ALBANY, NEW YORK

May 10, 1994

10:00 a.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 places. Please rise for the Pledge of Allegiance to the Flag.

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

Today we're pleased to have with us the Reverend Peter G. Young, Pastor of the Blessed Sacrament Church of Bolton Landing, New York for the opening prayer. Father Young.

FATHER YOUNG: Let us pray.

May we pray for Thomas Laverne, our dear friend, and a continuing recovery for Senator Volker.

Almighty and Eternal God, may Your grace enkindle in all of us, a love for the many unfortunate people whom poverty and misery reduce to a condition of life unworthy of human beings. Arouse in the hearts of those who call You Father, a hunger and a thirst for social justice, for fraternal charity in deeds and in truth.

Grant, O Lord, peace in our day, peace to all and peace to these people of New York State who deserve again Your love now and forever again. Amen.

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

THE SECRETARY: In Senate, Monday, May 9th. The Senate met pursuant to adjournment, Senator Farley in the Chair upon designation of the Temporary President. The Journal of Sunday, May 8th, was read and approved. On motion, the 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.

Senator Present, we'll read it. The Secretary will read it.

THE SECRETARY: Senator Lack,

from the Committee on Judiciary, reports the following nomination: Judge of the Court of Claims, the Honorable Israel Margolis of Binghamton.

ACTING PRESIDENT FARLEY: Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I'm happy to stand and move the nomination of the Honorable Israel Margolis of Binghamton, who has been renominated by the Governor for a term on the New York State Court of Claims.

Senator -- excuse me. Senator - Judge Margolis has been screened by the Judicial Screening Committee and screened by the Senate Judiciary Committee and has been found well qualified by both, and I'm going to yield to Senator Thomas Libous of Binghamton. Senator?

ACTING PRESIDENT FARLEY: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President, and thank you, Senator Lack.

I rise to move the nomination of Judge Israel Margolis who is -- I'm proud to say is a friend of mine.

Judge Margolis is a native of Binghamton. He's a life-long resident of Binghamton, and he received his Bachelor's degree and his law degree right up the road from Binghamton at Cornell University -

SENATOR GOLD: I vote in the affirmative.

SENATOR LIBOUS: -- a fine university that I'm sure some in this room have attended.

He's also -- he served our country well in the United States Navy from 1944 to 1946. After that, Judge Margolis came back to Binghamton where his family was and eventually became a partner in the law firm of Chernin and Gold from 1956 to 1987.

Mr. President, I first got to know Judge Margolis while he was the Broome County Elections Commissioner and when I was a member of the Binghamton City Council, and Judge

Margolis was always one who was very fair in any decisions that he was making, either as election commissioner or as one who served the community in his many responsibilities. One of those also was the responsibility of being the past president of the Broome County Bar Association.

As I said earlier, Judge Margolis and I are -- our paths have crossed through my association with public service and, of course, his. I've known the Judge to be a very friendly, compassionate man. He is one who is extremely well respected in our community back home, Mr. President. He was one that I know that former Majority Leader and state Senator Warren Anderson thought very highly of and he was able to call his friend and, Mr. President, I am pleased to move this nomination.

And I would also like to note that Judge Margolis is here today, Mr. President, with his family. He's here with his wife Brenda, who, if I might add, also has dedicated her life to public service as one who has worked and served in the county of Broome

and also one who directed a very successful and effective liability partnership program in Broome County.

So, Mr. President, my colleagues, I ask you to join me in the movement of this nomination for Judge Israel Margolis, one who I am proud to say is my friend.

ACTING PRESIDENT FARLEY: On the nom... on the nomination, Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I rise to second the nomination of Judge Margolis.

Although he's a resident of Senator Libous' district, he spends probably as much time on the floor that I reside in in the State Office Building in Syracuse, and in that capacity and also as a practicing attorney, having discussed Judge Margolis with many other practicing attorneys in the Onondaga County area, there is one unanimous thing that you hear, and that is that Judge Margolis is a fair, compassionate individual who gives both sides the opportunity to present their cases and makes a fair and impartial decision.

And he's a lawyer's judge. Having practiced law for 30 years, he knows what it is to get into a courtroom and present a case, and he gives both sides the opportunity to try their cases as they choose to try them, not to interject his own feelings into those cases.

So the Senate, in 1987, confirmed his first nomination as a Court of Claims judge, and I rise to second his nomination and request a unanimous vote to again confirm his nomination in 1994.

ACTING PRESIDENT FARLEY: On the nomination, all in favor say aye.

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The nominee is confirmed.

Judge Margolis, we're very pleased to confirm you, and on behalf of the Senate, we welcome you here, and your wife Brenda.

Congratulations and best wishes.

(Applause.)

ACTING PRESIDENT FARLEY: The Secretary will read -

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the nomination of the Honorable Leonard Silverman of Woodmere as a judge of the Court of Claims.

SENATOR LACK: Mr. President.

ACTING PRESIDENT FARLEY: On the nomination, Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I rise to move the confirmation of the Honorable Leonard Silverman to succeed himself as a judge of the Court of Claims of this state.

As with Judge Margolis, Judge Silverman has been screened by both the Judicial Screening Committee and by the Senate Judiciary Committee, and has been found to be -- be well qualified. As to the details of Judge Silverman's illustrious or less illustrious past, I'll leave that to Senator Skelos and, I assume, Senator Gold.

I will make just a couple of comments, if I can. Judge Silverman, as some of you if you're old enough might remember, was a member of this Assembly and chair of the Assembly Insurance Committee. In his current incarnation as a judge of the Court of Claims, his court chambers are located immediately next door to my district office in Hauppauge. That has made for a very interesting dialogue over the past almost decade between Judge Silverman, myself and members of my staff.

I've got to tell you that Judge Silverman and his staff have been more than kind to myself, to my staff, the facilities that he has put available for us to utilize have been greatly appreciated on matters that have pertained to court judicial administration in this state.

Judge Silverman has been all too helpful in allowing us to sit down and talk and discuss with him matters that pertain to the courts -- courts of this state. It's always good to see a former member of the Legislature,

Lenny Silverman, come up to Albany to get recertified, reconfirmed as a judge of the Court of Claims. He does a very good job and certainly he is a nomination for which we in the Senate and on behalf of the Governor can be justly proud of.

As to whether or not he has done specific things in his background which make him worthy of the honor that is to be re-bestowed upon him today, I would most gratefully yield to Senator Skelos. Senator?

ACTING PRESIDENT FARLEY: Senator Skelos.

SENATOR SKELOS: Thank you very much, Senator Lack and Mr. President.

I'm delighted now for the second time to move the nomination of Leonard Silverman to succeed himself as a Court of Claims judge. The first time was in 1985 when I was first - my first term in the Senate, and certainly that was a day that I remember back ten years ago when I had that opportunity.

Judge Silverman has distinguished

himself in his career as an attorney, as an Assemblyman. I remember when I was on staff in the Assembly back in the mid-70s admiring his work as chairman of the Insurance Committee, where many of our no-fault laws, our insurance laws, malpractice laws were drafted by then Assemblyman Leonard Silverman. He's been active in various bar associations. I can go on and on about his credentials. Most of all, we've never heard an ill word spoken of Judge Silverman and certainly those who practice before him, he gives them the respect that all judges should give practitioners that go before him.

So it's my pleasure, although it's hard to believe that ten years have passed, to once again move the nomination of Judge Leonard Silverman.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: Thank you, Mr. President.

There are a lot of affirmative - affirmative reasons -- excuse me. This is a

Brooklyn kid I'm talking about. There is a lot of affirmative reasons to vote for Judge Silverman, but on the other side of the coin, I would like to just say to the members of the Majority that if you do not confirm Judge Silverman, he has an offering for an Assembly nomination where he will once again take on the Insurance Committee, and there's some bills out there that he would still like to get his hands on.

No, I don't want a motion to adjourn. The fact is that I'm not going to repeat a lot that has been said, but it's my pleasure to know the Judge from back in the early days of the '70s when I served with him in the Assembly, and it's interesting to hear that Senator Lack gets the benefit of his advice on administrative court issues and whatever. From my point of view, we're confirming somebody because we just need people who are smart, decent and compassionate human beings to be judges on a day-to-day basis to the people that I represent and we all represent, and that's

Lenny Silverman.

If you want to find the exact - the purfect English word to describe this man, just take out a dictionary and look under mensch because that's where you're going to find it. Judge Silverman is that. He is what we want judges to be. He's somebody who treats lawyers and their clients and the clients and their lawyers the way they should be so that the lawyers can do their jobs and so that the litigants can, in fact, get justice, because that's what we are supposed to be all about.

