ALBANY, NEW YORK

April 8, 1994

12:54 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: Senate will come to order.

Please rise with me for the Pledge of Allegiance.

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

In the absence of clergy, we'll bow our heads for a moment of silence.

(Whereupon, there was a moment of silence.)

Secretary will begin by reading the Journal.

THE SECRETARY: In Senate, Thursday, April 7. The Senate met pursuant to adjournment. The Journal of Wednesday, April 6, 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: On behalf of Senator Levy, on page number 10, I offer the following amendments to Calendar Number 392, Senate Print Number 4901, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR SKELOS: Mr. President. On behalf of Senator Wright, on page number 12, I offer the following amendments to Calendar Number 438, Senate Print Number 6864A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Without

objection, the bill will retain its place.

Senator Present.

SENATOR PRESENT: Mr. President. On behalf of Senator Levy, I would like to announce an immediate conference of the Majority in Room 332.

ACTING PRESIDENT FARLEY: The Majority will meet for an immediate conference in Room 332.

SENATOR PRESENT: And the Senate will stand at ease.

ACTING PRESIDENT FARLEY: The Senate will stand at ease.

(Whereupon, at 12:56 p.m., the Senate was at ease.)

(Whereupon, at 1:48 p.m., Senate reconvened.)

ACTING PRESIDENT FARLEY: Senate will come to order.

Senator Present.

SENATOR PRESENT: Mr. President. Will you recognize Senator Volker, please.

ACTING PRESIDENT FARLEY: Senator

Volker.

SENATOR VOLKER: Mr. President. On behalf of Senator LaValle, would you star Calendar Number 539, Senate Print 6882.

ACTING PRESIDENT FARLEY: The bill is starred at the request of the sponsor.

Senator Nozzolio, also, on more motions here.

SENATOR NOZZOLIO: Mr. President. On page 7, on behalf of Senator Stafford, I offer the following amendments to Calendar Number 282, Senate Print Number 437A.

ACTING PRESIDENT FARLEY: Amendments are received. Thank you, Senator Nozzolio.

Senator Holland.

SENATOR HOLLAND: Mr. President. For Senator Maltese, would you please star Calendar 514, Senate 5087.

ACTING PRESIDENT FARLEY: 514 is starred at the request of the sponsor.

Are there any other motions on the floor?

Seeing none, Senator Present.

SENATOR PRESENT: Mr. President. May we take up the noncontroversial calendar.

ACTING PRESIDENT FARLEY: Noncontroversial. The Secretary will read.

THE SECRETARY: On page 11, Calendar 396.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 401, by Senator Skelos, Senate Bill Number 6793A, an act to amend the Vehicle and Traffic Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 497, by Senator Volker, Senate Bill Number 606A, an act to amend the criminal procedure -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 508, by Senator Volker, Senate Bill Number 5051A, an act to amend the Criminal Procedure 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 49.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 515, by Senator Volker, Senate Bill Number 6340, 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 49.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 516, by Senator Maltese, Senate Bill Number 7008A, 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 49.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 548, by Senator Skelos, Senate Bill Number 7238A, 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 49.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present.

SENATOR PRESENT: Will you try the controversial calendar.

ACTING PRESIDENT FARLEY: Controversial.

THE SECRETARY: On page 11, Calendar Number 396, by Senator Cook -

SENATOR GOLD: Explanation.

THE SECRETARY: -- Senate Bill Number 2287.

SENATOR PRESENT: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar number 401, by Senator Skelos, Senate Bill Number 6793A, an act to amend the Vehicle and Traffic

Law, in relation to out-of-state convictions.

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 49.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 497, by Senator Volker, Senate Bill Number 606A, an act to amend the Criminal Procedure 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 48. Nays 1. Senator Gold recorded in the negative.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present.

SENATOR PRESENT: Any house keeping or things that have to be taken care of at the desk?

ACTING PRESIDENT FARLEY: I think not. Is there anything else?

Nothing up here.

SENATOR PRESENT: Mr. President. There being no further business, I move that we adjourn until Monday, April 11, at 3:00 p.m., intervening days to be legislative days.

ACTING PRESIDENT FARLEY: The Senate will stand adjourned until Monday at the regular hour, intervening legislative days, and happy birthday to Senator Bruno.

(Whereupon, at 1:54 p.m., Senate adjourned.)