ALBANY, NEW YORK

June 13, 1994

3:55 p.m.

REGULAR SESSION

SENATOR HUGH T. FARLEY, Acting President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

ACTING PRESIDENT FARLEY: The Senate will come to order. Senators will please find their places. Please rise with me 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 Rabbi M. Mitchell Serels of Magen David Sephardic Congregation of Scarsdale, New Rochelle, New York.

Rabbi Serels.

RABBI M. MITCHELL SERELS: Elohaynu zerin elohaynu: Our Lord God, our redeemer and refuge, bless these noble legislators. Crown their efforts with success. May the deed of their hands and the thoughts of their minds be of benefit to all. As we, the Sephardim, know out of tolerance and mutual respect great works can flower, but out of intolerance only disaster can result. Let each one, therefore, take pride in their accomplishment. As You, Almighty, have promised

reward, and bless them for performing justice, and so shall these Senators be blessed. As the efforts of each does indeed affect each and every one of us, grant them continued wise counsel, the knowledge of where we have come from and to where we must ultimately go and what we must leave behind. Para la paz y la salud de todos. And let us say amen.

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

THE SECRETARY: In Senate, Friday, June 10th. The Senate met pursuant to adjournment, Senator Bruno in the Chair upon designation of the Temporary President. The Journal of Thursday, June 9th, was read and ap proved. On motion, Senate adjourned.

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

The order of business:

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DiCarlo, with a motion.

SENATOR DiCARLO: Mr. President, on page 37, I offer the following amendments to Calendar 615, Senate Print Number 7215, and ask that said bill retain its place on the Third Reading Calendar on behalf of Senator Cook.

ACTING PRESIDENT FARLEY: Without objection.

SENATOR DiCARLO: Mr. President, on page 37, I offer the following amendments to Calendar 613, Senate Print Number 3202-A, and ask that said bill retain its place on the Third Reading Calendar, for Senator Cook.

ACTING PRESIDENT FARLEY: So ordered, without objection.

SENATOR DiCARLO: Mr. President, I wish to call up bill, Print Number 6300-B recalled from the Assembly which is now at the

desk.

ACTING PRESIDENT FARLEY: Secretary will read the bill.

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

ACTING PRESIDENT FARLEY: Senator DiCarlo.

SENATOR DiCARLO: 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 38.

ACTING PRESIDENT FARLEY: The bill is before the house.

Senator DiCarlo.

SENATOR DiCARLO: Mr. President, I now offer the following amendments on behalf

of Senator Bruno.

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

SENATOR DiCARLO: Mr. President, I wish to call up bill, Print Number 6805 recalled from the Assembly which is now at the desk.

ACTING PRESIDENT FARLEY: Secretary will read it.

THE SECRETARY: By Senator Sears, Senate Bill Number 6805, an act to amend the Highway Law, in relation to designating a portion of the state highway system as the Aluminum Workers Memorial Highway.

ACTING PRESIDENT FARLEY: Senator DiCarlo.

SENATOR DiCARLO: 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 38.

ACTING PRESIDENT FARLEY: Senator DiCarlo.

SENATOR DiCARLO: Mr. President, I now offer the following amendments for Senator Sears.

ACTING PRESIDENT FARLEY: Amendments are received.

SENATOR DiCARLO: Mr. President, I wish to call up my bill, Print Number 6379 recalled from the Assembly which is now at the desk.

ACTING PRESIDENT FARLEY: Secretary will read Senator DiCarlo's bill.

THE SECRETARY: Senate Bill Number 6379, by Senator DiCarlo, an act to amend the Penal Law, in relation to the sale of controlled substances on school grounds.

SENATOR DiCARLO: 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 38.

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

ACTING PRESIDENT FARLEY: Amendments are received.

SENATOR DiCARLO: Mr. President, on behalf of Senator Skelos, please remove sponsor's star on Calendar Number 199.

ACTING PRESIDENT FARLEY: Star is removed on 199.

SENATOR DiCARLO: On behalf of Senator Daly, please remove the sponsor's star on Calendar Numbers 400 and 945.

ACTING PRESIDENT FARLEY: The stars are removed.

SENATOR DiCARLO: On behalf of Senator Wright, please place a sponsor's star on Calendars Number 402, 403 and 404.

ACTING PRESIDENT FARLEY: The bills are starred.

Senator Cook.

SENATOR COOK: Mr. President, I'd like to remove stars on Calendars 613, 615 and 922.

ACTING PRESIDENT FARLEY: The stars are removed at the request of the sponsor.

Senator Goodman.

SENATOR GOODMAN: Mr. President, may I place a sponsor's star on Calendar 780, Senate Bill 7902.

ACTING PRESIDENT FARLEY: 780 is starred at the request of the sponsor.

SENATOR VELELLA: Mr. President.

ACTING PRESIDENT FARLEY: Senator Velella.

SENATOR VELELLA: Mr. President, I'd like to -- Senate Bill 872, Senate Bill 7198-A, would you remove the sponsor's star.

ACTING PRESIDENT FARLEY: Star is removed.