So, it is a pleasure and an honor to see this confirmation of Judge Silverman together with Judge Margolis, and I think today is a good day for the judiciary, and we ought to be proud of ourselves.

ACTING PRESIDENT FARLEY: Senator Markowitz.

SENATOR MARKOWITZ: Thank you very much, Mr. President.

It's good to see the good guys winning in both of these cases. As I look up

and I see Judge Lenny Silverman, I have to tell you that I certainly know that he remembers when my head was one solid color, as I remember when yours was as well. And, actually, as the Judge was moving out of an elective two-year office and moving to becoming a statesman, I was just coming into this wonderful role of state Senator from Brooklyn, in fact, in part of the area that you so ably, very ably, represented. In fact, I would like to thank Judge Silverman that time that you were serving part of Brooklyn, perhaps those were the glory days of our borough, days that I hope and pray that all of us will see again. We are working very hard to make that happen, but I know that with competent and outstanding judges such as yourself, it certainly makes our job here in the Legislature that much easier and more enjoyable.

Congratulations and best wishes.

ACTING PRESIDENT FARLEY: Senator Solomon.

SENATOR SOLOMON: Thank you.

I would like to second the

nomination of Judge Silverman who, prior to my election, sat down with me for dinner or coffee, we had a brief meeting. He gave me some unique political advice for a district which he represented, and I dare say, I don't think any member of this Legislature ever received political advice such as this. How many people who represented an area told you, "First thing you have to do, Marty, is go out and buy a black suit", which was for a particular area of my district in order to go to particular events so you sort of blended in with the dress of the constituency, and I think Judge Silverman, just based upon that and the number of events that he went to, represented the area very ably, I dare say, and I know that he's done an excellent job on the bench. Would have been interesting to serve in the Senate and have someone in the Assembly where I could have tried to pass some bills in both houses with, but I'm sure Judge Silverman has done a great job and he'll finish out his term and complete his term in the excellent manner in which he served the people

of my current Senate district as an assemblyman and he served the entire people of the state, and I would like to second that nomination.

Thank you.

ACTING PRESIDENT FARLEY: On the nomination -- on the nomination, all in favor say aye.

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The nominee is confirmed.

Judge Silverman, on behalf of the New York State Senate, let me say how pleased we are to confirm a former member of this legis lative family and an outstanding judge.

Congratulations, best wishes and a very good tenure. (Applause.)

The Secretary will read a report of the Committee on Finance.

THE SECRETARY: Senator Stafford, from the Committee on Finance, reports the following nominations: Member of the state Board of Historic Preservation, Monroe Fordham,

Ph.D., of Tonawanda and Dean R. Snow, Ph.D., of Burnt Hills;

Member of the state Council on Home Care Services, Thomas A. O'Brien, of Flushing and Sarah H. Trafton of Fairport;

Director of the Municipal Assistance Corporation for the city of New York, Dick Netzer, Ph.D., of Brooklyn and Eugene Keilin, of Brooklyn;

Member of the Advisory Council to the Commission on Quality of Care for the Mentally Disabled, E. Regis Obijiski, of Tillson;

Member of the Empire State Plaza Art Commission, Janis Keane Dorgan, of Slingerlands;

Banking member of the State Banking Board, Charles J. Hamm, of Bronxville;

Member of the Allegany State Park Recreation and Historic Preservation Commission, Daniel P. Harris, of Olean;

Member of the Niagara Frontier State Park, Recreation and Historic Preserva

tion Commission, Joseph L. Newton, Jr., of Appleton;

Member of the Thousand Islands State Park, Recreation and Historic Preservation Commission, Joseph F. Chavoustie, of Chaumont;

Member of the Board of Visitors of the Bronx Psychiatric Center, Helen T. Rosello, of the Bronx;

Member of the Board of Visitors of the Kirby Forensic Psychiatric Center, Ina Stone, of New York City;

Member of the Board of Visitors of Rockland Children's Psychiatric Center, Snowden Taylor, of Tappan;

Member of the Board of Visitors of the Letchworth Village Developmental Center, Helen S. Crabbe, of Orangeburg.

ACTING PRESIDENT FARLEY: On the nominees, all in favor say aye.

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The nominees are confirmed.

Report of select committees.

Communications and reports from state officers.

Motions and resolutions.

SENATOR LACK: Mr. President.

ACTING PRESIDENT FARLEY: Senator Lack.

SENATOR LACK: I wish to call up my bill, Senate Print Number 7213-A, recalled from the Assembly and now at the desk.

ACTING PRESIDENT FARLEY: The Secretary will read.

THE SECRETARY: By Senator Lack, Senate Bill Number 7213, an act to amend the Uniform Commercial Code, in relation to regulation of leases of personal property.

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

ACTING PRESIDENT FARLEY: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 46.

SENATOR LACK: Mr. President, now that the bill is restored to third reading, I move to discharge the Committee on Judiciary from Assembly print 1041-A and substitute it for my identical bill.

ACTING PRESIDENT FARLEY: Substitution is ordered.

SENATOR LACK: The Senate Bill on first passage was voted unanimously, and I move that the substituted Assembly bill now have its third reading.

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: Unanimous.

ACTING PRESIDENT FARLEY: The bill is passed.

SENATOR LACK: Mr. President, I

wish to call up my my bill, 6963-A, now at the desk, recalled from the Assembly.

THE SECRETARY: By Senator Lack, Senate Bill Number 6963-A, an act to amend the Estates, Powers and Trusts Law, in relation to the division of trusts.

SENATOR LACK: I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT FARLEY: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 46.

SENATOR LACK: I offer the following amendments to the bill, and ask that it retain its place.

ACTING PRESIDENT FARLEY: The amendments are received. The bill will retain its place on third reading. Senator Libous and then Senator Nozzolio.

SENATOR LIBOUS: Thank you, Mr. President.

I move the following -- on behalf of Senator Johnson, I move the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Number 7925, on behalf of Senator Johnson.

ACTING PRESIDENT FARLEY: So ordered.

SENATOR LIBOUS: Mr. President, on behalf of Senator Volker, Mr. President, I wish to call up his bill, Senate Print 246-A, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT FARLEY: The Secretary will read it.

THE SECRETARY: By Senator Volker, Senate Bill Number 246-A, an act to amend the Penal Law.

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

ACTING PRESIDENT FARLEY: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 46.

SENATOR LIBOUS: Mr. President, I now offer up the following amendments.

ACTING PRESIDENT FARLEY: The amendments are received.

SENATOR LIBOUS: Mr. President, on behalf of Senator Goodman, I call up his bill, Senate Print Number 1622-B, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT FARLEY: The Secretary will read it.

THE SECRETARY: By Senator Goodman, Senate Bill Number 1622-B, an act to amend the Social Services Law.

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

ACTING PRESIDENT FARLEY: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 49.

SENATOR LIBOUS: Mr. President, I offer up the following amendments.

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

SENATOR LIBOUS: Mr. President, on behalf of Senator Daly, on page 27, I offer the following amendments to Calendar Number 715, Senate Print Number 1093, and ask that said bill retain its place on the Third Reading Calendar.

Mr. President, also on behalf of Senator Daly, on page 17, I offer the following amendments to Calendar Number 474, Senate Print Number 21007, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Without objection.

SENATOR LIBOUS: And Mr. President, on behalf of Senator Volker, on page 15, I offer the following amendments to Calendar Number 388, Senate Print Number 2502-C, and ask that said bill retain its place on the Third

Reading Calendar and, Mr. President -

ACTING PRESIDENT FARLEY: Without objection.

SENATOR LIBOUS: -- may I offer up the following resolution and ask that just its title be read and passed.

ACTING PRESIDENT FARLEY: The Secretary will read the title of Senator Libous' -

THE SECRETARY: Legislative Resolution, by Senator Libous, commemorating the 30th Anniversary of the Chenango County ARC.

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.

Senator Marchi.

SENATOR MARCHI: Yes, Mr. President. I wish to call up my bill, Print Number 6521, recalled from the Assembly and is now at the desk.

ACTING PRESIDENT FARLEY: The Secretary will read it.

THE SECRETARY: By Senator Marchi, Senate Bill Number 6521, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT FARLEY: Senator Marchi.

SENATOR MARCHI: I move to reconsider the vote by which this bill passed.

ACTING PRESIDENT FARLEY: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 49.

