamilton, to appropriate certain monies.

And 6327, by Senator Tully and others, General Municipal Law, in relation to Life Care Community.

All bills reported directly for third reading.

ACTING PRESIDENT FARLEY: All bills are reported directly for third reading.

Senator Present.

SENATOR PRESENT: Senator Galiber.

ACTING PRESIDENT FARLEY: Let's please have a little order in the house.

Senator Galiber.

SENATOR GALIBER: Mr. President, I would ask unanimous consent to be recorded in the negative on a number of bills.

ACTING PRESIDENT FARLEY: On what number?

SENATOR GALIBER: On a number of bills.

ACTING PRESIDENT FARLEY: All

right. Could you give us the numbers?

SENATOR GALIBER: Yes. 54, 55, 65 and 67, Calendar Numbers.

ACTING PRESIDENT FARLEY: Without objection.

SENATOR GALIBER: Thank you, Mr. President.

ACTING PRESIDENT FARLEY: Any other -

Senator Present, the Legislature will stand in recess and -

SENATOR PRESENT: Stand at ease.

ACTING PRESIDENT FARLEY: Hold on. Senator -- I'm sorry, Senator Santiago.

SENATOR SANTIAGO: Thank you. I'd ask unanimous consent to be recorded in the negative on Calendar 55, please.

ACTING PRESIDENT FARLEY: 55, without objection.

Senator Present.

SENATOR PRESENT: Mr. President, stand at ease awaiting the report of the Elections Committee.

ACTING PRESIDENT FARLEY: And then we'll adjourn with that report, intervening legislative days.

SENATOR PRESENT: Until Monday, 3:00 o'clock, intervening days to be legislative days.

ACTING PRESIDENT FARLEY: The Senate will stand at recess.

(Whereupon, the Senate stood at ease from 4:23 p.m. to 5:09 p.m.)

ACTING PRESIDENT KUHL: The Senate will come to order.

Senator Montgomery.

SENATOR MONTGOMERY: Yes, Mr. President. I would like unanimous consent to be recorded in the negative on Calendars 55 and 65.

ACTING PRESIDENT KUHL: Without objection, so ordered.

SENATOR MONTGOMERY: Thank you.

SENATOR PRESENT: Can we return to reports of standing committees?

ACTING PRESIDENT KUHL: We will. Clerk will read.

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

Senate Bill Number 6315-A, by Senator Nozzolio and others, Election Law, in relation to false registration.

6316-A, by Senator Nozzolio and others, an act to amend the Election Law, in relation to giving consideration for franchise.

6332-A, by Senator Nozzolio and others, Election Law, in relation to influencing the vote on the day of an election.

6336-A, by Senator Nozzolio and others, Election Law, in relation to corrupt use of position or authority.

And 6527-A, by Senator Nozzolio and others, State Board of Elections to conduct a special study to combat voter fraud.

All bills reported directly for third reading.

ACTING PRESIDENT KUHL: So ordered.

Senator Present.

SENATOR PRESENT: Stand at ease for a minute.

ACTING PRESIDENT KUHL: The Senate will stand at ease momentarily.

Senator Paterson.

SENATOR PATERSON: Mr. President, with unanimous consent, I would like to be recorded in the negative on Calendar Numbers 54 and 55. Why is it that I can't talk when there's no one in here?

THE SECRETARY: 54 and 55?

SENATOR PATERSON: Right.

ACTING PRESIDENT KUHL: Without objection.

SENATOR PRESENT: No objection.

ACTING PRESIDENT KUHL: So ordered.

SENATOR PRESENT: Mr. President, there being no further business, I move that we adjourn until Monday, February 7th, at 3:00 p.m., intervening days to be legislative days.

ACTING PRESIDENT KUHL: The Senate stands recessed until Monday, 3:00 p.m.

SENATOR PRESENT: Stand adjourned.

ACTING PRESIDENT KUHL: Stand adjourned, excuse me.

(Whereupon, at 5:17 p.m., the Senate adjourned.)