Any other motions on the floor? We have some substitutions, Senator Padavan.

May we read them? Secretary will read.

THE SECRETARY: On page 20 of today's calendar, Senator Skelos moves to discharge the Committee on Rules from Assembly Bill Number 8460-B and substitute it for the identical Third Reading 817.

On page 31, Senator LaValle moves to discharge the Committee on Education from Assembly Bill Number 8734-A and substitute it for the identical Third Reading 1065.

On page 39, Senator Cook moves to discharge the Committee on Rules from Assembly Bill Number 5058-B and substitute it for the identical Calendar Number 922.

ACTING PRESIDENT FARLEY: Substitutions are ordered.

Senator Padavan.

SENATOR PADAVAN: Mr. President, will you acknowledge Senator Stafford who has a privileged resolution.

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

THE SECRETARY: Legislative Resolution, by Senator Stafford, honoring Dr. H. David Chamberlain for his distinguished service on behalf of Paul Smiths College of Arts and Sciences on June 17, 1994.

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

(Response of "Aye.")

Those opposed nay.

(There was no response.)

The resolution is adopted.

Are there any other motions, any other business on the floor?

Senator Padavan, what's your pleasure?

SENATOR PADAVAN: Non-controvers ial.

ACTING PRESIDENT FARLEY: Secretary will read non-controversial.

THE SECRETARY: On page 4, Calendar Number 126, by Senator Hannon, Senate Bill Number 281-B, authorizing the county of Nassau to accept an application for 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 42.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 242, by Senator Larkin, Senate Bill Number 6390 A, an act to amend the Public Officers Law and the Village 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 43.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 291, by Senator Skelos.

SENATOR PADAVAN: Lay it aside for the day, please.

ACTING PRESIDENT FARLEY: Lay it aside for the day, did you say?

SENATOR PADAVAN: For the day.

ACTING PRESIDENT FARLEY: For the day.

THE SECRETARY: Calendar Number 478, by Senator Saland.

SENATOR OPPENHEIMER: Lay it aside.

SENATOR PADAVAN: Lay it aside.

ACTING PRESIDENT FARLEY: Lay that bill aside.

SENATOR PADAVAN: For the day.

ACTING PRESIDENT FARLEY: For the day.

THE SECRETARY: Calendar Number 734, by Senator Spano, Senate Print 5622-D, an

act to amend the Civil Service 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 43.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number 812, by Senator Larkin, Senate Bill Number 3144-C, Real Property Tax Law and the Education Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Lay it aside.

THE SECRETARY: Calendar Number 815, by Senator Farley, Senate Bill Number 5038-A, an act to amend the Real Property Tax Law and the Social Services Law.

ACTING PRESIDENT FARLEY: Read

the last section.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT FARLEY: Laid aside.

THE SECRETARY: Calendar Number 817, substituted earlier today, by the Assembly Committee on Rules, Assembly Bill Number 8460-B, an act to amend the Public Health Law, requiring the presence of certified lifeguards on ocean beaches.

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 44, nays one, Senator Cook recorded in the negative.

ACTING PRESIDENT FARLEY: That bill is passed.

THE SECRETARY: Calendar Number 929, by Senator Volker, Senate Bill Number 6672

A, an act to amend the Executive Law.

ACTING PRESIDENT FARLEY: Read the last section.

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

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: Calendar Number 941, by Senator Johnson.

SENATOR JOHNSON: Lay aside for the day, please.

ACTING PRESIDENT FARLEY: Laid aside for the day.

THE SECRETARY: Calendar Number 1098, by Senator Bruno, Senate Bill Number 7133 A, an act to amend the Executive Law.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 2.

SENATOR GOLD: Lay aside.

ACTING PRESIDENT FARLEY: Withdraw the roll call, lay it aside.

That's the first time through, Senator Padavan.

SENATOR PADAVAN: Controversial, please.

ACTING PRESIDENT FARLEY: Controversial.

THE SECRETARY: On page 20, Calendar Number 812, by Senator Larkin, Senate Bill Number 3144-C, an act to amend the Real Property Tax Law and the Public Service Law.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Explanation has been asked for.

Senator Larkin.

SENATOR LARKIN: This really is a -- Mr. President, this is really a continuation of a bill that we did in 1987, and the main thrust of this bill today is that -- from the 1987 is that the central office equipment in those days was all out in the field. Now, you

can move it to the field or inside.

And those that had the objection was the Association of Counties and the towns. Now, all they have to do is move this equipment out on a pole and they get the exemption.

SENATOR GOLD: Will the Senator yield to a question?

ACTING PRESIDENT FARLEY: Senator Larkin?

SENATOR GOLD: Is this the same bill that we had last year?

SENATOR LARKIN: Yes, sir, and we made those changes that the telecommunications people that the Governor had in "B", and asked us to hold off, and we made those changes.

SENATOR GOLD: Then it's not the same bill.

SENATOR GALIBER: An improved bill.

SENATOR GOLD: An improved bill.

SENATOR LARKIN: It's an improved bill, yes, sir.

SENATOR GOLD: Will the Senator

yield to a question?