ACTING PRESIDENT FARLEY: The bill is before the house.

Senator Marchi.

SENATOR MARCHI: I Offer the following amendments.

ACTING PRESIDENT FARLEY: Without objection.

Senator Nozzolio.

SENATOR NOZZOLIO: Mr. President,

on behalf of Senator Volker, please place a sponsor's star on Calendar Number 764.

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

SENATOR NOZZOLIO: On behalf of Senator Johnson, please place a sponsor's star on Calendar Number 828.

ACTING PRESIDENT FARLEY: 828 is starred at the request of the sponsor.

Senator Seward.

SENATOR SEWARD: On page 24, I offer the following amendments to Calendar 681, Senate Print Number 4371, and I ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT FARLEY: Without objection, the bill will retain its place.

SENATOR NOZZOLIO: And also, Mr. President, I would like to place a sponsor's star on Calendar Number 666.

ACTING PRESIDENT FARLEY: 666 is starred at the request of the sponsor.

Senator Holland.

SENATOR HOLLAND: Mr. President, can you star my bill, Calendar 799, please?

ACTING PRESIDENT FARLEY: 799 is starred at the request of the sponsor.

Senator Spano.

SENATOR SPANO: Mr. President, could you please place a sponsor's star on Calendar 809 and 810?

ACTING PRESIDENT FARLEY: Without objection, the bills are starred.

Any other motions on the floor? The Secretary has a substitution.

THE SECRETARY: On page 4 of today's calendar, Senator spano moves to discharge the Committee on Civil Service and Pensions from Assembly Bill Number 2153 and substitute it for the identical Calendar Number 867.

ACTING PRESIDENT FARLEY: Substitution is ordered.

THE SECRETARY: On page 7, Senator Daly moves to discharge the Committee on Corporations, Authorities and Commissions from

Assembly Bill Number 11355 and substitute it for the identical Calendar Number 891.

ACTING PRESIDENT FARLEY: Substitution is ordered.

THE SECRETARY: On page 25, Senator Volker moves to discharge the Committee on Codes from Assembly Bill Number 10828 substitute it for the identical Calendar Number 696.

ACTING PRESIDENT FARLEY: Substitution is ordered.

THE SECRETARY: On page 29, Senator Daly moves to discharge the Committee and Corporations, Authorities and Commissions from Assembly Bill Number 10631-A and substitute it the for identical Third Reading 749.

ACTING PRESIDENT FARLEY: Substitution is ordered.

THE SECRETARY: On page 33, Senator Spano moves to discharge the Committee on Education from Assembly Bill Number 11434 and substitute it for the identical Calendar Number 783.

ACTING PRESIDENT FARLEY:

Substitution is ordered.

THE SECRETARY: On page 36, Senator Maltese moves to discharge the Committee on Local Government from Assembly Bill Number 10571 and substitute it for the identical Calendar Number 813.

ACTING PRESIDENT FARLEY:

Substitution is ordered.

Are there any other motions on the floor?

Senator Present.

SENATOR PRESENT: Mr. President, I move that we adopt the Resolution Calendar with the exception of Resolutions 3506 and 3542, and that those two resolutions be recommitted to the Finance Committee.

ACTING PRESIDENT FARLEY: The - all in favor of adopting the Resolution Calendar please say aye.

Senator Galiber.

SENATOR GALIBER: Mr. President, there's one resolution I would like to either

put aside for the time being and read in its entirety and that's 3547.

ACTING PRESIDENT FARLEY: Do we have that? I think that -- all in favor of adopting the Resolution Calendar with exceptions, please -- Senator Gold, did you ask if -

SENATOR GOLD: Let's do that and then I want to handle another situation.

ACTING PRESIDENT FARLEY: Okay. There's a motion on the floor to adopt the Resolution Calendar with exceptions. All in favor please say aye.

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The Resolution Calendar is adopted with exceptions. The Resolution Calendar has been adopted with exceptions. The two exceptions have been recommitted.

Senator Levy doesn't have anything to say.

Senator Present.

SENATOR PRESENT: Would you recognize Senator Larkin; I believe he has a privileged resolution.

ACTING PRESIDENT FARLEY: Senator Larkin.

SENATOR LARKIN: I have a privileged resolution at the desk. Just read the title.

ACTING PRESIDENT FARLEY: All right. We're pleased to read the title of Senator Larkin's resolution.

THE SECRETARY: Legislative Resolution, by Senator Larkin, commending Frances Sodrick upon the occasion of her designation as recipient of the Orange County Mental Health Distinguished Services Award on Thursday, May 12th, 1994.

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

(Response of "Aye".)

Those opposed, nay.

(There was no response.)

The resolution is adopted.

Senator Present.

SENATOR PRESENT: Mr. President, can we take up the non-controversial calendar, please?

ACTING PRESIDENT FARLEY: The Secretary will read the non-controversial calendar.

THE SECRETARY: On page 23 of today's calendar, Calendar Number 654, by Senator Hannon -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 699, by Senator Volker, Senate Bill Number 7574, an act to amend the Criminal Procedure Law, in relation to corrective remedies.

SENATOR GOLD: Lay it aside.

SENATOR GALIBER: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number

727, by Senator Hannon, Senate Bill Number 6627, an act to amend the Administrative Code of the city of New York, in relation to access to correct housing maintenance code violation.

SENATOR PRESENT: Lay the bill aside.

ACTING PRESIDENT FARLEY: Lay the bill aside.

THE SECRETARY: Calendar Number 740, by Senator Hannon, Senate Bill Number 7500, an act to amend the Retirement and Social Security Law, in relation to the earnings of disability pensioners.

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 51.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number 754, by Senator Marchi, Senate Bill Number 1586, an act directing the city of New York to refund to certain not-for-profit organizations.

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 51.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 755, by the Assembly Committee on Rules, Assembly Bill Number 8067-A, authorizing the city of New York to reconvey its interests in certain real property.

ACTING PRESIDENT FARLEY: There's a home rule message here at the desk. You can 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 51.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 757, by Senator Stafford, Senate Bill Number 435 -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that bill aside.

THE SECRETARY: Calendar Number 758, by Senator Cook, Senate Bill Number 2279, an act to amend the Highway Law, in relation to abandoned highways.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 2. This act -

SENATOR ONORATO: Senator Cook, could we get one day on this, please?

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

THE SECRETARY: Calendar Number 760, by Senator Present, Senate Bill Number 3859, an act to amend the Vehicle and Traffic Law and the Parks, Recreation and Historic Preservation 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 51.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 761, by Senator Levy, Senate Bill Number 3886-C, directing the Commissioner of Transportation to develop test pilot programs.

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 51.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 762, by member of the Assembly Gantt, Assembly Bill Number 9611, an act to repeal Paragraph C of Subdivision (1) of Section 401 of 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 51.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 763, by Senator Goodman, Senate Bill Number 6972, an act to amend the Transportation 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 50, nays 1, Senator Wright recorded in the negative.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 765, by Senator Libous, Senate Bill Number 7770, an act to amend the Highway Law designating the relocated Front Street in the city of Binghamton as a state 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 52.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 766, by Senator Skelos, Senate Bill Number 1986, an act to amend the Real Property Tax Law, in relation to granting real property tax exemption.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 772, by Senator Skelos, Senate Bill Number 7888,

an act to amend Chapter 841 of the Laws of 1987.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 773, by Senator Saland -

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 774, 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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 775, by Senator Saland, Senate Bill Number 5500, an act to amend the Family Court act, in relation to procedures for the temporary removal of a child with consent.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 776, by Senator Saland, Senate Bill Number 7673, Social Services Law, in relation to child abuse

and maltreatment hearings.

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 54.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number 777, by Senator Saland, Senate Bill Number 7675, Executive Law and 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 54.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 778, by Senator Saland, Senate Bill Number 7833, an act to amend the Social Services 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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 779, by Senator Saland, Senate Bill Number 7834, an act to amend the Domestic Relations 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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 781, by Senator Stachowski, Senate Bill Number 1297, Education Law, in relation to school lunch periods.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 782, by Senator Cook, Senate Bill Number 7541, an act to amend the Education Law, in relation to the definition of a facility child.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 783, substituted earlier today, by the Assembly Committee on Rules, Assembly Bill Number 11434, an act to amend Chapter 118 of the Laws of 1969.

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 54.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number 784, by Senator Saland, Senate Bill Number 7639, in relation to legalizing, certifying and confirming the acts of Germantown 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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 785, by Senator Saland, Senate Bill Number 7640, to authorize the payment of transportation aid to the Germantown Central School District.

ACTING PRESIDENT FARLEY: Read the last -- there's a local fiscal impact note at the desk. You can 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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 786, by Senator Saland, Senate Bill Number 7641, in relation to legalizing, certifying and confirming the acts of the Germantown Central School.

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 54.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number

787, by Senator Cook, Senate Bill Number 7697, Education Law and the public Health Law.

ACTING PRESIDENT FARLEY: Senator Cook -- Senator Cook, he wants a day. Lay the bill aside for the day.

THE SECRETARY: Calendar Number 788, by Senator Cook, Senate Bill Number 7871, Education Law, in relation to efficiency study grants.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 793, by Senator Lack, Senate Bill Number 4471, Agriculture and Markets Law, in relation to the sale and delivery of liquefied petroleum gas.

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 54.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 803, by Senator Holland, Senate Bill Number 6969, Social Services Law, in relation to the single room occupancy support services program.

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 54.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 805, by Senator Spano, Senate Bill Number 2028-A -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that bill aside.

THE SECRETARY: Calendar Number 808, by Senator Spano, Senate Bill Number 7011, Labor Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 816, by Senator Saland, Senate Bill Number 5765-B, authorizing the town of Wappinger, county of Dutchess, to discontinue the use of certain park lands.

SENATOR GOLD: Yeah, would Senator Saland let us have one day on this, please? We'll give him anything he wants. Okay. Lay it aside temporarily, please.

ACTING PRESIDENT FARLEY: Lay the

bill aside.

SENATOR GOLD: Senator Saland, may we have one day, please, sir?

SENATOR SALAND: Excuse me?

SENATOR GOLD: On 816, can we have one day?

SENATOR SALAND: If you would like the day -- if there's a question, I would certainly be happy to answer it.

SENATOR GOLD: I will relay that to the people who were really asking the questions who were using me as a front.

ACTING PRESIDENT FARLEY: Lay the bill aside for today.

SENATOR GOLD: Thank you very much.

THE SECRETARY: Calendar Number 818, by Senator Skelos, Senate Bill Number 6344-A, General Municipal Law, in relation to authorizing an "early bird" bingo game.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT FARLEY: Lay this bingo game aside.

THE SECRETARY: Calendar Number 820, by Senator Bruno, Senate Bill Number 6898, an act to amend Chapter 460 of the Laws of 1986, creation of the Saratoga Lake Protection and Improvement 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 55.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 821, by Senator Volker, Senate Bill Number 6904, an act to amend the Local Finance Law, in relation to the sale of municipal obligations by the county of Erie.

ACTING PRESIDENT FARLEY: There's a home rule message here at the desk. You can 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 55.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 822, by Senator Nolan, Senate Bill Number 6907, an act to legalize and validate the adoption of a bond resolution in the town of New Scotland.

ACTING PRESIDENT FARLEY: Read the last section. I'm sorry, before we read the last section, there's a home rule message at the desk. Now you can 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 55.

ACTING PRESIDENT FARLEY: The

bill is passed.

THE SECRETARY: Calendar Number 823, by Senator Stafford, Senate Bill Number 7023, authorizing the Town of Waverly, county of Franklin, to discontinue the use of and transfer of certain parks lands.

ACTING PRESIDENT FARLEY: Read the last -

SENATOR GOLD: May we have one day on this bill?

SENATOR PRESENT: Lay it aside for the day.

ACTING PRESIDENT FARLEY: Lay it aside for the day.

THE SECRETARY: Calendar Number 824, by Senator Volker, Senate Bill Number 7199, an act to amend the Erie County Tax 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 55.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 825, by Senator Volker, Senate Bill Number 7518, an act to amend the Town Law, in relation to the deadline for annual audit to be completed.

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 54, nays 1, Senator Pataki recorded in the negative.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 827, by Senator Pataki, Senate Bill Number 2876-A, Environmental Conservation Law, in relation to state agency environmental audits.

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 57.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 831, by Senator Johnson, Senate Bill Number 7722, Environmental Conservation 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 57.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 833, by Senator Maltese, Senate Bill Number 1648.

SENATOR ONORATO: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that bill aside.

THE SECRETARY: Calendar Number 834, by member of the Assembly Ramirez, Assembly Bill Number -

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 835, by Senator Maltese, Senate Bill Number 2115, an act to amend the Correction 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 57.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 845, by Senator Holland, Senate Bill Number 2659, an act to amend the Tax 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 57.

ACTING PRESIDENT FARLEY: The bill is passed.

Senator Present, that's the first time through.

Senator Libous.

SENATOR LIBOUS: Mr. President, could I have unanimous consent to be recorded in the negative on Calendar Number 761?

ACTING PRESIDENT FARLEY: 761, Senator Libous will be in the negative.

Senator Present.

SENATOR PRESENT: Would you recognize Senator Paterson; I believe he has a privileged resolution.

ACTING PRESIDENT FARLEY: Senator Paterson.

SENATOR PATERSON: Mr. President, I have a privileged revolution -- resolution, kind of as in a revolution -- that I would like to be read at the desk, if it would be all right.

ACTING PRESIDENT FARLEY: The Secretary will read Senator Paterson's privi leged resolution.

THE SECRETARY: Legislative Resolution, by Senator Paterson, congratulating and honoring President Nelson Mandela as the first popularly elected president of the new South Africa and the first black president of South Africa.

WHEREAS, it is the sense of this legislative body to walk in the noontide of righteous resolve -

SENATOR GALIBER: Mr. President.

ACTING PRESIDENT FARLEY: Hold on.

SENATOR GALIBER: Mr. President.

ACTING PRESIDENT FARLEY: I'm going to ask that you hold your conversations down for Senator Paterson's resolution. The Secretary will continue reading.

THE SECRETARY: -- it is the sense of this legislative body to walk in the noontide of righteous resolve, in the eternal light of peace with the imperishable hope of freedom for all nations of the world;

Attendant to such concern and fully in accord with its long-standing tradition, it is the intent of this legislative body to commend Nelson Mandela upon the occasion of his election as the first popularly elected president of South Africa;

Nelson Mandela, in spite of nearly 27 years of political imprisonment, has dedicated a lifetime spanning more than 70 years to securing racial equality, political freedom

and economic empowerment for all South Africans;

Nelson Mandela exemplifies a spirit, dedication and foresight which has not only precipitated independence and enfranchisement for all South Africans but has propelled him forward as the first popularly elected president of the New Republic of South Africa;

The African National Congress, in spite of countless threats, beatings and arrests and assassinations of its membership and leader ship, has waged an ever vigilant battle to eradi- cate the last vestiges of racism and colonialism from South Africa and to bring about a truly democratic state;

With about 46 percent of the estimated 22.7 million votes counted, the people of South African have cast their ballots for the first time in a multi-racial election and furnished an electoral mandate to the architects of the New Republic of South Africa;

The African National Congress was projected to win around 240 seats in the new 400

seat Parliament.

With the demise of the dreaded social system of apartheid, the people of South Africa have spoken in unity and in peace;

WHEREAS, on May the 10th, 1994, Nelson Mandela will be inaugurated at a ceremony attended by world leaders, including Hillary Rodham Clinton and Vice-president Al Gore;

The desire for freedom and self determination upon the part of the people of South African touches the hearts of all. It transcends the advocates of mindless retrench ment; it frays and shreds the mantle of purblind indifference which so cruelly seeks to rewrite the tragic history of black sufferings arching across the great Atlantic, it strikes a resonant chord upon the American bell of freedom;

Upon the occasion of this historic achievement, it is the sense of this legislative body to pause in its deliberations and so proudly congratulate President Mandela and the African National Congress in recognition of their monumental achievements and their

electoral victory, and join with the nations of the world in welcoming a new democracy to those already heroically committed to the fruition of freedom's promise;

This legislative body maintains its pledged commitment to work with and support continuing efforts to eradicate racism and improve living standards in the newly elected Republic of South Africa; now therefore, be it

RESOLVED, that this legislative body pause in its deliberations to commend Nelson Mandela upon the occasion of his election as the first popularly elected president of the New Republic of South Africa and the first black president of South Africa; and be it further

RESOLVED, that copies of this resolution, suitably engrossed, be transmitted to President Nelson Mandela and the African National Congress.

ACTING PRESIDENT FARLEY: Senator Paterson, on the resolution.