ACTING PRESIDENT FARLEY: Senator Larkin, will you yield?

SENATOR GOLD: Senator Larkin, you may remember that this bill won the award last year for the bill that had the most bipartisan opposition, but I'm just curious: Can you just explain what the amendment does so that people who voted against it last year can at least understand the changes.

SENATOR LARKIN: Well, it says that the central office equipment located anywhere except in a special franchise is exempt from the real property tax.

SENATOR GOLD: All right, Mr. President. On the bill.

ACTING PRESIDENT FARLEY: On the bill.

SENATOR GOLD: There were just a few -- last year Senators Jones and Markowitz, Oppenheimer, Stachowski, Cook, Farley, Johnson, Pataki and Seward voted against that print. You've heard my distinguished colleague explain

the difference. Your dice.

SENATOR LARKIN: Last section.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: SECTION -

Senator Jones. I'm sorry.

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

SENATOR LARKIN: Yes.

SENATOR JONES: Does that mean, then, that NYCOM and the Association of Counties has withdrawn their opposition to this new print?

SENATOR LARKIN: I just said the Association of Counties and Towns are still objecting.

SENATOR JONES: Oh, they do object. I didn't hear you, Senator. Thank you.

SENATOR GOLD: Last section.

ACTING PRESIDENT FARLEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT FARLEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 812 are Senators Cook, Dollinger, Farley, Johnson, Jones, Kruger, Oppenheimer and Stachowski. Ayes 37, nays 8.

ACTING PRESIDENT FARLEY: The bill is passed.

THE SECRETARY: On page 20, Calendar Number 815, by Senator Farley, Senate Bill Number 5038-A, an act to amend the Real Property Tax Law and the Social Services Law.

SENATOR GOLD: Explanation.

ACTING PRESIDENT FARLEY: Just a moment.

SENATOR FARLEY: This particular legislation has been introduced at the request of Montgomery County. It would permit counties the option of withholding Social Services rent payments to landlords who are delinquent in the

payment of their property taxes.

It was amended -- the bill was amended to exclude New York City and to also make it optional. Is that it?

ACTING PRESIDENT SPANO: Senator Galiber.

SENATOR GALIBER: Just one question, whose option?

SENATOR FARLEY: I beg your pardon?

SENATOR GALIBER: You say it's optional.

SENATOR FARLEY: It's optional on the part of the counties whether they want to be able to exercise the options in this bill to withhold rent payments to landlords who receive their rent directly for welfare payments - welfare clients that live in their residences.

SENATOR GALIBER: In other words, they would receive -- the landlord would receive a check directly?

SENATOR FARLEY: The landlords receive -- they already have that option to

receive the payments directly. If the landlord is delinquent in his property taxes, Social Services can, under this, if the county wishes to opt into this program, withhold the rent payments to the landlord until the property taxes are paid.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT SPANO: Senator Gold.

SENATOR GOLD: Yeah, I just wanted to point out that there -- the Greater Upstate Law Project is opposed to this and they basically take the position that -- I'll read just a sentence or two: Although this idea has superficial appeal, after all why should the county pay funds over to a landlord who owes the county money, the impact on recipients of public assistance could well be devastating.

Another comment: A law which would essentially utilize welfare families as captive tax collectors is unlikely to enhance the housing opportunities for these families.

SENATOR FARLEY: I don't know why

they would be devastated. The law already says that if a piece of property is not up to build ing codes, that they can withhold the rent payments to the landlord, and that has not been devastating. This is just to have an encouragement to have the landlords pay their taxes.

ACTING PRESIDENT SPANO: Senator Dollinger.

SENATOR ONORATO: Senator Farley, will you yield to a question, please?

SENATOR FARLEY: Certainly, Senator Onorato.

SENATOR ONORATO: If the Social Services is able to withhold the amount that they were paying towards the welfare client's rent, can they pay -- can they still withhold it and apply it to whatever taxes are due on the property and consider the rent paid to the landlord, or is it simply withholding it and then subjecting the tenant to an eviction notice?

SENATOR FARLEY: No, I don't

think that the tenant is affected by any eviction notice. They're precluded from doing just exactly what you're talking about in this legislation.

SENATOR ONORATO: O.K.

ACTING PRESIDENT SPANO: Senator Dollinger.

SENATOR DOLLINGER: Mr. President, will the sponsor yield to a question?

SENATOR FARLEY: Certainly.

ACTING PRESIDENT SPANO: Senator Farley yields.

SENATOR DOLLINGER: Senator, did I hear you mention that the bill was optional for the counties to participate?

SENATOR FARLEY: That is correct.

SENATOR DOLLINGER: Where is that language contained in the bill just so -

SENATOR FARLEY: The county legislative body may elect by resolution, in the first line of the bill, line 4, it's the very

first line. Do you have the "A" print?

SENATOR DOLLINGER: I may not. Senator, I apologize.

SENATOR FARLEY: I'll send a copy over to you right away. That was part of the - in the "A" print, they made it optional and they also excluded the city of New York.

SENATOR DOLLINGER: O.K. Just one other question then, Mr. President, and I apologize for not having the updated version of it.