SENATOR PATERSON: Mr. President, I want to thank all of my colleagues for being a

part of the resolution. I would also like to thank Senator Gold and the members of the Majority for making it possible for us to have the resolution read at this time and I'm hoping that we will do more than pause from our deliberations in harmonious celebration of this historical event.

I hope that we will take the meaning of what occurred today in South Africa and try to think globally in terms of human rights violations that are taking place in Rwanda as we speak, of human rights violations that are taking place in Bosnia and in human rights violations that are taking place right here in the United States.

I've never been to South Africa, but I have been to the South Bronx. I have been to -- to areas of this state where people are living in what are the squalor conditions that many South Africans lived in and many as a result of violations that occurred in this country hundreds, and in some cases, decades ago.

We're hoping that this moment in history, this opportunity in which 90 percent of South Africans went to the polls and elected Nelson Mandela, their president, will start in place right here in United States where we have presidential elections that less than half the population votes in, statewide primaries that less than 20 percent of the people vote in, school board elections when sometimes 5 percent of the population votes in.

Maybe we have taken our rights for granted at a time when the world so sorely needs the participation. How else do you judge society unless you judge it by those who make up the society? But when we think that we are in 1994, in our vast age of technology when we can televise this inauguration around the world, when we can have interviews with many who participated and they'd be seen 7,000 miles away, when we think about that time period, isn't it interesting that some of the simplest and most common aspects of human nature are not observed and are only now being laid to rest in

places like South Africa. Is it that our ability to learn in a logical and mathematical sense has exceeded, our human values? I guess that is the case.

No one in South Africa ever thought that apartheid was a policy that was correct or in any way commensurate with how people should live anyway, anywhere. None of the high officials of the South African government ever really believed that this was the way that people should live in our time or in any other time, and yet it was allowed to happen. Why would that be the case? Why was apartheid not only encouraged but was sanctioned by the government? Let's just remember that every time there was a protest, that any time there was a disturbance, there were government troops coming out to quell it. Let's remember that right here in this chamber, Senator Montgomery and others joined to try to limit the rights of corporations that were registered in New York State that were doing business in South Africa, and we stood silently by for years and

just hoped that the situation would work itself out. Well, the situation worked itself out, no thanks to our participation, and yet we are still obliged and are allowed to join in the celebration.

Perhaps what we might want to do, rather than just relinquish the opportunity, is to seize upon the moment and look at our state and look at our government and look at our house and see how much in order it may be. How many issues that we might discuss or might address are at this time being held hostage when we know that any value or any condition that would promote any interest in our neighbors would compel us to discuss it and to try to ameliorate some of the conditions that our brothers and sisters right here in America are enduring? How many times have we ignored the opportunity to be a part of history and to be part of that celebration?

There will be no discussion in the moment in which Nelson Mandela who once sat in the prison and looked through the windows at

the state house who will now sit in the state house and look through the windows of the prison, there will be no remembering of those who complied or got along just by going along with the apartheid conditions of South Africa. History will not remember them. History will remember those who rather chose out -- to speak out against that injustice with the truth, who tried to do something to change those conditions, and it is in their honor that we try to remember them.

I remember being outside this chamber one day a few years ago when a colleague came up to me and said there was an article about Nelson Mandela, that he and his daughter hadn't spoken to each other in 20 years. It would -- and that this was not a good image for a black father to be portraying, but the problem is that Nelson Mandela's daughter is 43 years old. Nelson Mandela is 73 years old. This was a -- apparently some kind of a dispute involving a second marriage that occurred as adults. This in no way would reflect the contribution this

man has made to humankind as a leader, not to delve into some personal problem, but it makes me understand that we have now become a hard copy generation. We would rather indulge ourselves in the eccentricities of peoples' existence rather than the contribution that they have made to such an extent that we can stand in this chamber and even be part of what would be a society that is striving for freedom today.

And so those are the issues that history represents, not just the minor malfeasances of individual character but the overall great good that they have done and have contributed to our society and to the world.

And so it is in that spirit that I offer this resolution, a prelude, I hope to a remembrance of the kinds of goals and values that we strive for as human beings that we can appreciate whether we are Asian, black, Hispanic or white, whether we are upper middle class or welfare recipients, whether we send our children to public or private school or in any way that we live our lives, we understand that there are

certain self-truths, there are certain dignities that we should bestow upon our neighbors that unfortunately is still misunderstood in this century, and it took until May the 10th, 1994, for the nation of South Africa, the new South Africa, to recognize all people at least on paper in a way that would equal their value as human beings. We hope that this will be the beginning of a new era in which land rights and also self-determination will not only follow the South Africa government but every government of people around the world.

Thank you, Mr. President.

ACTING PRESIDENT FARLEY: Senator Galiber.

SENATOR GALIBER: Thank you, Mr. President.

I could never really think this could ever happen in my lifetime. Those of us who are here in this chamber, and there are some good folk in this chamber who have helped this happen in South Africa. I used to say, Senator Paterson, the same thing, we could have no

freedom in South Bronx until we have freedom in South Africa. If this is any indication, certainly things are looking better. It's been an awful long time coming.

Can you imagine in the real world, someone for a commitment, for a cause, spent 27 years in jail -- 27 years in jail because you believe that all people were truly created equal, and that they should have an opportunity to participate?

I can recall some years ago as I reflect on progress, as we moved, I can recall Senator Marchi at a convention some years ago who was out for sanctions and committed to the same causes that we were when some of his colleagues, not all, some of his colleagues were suggesting to us that the Sullivan approach was better. "Wait. Let's see. Let's not go too fast", but he focused as usual on the notion that if you are committed for as long as 27 years and you can come out of prison after 27 years with love in your heart, with no hatred, looking not to get even but to move forward,

what a -- what a person, what a man, what a golden opportunity, if you will, for us to reflect on what he represents.

If we can take just a piece of the cloth that he wears, magnify it and send it over, if you will, to the problems that we have here in this great state, that the racism that still exists -- its ugly head is still there, this frame of mind I keep telling you over and over about, the practices of discrimination - why are we wasting so much valuable time?

When Nelson Mandela left jail, there were some who would suggest that Nelson Mandela was free, and there are some of us who wisely said "No, he's not free. He's not free. He's just out of jail." And I suggest that we look at South Africa as we celebrate this great day, great day for democracy, as we see walls come tumbling down, as we see countries driving or striving or struggling, if you will, for the sense of democracy, all not calm yet but certainly working towards democracy. We're living in such interesting times and fantastic

times with Senator Marchi and to many of my colleagues and others who have been on the side of righteousness, what is good and what is right and what is fair. We've got to watch South Africa and not get hoodwinked into a position that now that we have a president for the first time, that everything is okay, everything is going to run smooth. I say not so. We have to be extremely careful because to be a president and not take the advantage or control over the natural resources of that country, is a mere president with no power, so they need our help in so many, many ways.

And in closing, I would like to say that oppression, period, is a fight and a struggle against oppression, and we've had phases of oppression and we've moved forward in this country, and every now and then we feel a sense of slippage when we're taking two steps forward and sliding back three, but we all should join in celebration, whatever our discipline, whatever our attitudes are, we should join in celebration of this day.

For all people as you saw them on the lines waiting to vote in South Africa, we have folks here who won't come out of their high-rises off the 14th floor to vote. They have forgotten in this great country of ours, when people just a few years ago were not allowed to vote unless you owned property and a whole slew of other conditions precedent forgotten, but to see the elderly people in Africa in wheelchairs saying "this is my last act, last act for democracy, last act to take an opportunity to participate," what a great lesson there is to be learned today.

So, Mr. President, as we pause, and rightly so, in celebration for democracy, celebration for integrity, celebrate for sticktoitiveness, celebrating love versus hatred, because I can think of no other person except Mandela, president Mandela, to spend 27 years in jail with all the hardships and the abuse and the tragedies that have occurred in South Africa, the killings and the children that have died, I can't imagine how he survived, but

as we celebrate this occasion, we should look at that experience, his experience as our experi ence and move forward and stop nitpicking over some of the nonsense that's taking place even at this particular time.

So I take the opportunity to congratulate South Africa and to thank those of my colleagues who were helpful in terms of the sanctions and helpful in terms of applying pressure and, John Marchi, I point you out individually to say thank you, because I know for sure of your position when you were fighting against your colleagues who did not want us to go through and proceed, so there are some victories in our world and this is one of them.

Thank you, Mr. President.

ACTING PRESIDENT FARLEY: Senator Marchi.