ACTING PRESIDENT SPANO: Senator Dollinger.

SENATOR DOLLINGER: That answers the question. When would the -- when would the obligation to report the non-payment of taxes occur? Does it occur immediately upon the taxes being declared delinquent, or does it occur upon the time that the taxes are actually published that they're in delinquency, default, and that the county will assess -- trying to remember my law here -- that the county will actually complete the collection process?

SENATOR FARLEY: Well, as far as the time, I guess it's when they are delinquent. I think you are not delinquent until the third -- when the local warrant to collect the taxes expires, then they become delinquent and they have -- they have to notify Social Services, the Tax Department would notify Social Services and they would withhold the rent and notify the landlord, pay your taxes.

SENATOR DOLLINGER: O.K., But that, again through you, Mr. President if the sponsor would just continue to yield: Would that be before or after the usual publication date for the non-payment of taxes? My understanding is that the counties undertake the responsibility to collect the delinquent school and municipal taxes after the expiration of the warrant and then they subsequently publish a notice that the taxes are in default and that they're subject to -

SENATOR FARLEY: When it goes to the county. You see, the county has to pay those taxes, in essence, and when it goes to the

county, and that warrant has expired they would notify the Social Services to withhold rent.

SENATOR DOLLINGER: O.K. So it's after the counties have already paid the municipalities and the school districts.

SENATOR FARLEY: That's correct.

SENATOR DOLLINGER: Just a final question again through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT SPANO: Senator Farley continues to yield.

SENATOR DOLLINGER: Are you satisfied that this meets the constitutional tests for the collection of these kinds of debts? I know there's been a lot of litigation involving government's ability to intercept proceeds without a hearing.

SENATOR FARLEY: Well, I don't know that they're intercepting these proceeds. I don't think that these proceeds necessarily go to the payment of the taxes. They don't.

SENATOR DOLLINGER: But this is actually -- this is a payment being made to the

landlord.

SENATOR FARLEY: That will be held in escrow, and I presume as soon as the landlord pays his taxes he will get the rent payments.

SENATOR DOLLINGER: Thank you, Mr. President.

SENATOR RATH: I have a question.

ACTING PRESIDENT SPANO: Read the last section.

SENATOR RATH: Senator yield to a question?

SENATOR FARLEY: Yes, I will.

SENATOR RATH: Senator, is there any law that has been passed that would allow a city -- I know you said there that New York City is exempted in this particular piece of legislation. Was there anything earlier that would allow, that a city like, for example, Buffalo could come back at those delinquent taxpayers? No? That would have to be a future consideration?

SENATOR FARLEY: I don't quite understand.

SENATOR RATH: These are county taxes we're talking about now.

SENATOR FARLEY: These are taxes, period.

SENATOR RATH: All taxes.

SENATOR FARLEY: All taxes.

SENATOR RATH: And so the city portion -

SENATOR FARLEY: All property taxes.

SENATOR RATH: -- would go back to the city.

SENATOR FARLEY: The county would pay the city, as I understand.

SENATOR RATH: So it would go back to any of the jurisdictions that had any responsibility or any lien against that property by way of not having those taxes paid?

SENATOR FARLEY: All right. If I understand the process, the city is collecting taxes or purportedly collecting taxes. They're

not paid, and the county actually pays the city.

SENATOR RATH: And the county gets the money back.

SENATOR FARLEY: And the county becomes -- and at that point they would come in and, say -- notify Social Services and say, Withhold the rent, the taxes are not paid, and Social Services would. I would presume that would get the taxes paid. That's the purpose of it.

SENATOR RATH: So that would come back then to the county coffers, is what you're saying.

SENATOR FARLEY: Yes, back to the county coffers.

SENATOR RATH: Yeah, and any other kind of outstanding claim that a city would have outside of a particular tax that you have noted here would not be falling in obviously under this legislation, but I was asking if there were other -- other pieces of legislation that addressed this same claim on

those monies, so that Social Services would intercept -- so that the Sheriff's Department would intercept the money before it would go into the hands of the landlord.

SENATOR FARLEY: I don't think so.

SENATOR RATH: No.

SENATOR FARLEY: I don't think so, no.

SENATOR RATH: O.K. Thank you.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT SPANO: Senator Gold.

SENATOR GOLD: Yeah, I -- I don't think I was fair to this memo in explaining it, and I want to try one more time not to advocate the position or not, but just to make it clear.

If a landlord has a building and he's got a problem, it's usually a cash flow problem or related thereto and it may very well be that part of the problem is delinquency in taxes. It may be a delinquency in mortgage. It may be a situation where he's got to refinance,

could be a lot of things. If these tenants are paying him the money, the landlord may be able to juggle that building for a period of time and then wind up paying the taxes before he loses it in rem, or do some other things.

What their -- this bill -- what this memo is saying is they're worried about from the welfare tenant's point of view. What they're saying that if there is a particular tenant whose money is easily accessible to the municipality for the taxes directly, that might be less attractive to a landlord than someone who had a legal obligation to pay the landlord the money, and then the landlord would have the juggling, so that's their objection.