SENATOR MARCHI: It's, indeed, a very moving experience to witness the fact that -- well, today is the day, isn't it? It's May 10th -- that this event has taken place. Now, this isn't more of same, more nations acquiring

statehood in Africa or anywhere else. This is an experience that has been in a process of evolution for a number of years, and as has been said with a great deal of human sacrifice, great suffering, great emotions being challenged, abuses, all kinds of things taking place, and yet, the final impact was the emergence of an individual, and mind you, you have not had this in my memory, at least since the days of Mahatma Gandhi stepping out of prison as it were, and in a relatively short time by comparison to that time when he was not free to function, to assert the moral grandeur of this new nation, the spiritual grandeur of this nation.

The first thing that the new president said, "I am the president of all the people". Now, you never had this. In most cases, there was somebody crowing over a victory. His was an affirmation that he is the president of all the people, and the formulation of that government was for the purpose of speaking to all of them as members of this new society that was emerging. Now, this is an

exciting step. This isn't something that had happened virtually as nations were born during the last 30 and 40 and 50 years. This was something different. It had a moral and spiritual context, and it is a challenge. It's not the beginning of the end. It's the end of the beginning, but the important steps are going to be now.

If there is a great victory in terms of positive progress from now on -- and that will require international cooperation and the comity of nations knowing that the responsi bility that is there, do we realize what this is going to mean to other nations that are still in -- in deep difficulty in terms of achieving and perfecting their own independence. It helps us. It helps anybody on the planet. If this can -- if this affirmation -- and it's not going to happen overnight with tremendous victories. It's going to be acquired by hard work and it's going to be acquired by the cooperation of nations, and that benefit is going to flow to everybody on this planet, because if it can be

done, it will be a dramatic example of what good faith can mean.

I remember several years back, an attempt was made to provide an auspices. We have an auspices in this country since 1922 or '23 in providing academic opportunities to foreign students, and this is sponsored by the federal government, and it was my suggestion and others that we do the same thing on a state basis even if it's a modest basis and taking other areas where an auspices can be created for -- for the preparation of a cadre that will be able to step in and assume the responsibilities for crafts, for new technology, for so many - for so many functions that are going to be required for the success of over 20 million people functioning -- functioning successfully.

There's a lot of infrastructure there already, but meaningful participation will require furnishing that type of auspices for a growing number of people who, in the throes of the last years of this effort, were distance - distant from a process even at the level which

it existed at that time. There was a slow-down so that receptive communities and receptive states can provide even on a modest basis but in their totality would constitute a very, very - a dramatic contribution in assisting a new state come into being with the cadre of people, because the richness of that nation is going to be its people, and if they have the proper tools with which to function, they are going to enrich and build on what they have.

So that it's a great opportunity, I think as a day of rejoicing for all elements of decency that exist throughout this planet, and it's going to come back many times if we recognize the opportunity that we have that should be seized, that opportunity should be seized to make a very dramatic impact and to give every assurance that we believe that this will function.

Even the number of people -- I believe Senator Paterson mentioned the great number of people that voted in South Africa compared to the fact that we bring in less than

half of our voting population to the polls. That's the importance that was attached to what was being done, and this educative process, this involvement, everyone had a share, everyone had a little peice of that nationhood that was being created, and they went to the remotest areas. It was very dramatic just to see in some of the news reports, the televised reports of the super-human efforts that were being made to reach as many people as possible regardless of the remoteness of their residence, because it was very important. It wasn't just one more vote. This was establishing a bond -- this was a bonding operation. These people were participating in the creation of a nation,, and in most cases this doesn't happen. It's the product of an elite. This wasn't an elite. This was everybody and everybody had a little piece of it. We didn't even have that experience ourselves in the founding of our own nation.

So this was a rather unusual and dramatic way of establishing a statehood, a

direct participation and a direct solicitation and the provisioning of that opportunity to cast their ballot, that was the passport to becoming a member of a new nation, and that was a pass port that very few nations have ever experienced anywhere else, but it did happen here, so we had so many things happening -- people participating directly in great numbers, every effort being made to extend that franchise and to take this bonding experience and then handing it to those who would be assuming responsibility and the response was "We are one nation." That was Nelson Mandela's response.

All right. I think it's a great moment in history. It's one of the -- one of the signal steps that you find very few counter parts anywhere else, very few counterparts that -- that can trace the footsteps that were taken prior to the establishment of a new member of the family of nations in the form and the complete and total form with which we behold it today.

So it's a day to rejoice, but

it's also one for sober reflection on the serious responsibilities that we assume and we rejoice over these circumstances because we, by our collective -- the comity of nations and by collective realization of the responsibility the free world has, we have the opportunity to make a function, and it's going to -- it's going to happen naturally, but it has to be supported, and there's no worse blasphemy than denying our dependency on each other, and even ourselves. We will benefit greatly. We will benefit greatly by the very example that will be set if we give full effect and full credence in our own commitment to what has happened.

So, again, we must thank providence that steps have taken the trend they have, but it's also an indication that our work is cut out for us in trying to give every conceivable encouragement, positive encouragement, to those people who have now embarked on a -- on a very difficult operation but which I believe, given the faith that they

have professed already, is going to endure to the benefit of mankind.

ACTING PRESIDENT FARLEY: Senator Waldon.

SENATOR WALDON: I first want to applaud Senator Paterson for making it possible for us to have the opportunity to speak on Nelson Rolihlahla Mandela and his inauguration as president of South Africa.

I would like to compliment, Mr. President, the Republican side for recognizing that today is the day that he was sworn and today is the day that we should deal with this resolution. This is a great day of pride for me.

So allow me -- let me back up to the time that I was a young child in Florida and New York. In Florida everybody was black in my neighborhood, but when we moved to Halsey Street in Brooklyn, I met people from all over the world in terms of the children who were in my classes. Stanley Yuslowski, his family came from the Russias, Jewish; "Sonny" Galino, his

grandparents had come from Italy. He was Italian-American. Went to Junior High School 85. I met guys who were great ball players, whose grandparents had come from Ireland. They were Irish-Americans. Met a guy named Freitche, super ball player, tough guy, German-American, and when we would talk about their parents and where their parents had come from and their experiences, they spoke with great pride about the home land, the mother country, but I did not and could not at that time, because there weren't a lot of classes in school teaching me about where my people had come from. The movies depicted us in very bad ways. In fact, I can honestly admit now, because I'm mature enough to recognize that I can distinguish between what was good then and bad then and what is good now and bad now versus who I am, my self-image, I was ashamed of the fact that my people had come from Africa because everything I saw spoke to the "dark continent", the ignorant people from there, people in trees wearing short outfits.

So today is a day where children

who are young of age, as I was in the '40s, will never have to experience what I experienced, because when you ask the question, what is Nelson Mandela, you have to respond, a visionary, a man of great stature and intellect, a true leader of all the people, a man who put himself second to the cause that he saw as necessary for the viability and the survival of South Africa: Freedom and democracy.

When you ask, what does Nelson Mandela mean to Al Waldon, it has to be responded with I, too, walk a little taller because of this giant -- this man who will be remembered, in my opinion, historically as was Mahatma Gandhi and as is Mahatma Gandhi; as was Franklin Roosevelt and as is Franklin Roosevelt; as was Winston Churchill and as is Winston Churchill. This man will become one of the great historical leaders of our time, and I believe of all time.

But the significance of the achievement of bringing from a state of apartheid to democracy in South Africa for the

children who are of the African Diaspora, in my opinion, will be that they now can be very proud of their ancestry. They now can no longer be fooled into thinking that Africa is not a valu able and viable place, with all of its mineral wealth and all of its beauty, because it is a stark reality as of today when Nelson Mandela took the presidency of South Africa.

So I applaud all of us in what we did in our own way to make it possible for South Africa to be what it is today and for Nelson Mandela to ascend to the presidency. I thank you for the book drive where many of you have helped. I thank you for the gifts that you made years ago in regard to your votes affecting the policies -- financial policies of New York State, in regard to your encouragement of those from South Africa who came here needing to be encouraged.

I thank you for your comradeship with me, a great, great, great grandson of somebody from somewhere in Africa.

Today is a day of great pride.

It's a day mostly of great pride for those of South Africa, but secondarily for those of us who have descended from those of all of Africa. But it is also a day of pride for each of you because, when this man achieved what he achieved, all humankind on earth achieved as well.

Thank you very much, Mr. President.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: Thank you, Mr. President.