Their objection here is, as they phrased it, and I think I've at least explained it better now, is that they're concerned that there will be a prejudice to welfare clients where a landlord figures that their money could be grabbed and he won't have the cash flow as opposed to somebody else.

ACTING PRESIDENT SPANO: Read -

SENATOR FARLEY: Let me add -

ACTING PRESIDENT SPANO: Senator Farley, go ahead.

SENATOR FARLEY: I was going to try to answer Senator Gold's concern.

We contacted the New York State Department of Social Services, actually Kathy Napoli, in the Shelter Division, as to the effect of this legislation and the Department of Social Services indicated to us that this legislation would have little or no effect on the ability -- the ability of the recipients to obtain housing. She indicated that most landlords who do not wish to rent to welfare clients have already made this decision, and this decision would not affect their decision. I mean that's what Social Services thinks of this.

ACTING PRESIDENT SPANO: Senator Rath.

SENATOR RATH: Senator Farley, will you yield to a question?

The question is, in your second

section of the summary looks to me like it would only -- it would only deal with clients who are on the voucher system, is that correct, only Social Services clients who are receiving their rent paid by voucher?

SENATOR FARLEY: Yes.

SENATOR RATH: Those are the only ones that we would have any way of intercepting?

SENATOR FARLEY: That's correct. That's correct.

ACTING PRESIDENT SPANO: Senator Leichter.

SENATOR LEICHTER: Yes, if Senator Farley would yield, please.

ACTING PRESIDENT SPANO: Senator Farley yields.

SENATOR FARLEY: My pleasure.

SENATOR LEICHTER: I appreciate my good friend helping to explain his bill.

SENATOR FARLEY: Here comes the tough question.

SENATOR LEICHTER: Yeah, but, Senator, I -- I see obviously some merit in your

bill, but I see a problem which I think Senator Gold has explained based on the memorandum in opposition.

Senator, why wouldn't it be possible to frame a bill that where a landlord was -- property owner was delinquent in taxes, that the county collector would have the right to go and collect not only from social -- from people who are receiving their rent payment from the Department of Social Services but serving a notice on all the tenants saying, Well, you go into court and you get an order, and it -- if you've established in court that the property owner is delinquent in taxes, it's in the nature of a garnishment. You get a judgment or I guess you would have to get a judgment. I don't know, maybe you wouldn't. Maybe you could even get - have some of the money put in escrow before you get a judgment, require all tenants to pay their rent to the county collector.

Why -- why couldn't you do that?

SENATOR FARLEY: That's another bill. If you are interested in that, you can

introduce it. This was at the request of the counties. Incidentally, let me just say this in regard to any hardship. I don't think it's a hardship on the -- on the tenants because you know, the city code, if there is a city, the city could foreclose on that property and actually the tenants would lose their place of residence, so actually, all this is, is an incentive to have these landlords pay their taxes.

I think that a landlord that is receiving direct voucher payments of rent should -- from Social Services, should be paying his taxes. Many times they just use that and they have a terrible problem in these cities with delinquency of taxes and they just refuse to pay them until -- until foreclosure starts.

SENATOR LEICHTER: Senator, if you would be so kind to continue to yield. You know, Senator, we understand the reason for the bill. I'm actually trying to make the bill both more effective or come up with a more effective approach.

SENATOR FARLEY: I understand.

SENATOR LEICHTER: Or all encompassing approach that would help the localities and secondly, to avoid there being any disincentive for landlord renting to people who are on welfare, and I don't know whether it's an answer to say, well, that's another bill.

Yeah, it would be a little different bill, but you know, Senator, even - even your excellent legislation sometimes could be improved. Rarely, that is.

SENATOR FARLEY: That's possible.

SENATOR LEICHTER: Rarely would we find that possible, Senator, but maybe this is one of those cases.

Wouldn't we help the locality which you're trying to do -- that's certainly a worthwhile effort -- by saying that what you really want to do is to have an expedited way to have a judgment and garnish, and that's essentially what we're doing; in those instances

maybe give the county the right to go in to, in effect, it would be like a lien. I don't do this sort of work, so I'm not using all of the right terminology, but I think there's a -- I could easily see a very expedited way by having the county giving, of course, notice to the property owner, put a lien on it and then serve a notice on all the tenants.

Now, if there were then some tenants who received their pay from Social Services, they would be in the same category as all of the tenants and the cities and the counties would be helped because we've given them an easier way to try to collect the money.

Now, if that's another bill, Senator, maybe it's a better bill than the one we have before us and, of course, it will pass as a Senator Farley bill.

SENATOR FARLEY: Your point might be well taken. Of course, this is what the counties asked for. They might consider this the lawyers' full employment clause that you're asking for because we're going to have to go to

court and get liens and judgments, and so forth. I think this is a little cleaner and a little more simple way to try to get -- to encourage the taxes to be paid. That's just my opinion.

ACTING PRESIDENT SPANO: Senator Rath.

SENATOR RATH: When Senator Farley said the counties were asking and this is on the bill -- were asking for this, I think it was maybe me about nine years ago. We started something in Erie County called Project Inter cept in order to bring dollars into the county coffers, the desperately needed dollars, and we found that we could only make that happen and very much the way this bill is asking we could only make that happen for a very short period of time because of state law. There was only a small window of opportunity for us to bring those dollars back, and through the Social Services system which, by the way, does mandate, I believe, that the sheriff's department actually does pick those monies up and carries

them over to the county Tax Department.

When I tell you that in a period of about a month and a half we picked up about 150-, $200,000 in delinquent taxes from people whom you would not believe in Erie County who have delinquent taxes and have voucher system social service dollars coming in. It was shock ing. I can't tell you the number of personal phone calls being told to please stop, please do not put anything in the newspaper. It is out there, that money, just waiting to be collected, and the counties will be very, very grateful for this legislation.

SENATOR FARLEY: I'd be happy to have you have as a sponsor of this. We've already got 12 people on it. Anybody else would like to get on, feel free to jump in.

ACTING PRESIDENT SPANO: Senator DeFrancisco.

SENATOR FARLEY: He's a sponsor.

SENATOR DeFRANCISCO: I'd just like to speak on behalf of the bill. I think it makes little sense to have landlords in cities

and counties that are grossly delinquent in taxes and not be able to take these sums of money that the same jurisdictions are paying back to those landlords by way of whatever purpose, whether it's Social Services or anything else, and it's interesting that these are the same landlords that don't take care of their properties and make them delinquent and milk them for years and years and years.

Here is a wake-up call, I believe to the landlord, that you're not going to be able to do this. It's a quick simple way to get back those tax revenues and it also is a way to make sure that the landlord is not going to be doing this for years and years before a foreclosure action can be taken.

It's a good bill, and I am pleased to support it today.

ACTING PRESIDENT SPANO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT SPANO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 815 are Senators Connor, Galiber, Gold, Leichter, Markowitz and Ohrenstein. Ayes 42, nays 6.

ACTING PRESIDENT SPANO: The bill is passed.

THE SECRETARY: On page 31, Calendar Number 1098, by Senator Bruno, Senate Bill Number 7133-A, an act to amend the Executive Law, in relation to the establishment of strategic planning.

SENATOR GOLD: Explanation.

SENATOR BRUNO: Explanation requested, Mr. President?

ACTING PRESIDENT SPANO: Yes, there has, Senator Bruno.

SENATOR GOLD: Explanation requested.

SENATOR BRUNO: Senator, thank you.

This bill, as you review it, I think we all recognize that it's critical and essential so that the people of this state, we and the people of this state know that they are getting from government what they pay for.

This bill pretty much -- and I think, Senator Gold, your colleagues, that it's important to recognize that we took this bill almost as a duplicate from the federal government in the Clinton administration and some of the good work that they're doing there in making federal agencies more accountable and responsive to the people.

This duplicates almost that federal program. Comptroller McCall has a proposal in a bill that resembles this one. We had ours in first, so that's the one that's before the house.

What it says very basically is that government ought to do what business does. You set up a strategic plan and in this instance that's by April -- January 1st, '95, each state agency will set up a strategic plan. Then, by

April 1st, '96 each state agency will set up a performance plan intended to implement the strategic plan, and then January 1st, '97, report to the Governor and the Legislature how they made out: How does the result compare to the strategic plan and the performance plan? They give a performance report.

Now, businesses do this. The state is business. We think that this would add a lot of credibility to government agencies. It's no secret, the public out there feels they've been short-changed by government. They don't get their money's worth. Well, how do they know; how do we know? How do we commissioners, how does the Governor know whether or not we're getting what we should in terms of results from state agencies?

You will know by looking at their strategic plan, look at their performance plan, and then looking at their report on their results. If they have not met their own plans they talk about why not and what they're going to do about it in the future to fix it. Very

basic, very simple, not complicated at all, and again in the federal government, they have called it the Government Performance End Result Act enacted by the Congress in 1993, and they're starting to get some positive results.

So we are just taking a page from President Clinton, his administration, and laying it before you for your review and study and hopefully approval, Senators.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT SPANO: Senator Gold.

SENATOR GOLD: Mr. President, there is a memo in opposition from CSEA on behalf of its 265,000 active and retired public employees.

Firstly, Senator Bruno, the budget process at the federal level is different than the federal process at the state level. At the federal level the agencies deal with the Legislature, and that's one thing. In our process, as you know, the agencies have to submit their budgets through to the Governor.

They submit it to the Director of Budget and then the Governor may or may not like their plan or their budget, and then the Governor submits what his plan is for the way the state will operate.

After that, we hold hearings and the same people who submitted their budget request through the Governor's office and may have had them completely changed, now come before the Legislature and have to defend that budget or answer questions.