Mr. President, I would be less than candid if I didn't admit that, when I watched the movie EXODUS, and the British finally accede and the blockade is broken and the ship is on its way to Israel, I cry a little; I choke. And I admit that you -- I don't know anyone who watches that one scene in CASABLANCA where they sing "The Marseillaise" and everybody gets involved and the Germans are

put down at that point, and I choke and I cry. And I won't delude anybody here. As I sat in The Egg today and they showed the inauguration of Nelson Mandela, my eyes were not dry. It was -- it was enormous. It's just an enormous, enormous event in the history of this world.

My dear friend, Senator Waldon, says that as a result of today, he can walk a little taller. Well, I want to tell you something, Senator. I don't think there's any freedom-loving person on the earth who shouldn't walk a little taller today. Today is a day when human beings did something human, and we all know that, unfortunately, that's too unusual. But today was a day when, if you were a human being and you saw this, it had to affect you whether or not your ancestors came from Africa or any other continent.

A number of people have referred to the -- this vision of a man for 27 years looking out of prison at a palace, and now 27 years later looking back the other way. That man is a man whose picture and name was banned

from the press for all that time, and here's a man who, after 27 years of that, keeps his eye on the ball. He understands that the success of his country is more important than revenge, and whereas, as human beings, we understand how someone could build up an enormous hatred, an enormous resentment, and could come out, get that freedom and "show the world" in the violent sense, the man has his eye on the target, and will take that country and show that what is inside of him is the success of his country is more important than whatever venality was done to him than to show that he could do that to other people.

I also was very touched today by not only what I saw on the screen when they showed the inauguration, but by something else which I thought was very important. There were faces in that audience and these weren't "thems", these were ours, these are our kids, American kids, growing up here and they had such a feeling of pride at what happens so many, many miles away, that humanity took a step up and

that they could, as my distinguished colleague indicated, walk a little taller. They sang the new anthem of the Republic, and it was beautiful. It was beautiful music because it came more from heart than from the vocal cords.

I believe, and I was taught as a youngster that, when good things happen, you should always give something to charity. You always had a little pushki around, you give seduca. When things are good you respond, and I would like to see this Legislature do this. There was no problem today getting this resolution out, because we have a distinguished deputy Majority Leader and his really very, very distinguished counsel, who understood that this had to be today, and I'm not shocked that they did the right thing because Jess Present usually does the right thing in helping us run this Senate.

But while today is Nelson Mandela's day, we have a session that will continue for the next few weeks, months maybe, and the way to show the enormity of this act is

in what we do day to day, whether we put out bills which are mean-spirited or bills which take care of people, our people, whether we put out bills which stake out political positions or whether we put out bills that start to comprehend the needs of everybody in this state to be a part of the process, a part of the economic process, the social process, and then we will show that we not only passed a resolution on one day, but we understood the enormity of the event.

I want to close by saying that I remember, as probably everybody remembers, where they were the day Kennedy was shot, the day other significant events happened, and I can tell you, I will always remember breaking into our day today at the request of Comptroller McCall and the Caucus, to sit with other people in a large room and see this enormous event take place in front of my eyes.

It is a day when I can forget about the mass murderers, and I could forget about those who have dedicated their lives to

destruction. It is a day when we can really say, "Today it ain't so bad being a human being. Today the good guys did win one."

ACTING PRESIDENT FARLEY: Senator Connor, then Senator Montgomery.

SENATOR CONNOR: Thank you, Mr. President.

We've seen some momentous events in history in these past years, and today was probably -- was undoubtedly one of the most momentous occasions I've witnessed from afar, to see a man who spent 27 years in prison -- and let me say it's not unusual that the liberators spend time in prison. Nehru, Gandhi, De Valera, Nkrumah, Kenyatta, Macarios, on and on the list goes, the people who spent years in prison fighting colonizers, fighting for human rights, fighting for the liberty and democracy. But I dare say none of them -- none of them spent such an enormous portion of their lives in prison as did Mandela, for principle, and the character of this man that he could come out of that and not be bitter, be hopeful, be positive, is truly

remarkable, and I think if we look back through history, we think of world figures that we observed in our lifetimes. It places him among the few truly unique who could have such a spirit, such an indomitable spirit, such a hopeful spirit, that he's not embittered by the kind of imprisonment and enslavement he personally underwent and by the kind of tragedies and barbarism the people he leads were forced to suffer by an unjust system.

I think the other remarkable thing or the other thing that's true about Nelson Mandela is, like other liberators, he has liberated everyone in his nation. He has liber ated not just the oppressed, but he has liberat ed the oppressors from the kinds of hard hearts, from the kinds of debilitating demoralization that undoubtedly their perpetuation of such an atrocious system as apartheid caused them.

And it was truly remarkable to see him inaug... Mandela inaugurated as president of the Republic of South Africa and to see the salutes from the military leaders who,

for the most part, were white Afrikaans, to see De Klerk congratulate him because what you realized is, Mandela just didn't simply uplift the spirits and free his people, the black people and the other people of color of South Africa, but he liberated the white minority. He liberated them from the chains of their own hatred. He liberated them and lifted their hearts from the kind of coldness that they, by perpetuating this system, had brought themselves into.

He lifted them from the only depths that they dug for themselves, even as they oppressed others, and that's the true mark of a liberator, the true mark of someone who will lead the South African Republic on to true justice that will perfect the democracy they now have, and it is simply -- it is truly a remarkable event in the history of humankind to see such a hopeful development for people every where, no matter who they are, and I hope that we still have work -- I know we still have work to do in our own state, in our own country, to

ennoble people, to ennoble the human spirit for everyone, to make sure everyone has an opportunity, to make sure that in addition to political justice there is economic justice for all, and I hope all of us pause and take inspiration from what Nelson Mandela and his comrades in the African National Congress -- and we can think of so many going back who gave their lives. I hope we can all take inspiration from that, and the ceremony that Comptroller McCall and the Black and Puerto Rican Caucus sponsored today, at the end of it, we joined hands, and it took me back over 30 years to when I was much younger, when we sang We Shall Overcome today, it reminded me of many occasions in the '60s and early '70s and, frankly, while in those days many of us were hopeful, were rebellious at the time, I don't think any of us really in our -- deep in our hearts, that we carried or ever thought we would live so long to see what we have seen come to fruition today, and it's just a wonderful event, and I thank Senator Paterson for bringing forth this

resolution so that we may all honor the heroes of South Africa and also take inspiration for our own work yet to come.

Thank you, Mr. President.

ACTING PRESIDENT LIBOUS: Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I just want to add my voice to say, one, thank you to Senator Paterson and the leadership in this Legislature -- this legis lative body, for taking out this time and allowing us an opportunity to express what I suspect are such feelings of pride that it doesn't even come through, though we try to express it as best we can. And I know that, though I was the prime sponsor, along with a number of my colleagues in this house, of legislation which was aimed at trying to escalate the -- this moment in time, that, for various reasons, primarily political I suppose, we were not able to get that legislation onto the floor and voted for. However, I want to say

that Senator Marchi and I, and I think Senator Marchi, long before Nelson Mandela was released from prison, had a sense and a vision that this day would come and, in anticipation of that, Senator Marchi supported legislation which would have allowed our state to participate in a preparation of people in South Africa so that, when this day came which he knew would come sooner or later, there would be a base of people who would be prepared for this to take over.

I also had conversations with other members of the other side, including one of the members who I respect and love so dearly and miss so much even until today, Senator Gene Levy, who said to me that, though the legislation is not coming to the floor, you can be assured that there are members on this side who support it.

So I thank my -- my colleagues for that kind of vision and that kind of support and I guess there are so many of us, therefore, who can take such pride in this moment because we have, in fact, been part of this liberation,

and so it is partly ours, and I think that for me, the moment of greatest pride and joy and happiness and fulfillment was the day that Nelson Mandela walked out of jail, out of prison, and in that moment I felt that it was in honor of the many thousands of people, women and children and men, who had died for that moment and many millions of people around the world who kept the flame burning and kept the faith and fought and worked for that moment to happen, and I am so sure that there were so many hours and years that Nelson Mandela spent in that prison cell, in those prison cells, anticipating the freedom of his people and remembering the reason that he was there, and contemplating what he would do as a freed person and how he would participate in the true liberation as Senators have spoken about today and, therefore, when he came out, he was prepared and I had that sense when he walked out of -- out of there that this day was going to come and that he would be part of it. And so it's the fulfillment of the kind of dream that people have that only happens

perhaps only once in a lifetime and, for those of us for whom it happens more frequently, it is indeed so wonderful.