Now, if you say to me, Senator Bruno, that people don't think they're getting the bang for the buck or they're getting short changed, I tell you that this is an insult to the 35 Republicans here who apparently are not doing their oversight work; and that's what you're supposed to be doing. That's what we're all supposed to be doing. It's called legislative oversight, and when we have our budget hearings -- and I'm on the Finance Committee; I go to those hearings sometimes, and you -- the agency comes there and you can say to

them, Well, what happened? Last year you were in front of us and last year you said that we were going to do this and we were going to do that, and you needed money for this and that, and where is that? You seem to have changed that; or where is that; how did it work out? And the agency is right there in front of Senators and Assemblymen, and they have to answer those questions very directly.

Now, that's an open process. I have not yet experienced, Senator Bruno, one Republican Senator who, when faced with a situa tion he or she believed was governmental waste or governmental ineffectiveness on the part of the Democratic administration, was so shy that he or she didn't put out a press release about it, and I don't blame you. I think that's fair. I think that's fair.

But it's certainly different than putting in this bill which the CSEA points out is, quotes, in their words "another unnecessary level of paperwork and bureaucracy in state government."

I mean I think, Senator Bruno, that philosophically, you and I might very well agree that anyone who works for government is accountable to the people who put up the bucks and we in the Legislature should be making sure that that works, but that's different than bills such as we get all the time from members on your side that require that the agencies put out this study and they study this and they study that and now they're going to put out a book of plans and we're going to see what the plan is.

Senator, we have that capacity. We have that capability. I've said so many times. We even have an Administrative Review Commission, and I think that that has never really functioned as much as it can and should be working at a greater level.

But the bottom line is that you, Senator Bruno and others, have always been concerned about paperwork and dealing with government and government waste. I can only tell you that 265,000 people who work in the government think that this bill will create a

lot of paperwork and a lot of waste.

ACTING PRESIDENT SPANO: Read - Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I'm not a sponsor of Senator Bruno's bill, but I couldn't help notice when he stood up and talked about it, he mentioned the reinventing government process which Vice-President Al Gore, under the aegis of President Clinton, introduced into the federal government.

Now, I participated in that process on behalf of the National Conference of State Legislatures and, Senator Gold, I've got to tell you, many of the complaints that you have about this bill, I must say that I had about the Vice-President and President's procedure as well. However, I spent a fair amount of time, at least in the areas in which I operate or operated at the time, specifically labor and workers' compensation, in reviewing the re-inventing government reports which were

multi-volumes. They would make almost our whole set of Green Books look small in comparison and what they did, and while I had a lot of problems with the process, some of the same complaints, by the way, that you're talking about with respect to Senator Bruno's bill, I've got to tell you that the means notwithstanding the end point which they released was at least refreshing for government and was at least well received, if not acted upon with all due haste by the United States Congress, and I can't tell you that Senator Bruno is not at least attempting in the same framework to do the same thing here.

So, quite frankly, just dismiss ing it out of hand, I have some problem with. I've got a problem with some of the language that Senator Bruno has utilized in his bill, but certainly, knowing Senator Bruno, I certainly think he would be open to meaningful discussions to change that in order to reach some type of effective final solution which would lead towards a re-inventing New York government, a

review which I think, based upon what I saw President Clinton and Vice-President Gore and what I participated in at the federal level, reach some kind of a fruitful end; and so I certainly would -- would hope that there just isn't a Pavlovian response that, if Senator Bruno has proposed this it's bad, it's something we shouldn't do, it's something we shouldn't do, but by Senator Bruno introducing this bill and the discussion that we're having here today that this would lead towards some of type of productive result so that, quite frankly, there could be a review of New York government to lead to the aims that Senator Bruno is trying to achieve in his legislation.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT SPANO: Senator Gold.

SENATOR GOLD: Will my distinguished colleague, Senator Bruno, please yield to a question?

SENATOR LACK: Thought you meant me, normally don't say distinguished.

ACTING PRESIDENT SPANO: Senator Bruno yields.

SENATOR BRUNO: Yes, Mr. President.

SENATOR GOLD: I have listened to Senator Lack's comments, and I know they were sincere. He thinks some of your language could be improved and discussed out, that you put this out there, and we shouldn't reject it in a Pavlovian manner, he said.

Senator, would you be agreeable to put the bill aside, put together a little meeting with some members here, CSEA, the Governor's office, everybody involved, and maybe we can clean it up.

SENATOR BRUNO: Yes, I am very open to negotiating the specific language because I think Senator Lack is right, but what I would like to do is pass the bill in this house because we have a comparable bill in the Assembly and some of the language has already been changed in this trying to clean it up, and it has not moved along in the Assembly, so we

have a couple of different versions. So what I'd like to do is establish this as a vehicle that we can realistically work with and have the Senate on record that we stand for improved performance and reporting to the people of this state, again taking a page out of the federal government where we learn so much and the present administration that is struggling and trying so hard to improve the climate of this country.

SENATOR GOLD: Good, Mr. President.

ACTING PRESIDENT SPANO: Senator Gold.

SENATOR GOLD: Senator Bruno, in all due respect, if you -- if you had a little piece of paper that said the Senate stands for change and the Senate wants to, you know, see if we can improve some things, and that's a statement of principle, maybe I could even sign it, maybe some other people could sign it, but you're not asking us to do that. You're asking us today to vote on a piece of paper with very

specific language that becomes a law, word for word, and as you pointed out, Senator Lack pointed out, the language is defective. No, you didn't point that out, Senator Lack says he has some problems with the language, the CSEA says they have some problems with the bill, and, Senator, I might be able to say to you, I think Senator Gore is doing a terrific job and Bill Clinton has already shown he deserves reelection.