But this, I think, is a once-in a-lifetime fulfillment of a dream for so many of us, and I am so thankful that it is Nelson Mandela who is fulfilling that dream, for I know of no other person in this world at this time that I believe could and will carry out the mission and the cause and the course for which he was he was imprisoned, and that is that for those who will fight and die for their freedom, freedom is sweeter and more significant, and it embraces us all.

So I join my colleagues in this wonderful moment that we have set aside. To me it is a statement by this body that the reason that we are here is being honored and that we really do believe in it. We believe in this democracy and we celebrate a man who is hopefully going to bring that realization to a part of the world that has been in darkness for so many years.

So thank you, Mr. President.

ACTING PRESIDENT LIBOUS: Senator Dollinger.

SENATOR DOLLINGER: Thank you, Mr. President. I'll be brief.

I want to add my voice to those of my colleagues and add just one slight variation. I think the wonder of today is what it tells us about our ability to change ourselves. As I sat here and listened to my colleagues' comments, I remembered two little phrases that summarize what I think is the American democratic experience and which I think are important to keep in mind as we discuss Nelson Mandela.

One is the principle of one person and one vote, and there could be no greater affirmation, as Senator Marchi said, than the vote of 22 million people who formerly did not have the right to vote in South Africa, who walked many miles to vote, who exercised their franchise in favor of change, and it's that collective will, that power of people

grouping together to effectuate change, that Nelson Mandela symbolizes.

But he also symbolizes one other very important phrase in the American political experience, and that is that one person can make a difference. It seems to me that the individual liberty, the individual spirit that we recognize in this democracy, that we want to have flourish in this democracy under the concept of collective will, we have to allow individual human dignity to not only come to the fore, to flourish, to flower and to effectuate change.

What I've learned by the lesson of today is that history can be changed. We are not its product. We are its author. A will, the collective will is our pen and the future is the clean slate on which we can write and what I hope this affirmation of human dignity symbol ized in the inauguration of Nelson Mandela does today is embolden all of us to take that pen, whether we're black or white, yellow, brown or any hue in between, and that we'll write a

future that we can all be proud of it that will recognize our collective ability to live together and the importance of the individual human spirit.

Mr. President, I congratulate my colleagues for bringing this resolution forward. I think it's a great day for all of us and a great day to celebrate the human dignity not only of the man who persevered through prison to the presidency but of all of us who would like to write a future of change so that we can all celebrate this not only on these momentous occasions but every single day.

ACTING PRESIDENT LIBOUS: Senator Pataki.

SENATOR PATAKI: Mr. President, I rise as well to congratulate Senator Paterson on sponsoring this resolution and to add my words of thanks and happiness about the tremendous events that have transpired in South Africa.

We were all, I believe, tremendously moved to see the lines stretching for miles of people, free people, finally given

their democratic right standing there, waiting to exercise that right, and I think it has a great deal of meaning for us in this body and for all New Yorkers and all Americans as well, and that is that ultimately oppression, racism, bigotry, hatred, will not prevail in the face of a people united in spirit and united and wanting simple freedom and dignity that is the right of everyone as a resident of this planet.

And second, that when you do have extraordinary individuals such as Nelson Mandela, that it doesn't take tanks or planes or weapons to overcome oppression and injustice. It takes spirit and a willingness to fight and be bigger than the oppressors, and I think we have to learn from this, that injustice does not have to be met by injustice. Nelson Mandela has shown a willingness, an ability to forgive and transcend his oppressors that all of us could learn from, and it was just amazing today to be reading that Nelson Mandela's cellmate when they were in prison together by the oppressive regime, as of next week will be the head of the

corrections department in the new free South Africa, and I think we can all have confidence that he will be a fairer, more just, more human person in that capacity because of the spirit and the inspiration that Nelson Mandela has given not just to the now free people of South Africa but to all of us across the world who have to admire his greatness.

So again, I just want to join and thank Senator Paterson for offering this resolution and join with my colleagues in saying that this is a wonderful day not just for South Africa, but for African-Americans or for Americans but for everyone in this world who respects the dignity and the freedom of individuals and the capacity of one great individual to overcome and rise above hatred and bigotry.

ACTING PRESIDENT LIBOUS: Senator Paterson.

SENATOR PATERSON: Mr. President, we recognize that not everyone had an opportunity to speak on the resolution so we

would like to leave the resolution open for anybody who would like to be part of it.

Senator Pataki is certainly right that this day was brought about with the certainly surprisingly less violence than we would have thought, maybe synonymous with the glorious revolution, the bloodless revolution of the enlightenment in 1688. Hopefully, it will be a prelude of how governments can be changed and enlightened without the use and the necessity of force, a lesson we hope will be learned around the world, and I would just like to close with a fond remembrance that I don't think I've ever shared with any colleague.

ACTING PRESIDENT LIBOUS: Senator Paterson, if I may, just before you close, if I could ask Senators who would like to sponsor just raise your right hand, please.

SENATOR GOLD: Recognize Senator Kuhl.

SENATOR KUHL: Would you take this opportunity to put all members of the Senate on the bill, on the resolution, excuse

me, and if there is somebody who wishes for their own personal reasons not to, they can indicate to the desk that they would not wish to be on the resolution. That will solve the problem.

ACTING PRESIDENT LIBOUS: The Chair has no objection with that.

Senator Paterson to close.

SENATOR PATERSON: I was just going to point out that in 1986, which was my first year in this chamber, we had a discussion about sanctions in South Africa, and Senator Montgomery's attempt to -- to penalize those 133 companies that were doing business in South Africa and, during that debate, Senator Marchi made a comment that he had read that 75 percent of black South Africans took part in a poll or 75 percent of black South Africans that took part in a poll voted against government sanctions against the South African government.

At that point, I wanted to point out to Senator Marchi, that at that time it was actually against the law to take a position

opposite that of the South African government, so that anybody who voted to the contrary certainly was making himself eligible for imprisonment in South Africa.

When I left the chamber that day, Senator Marchi came up to me and, with the discourse that I often heard in this chamber and some of the words that went back and forth between the Majority and the Minority, when he came up to me, I thought that Senator Marchi was going to try to kill me, and what he said was that he had never realized that that was actually the case and that he would rethink his position on sanctions and that one thing was for sure, that he would never cite that as an issue in favor of not having sanctions at that particular time.

So it was a good lesson for me in my first year that, in spite of the perceived problems inherent in some of our differences in this chamber, that through the dialogue that we had, particularly during these resolutions and other debates that we indulge in, that we do

have some understanding that goes back and forth between these aisles, and this is certainly a good day to recognize it.

Thank you.

ACTING PRESIDENT LIBOUS: On the resolution, all in favor indicate by saying aye.

(Response of "Aye.")

Opposed?

(There was no response. )

The resolution is adopted unanimously.

Senator Goodman.

SENATOR GOODMAN: No.

ACTING PRESIDENT LIBOUS: Senator Kuhl.

SENATOR KUHL: Any housekeeping?

SENATOR PRESENT: Senator Cook.

ACTING PRESIDENT LIBOUS: Senator Present.

SENATOR COOK: Mr. President, on page 24, I offer the following amendments to Calendar Number 669, Senate Print 7710, ask that

said bill retain its place on Third Reading Calendar.

And also I'd like to place a star on Calendar Number 819.

ACTING PRESIDENT LIBOUS: Star is placed on 819. Amendments accepted without objection.

Senator Present.

SENATOR PRESENT: Mr. President, have we completed housekeeping?

ACTING PRESIDENT LIBOUS: I believe so.

SENATOR PRESENT: Mr. Cornell is caught up.

Mr. President, I'd like to remind the members that the Senate picture will be taken tomorrow promptly at noon. It's imperative that we adhere to the schedule of the cameraman for he has a tight schedule and would like to move from this chamber over to the other chamber.

ACTING PRESIDENT LIBOUS: Senator Present, before we continue, the clerk has one

other item.

SENATOR PRESENT: O.K.

THE SECRETARY: The Governor returned without executive approval Senate Bill Number 1142-A, by Senator Volker, Veto Number 3, an act to amend the Real Property Law, in relation to disclosure obligations of real estate brokers and agents.

ACTING PRESIDENT LIBOUS: Lay it on the table.

Senator Present.

SENATOR PRESENT: Mr. President, there being no further business, I move that we adjourn until tomorrow at 11:00 a.m.

ACTING PRESIDENT LIBOUS: The Senate is adjourned until tomorrow at 11:00 a.m.

(Whereupon at 5:37 p.m., the Senate adjourned. )