But, Senator, that's not the issue. The issue is you're asking me to vote on specific language, not on a principle. The principle is terrific, all right? The language that you're putting before us to do it is -- is language that is suggested by CSEA and some others should be rejected. So we've got this debate.

I think you've done terrific. We've had it out in the open, and I would say that the thing to do is now maybe star the bill, Senator Lack and you and I and others who are concerned about the implications can have some

meetings. We could talk to some people in the Assembly. As a matter of fact, one of my colleagues on this side has suggested we don't use the -- the committee system enough between houses to negotiate ideas which would be a terrific idea, but maybe that's the way to go, Senator Bruno, because you're not asking us today to approve a principle. You're asking us to approve a specific bill which is flawed.

ACTING PRESIDENT SPANO: Senator Bruno.

SENATOR BRUNO: Yes. Mr. President, I want to just be very, very clear. The language in this bill is in no way defective. This memo in no way indicates defective language. What I was suggesting was that we are open to see this become law and, if that takes negotiation, some compromising on some of the language, some of the intent, that we are open and would like very much to do that, and I think there will be some well intentioned suggestions to do just that, to have this become law before we're out of here some time in August

-- if you keep this up, I mean.

Mr. President, who says the debate is closed?

I would urge, Mr. President, that my colleagues vote in favor of this to let the people of this state know where the Senate stands on this issue of strategic planning, performance planning, reporting to the Legislature and the Governor to improve government here in this state.

SENATOR GOLD: Last section.

ACTING PRESIDENT SPANO: The - Senator Leichter.

SENATOR LEICHTER: Mr. President, if Senator Bruno would yield.

ACTING PRESIDENT SPANO: Senator Bruno, would you yield to a question?

SENATOR BRUNO: Senator, I missed you previously.

ACTING PRESIDENT SPANO: Senator Bruno yields.

SENATOR LEICHTER: Senator, one aspect of this bill, and it's something I find

in a lot of bills -- generally, it's Senator Cook's bill; I call it the cook "magic wand" where we get at asking state agencies to do all of this additional work, and it never costs any money.

Will you tell us what sort of a -- how you wave that magic wand since I see no appropriations in here; how is this additional work going to be done without providing any appropriation?

SENATOR BRUNO: Senator - Senator Gold, I don't know if you were in the room, indicated that all of this is already being done, so you take the staff that's doing it and send the report to the Legislature and the Governor and you certainly don't need additional funds if that's the case.

SENATOR LEICHTER: Yes, Mr. President. If Senator Bruno would continue to yield.

SENATOR BRUNO: Yes.

SENATOR LEICHTER: Senator, I did hear the remarks of my learned colleague,

Senator Gold. I think what he said was that a lot of this is being done through the hearings of the Finance Committee, so on, and in a different forum.

You're requiring formal reports. But let me point to something which I believe is not being done, and that's the last section of your bill, it's on page 5, training. Now, you're requiring training by the Bureau of the Budget of all of these managers in the Executive Department, is that right?

SENATOR BRUNO: That's not being done now? Oh, I think a lot of training goes on now within these state agencies.

SENATOR LEICHTER: But -

SENATOR BRUNO: A lot of training goes on, Senator.

SENATOR LEICHTER: A lot of training goes on, sir, but not in relation to this bill.

SENATOR BRUNO: Well, whether it relates to this or not, I think training is training, and I think that goes on continually

to help people perform and do their jobs. You know that as well as I know that, Senator.

SENATOR LEICHTER: Senator, I think this is a wonderful expression. Training is training, any sort of training. You train someone to run a hundred mile -- I mean a hundred yard race is the same thing as training them to play hockey. I mean I don't understand your answer, frankly.

You're requiring by this bill very specific training in reference to the reports required by this bill. That means managers have to leave their office. They have to come to the training session. They have to be held possibly throughout the state or you've got to bring people to Albany. You need people who are going to give the training. All of this costs money.

SENATOR BRUNO: Senator -

SENATOR LEICHTER: How are you going to do it?

SENATOR BRUNO: Mr. President, would the Senator yield to a question?

ACTING PRESIDENT SPANO: Senator Leichter, will you yield to a question?

SENATOR LEICHTER: I will, but I was hoping you would answer my question.

SENATOR BRUNO: O.K. Let me answer with a question. Did you attend the big seminars sponsored by the Governor's office re-inventing government, recently, well, within the past year? I think it was held right across the street. There was hundreds and hundreds of people there. You didn't attend that, Senator?

SENATOR LEICHTER: Senator, I - I have -- I've -- I've a lot of serious responsibilities.

SENATOR BRUNO: Well, the Governor (unintelligible exchange with Senator Leichter) -- the Governor thought this was very serious, because I think most of the commissioners were there and, since then, the author of "Reinventing Government" for any of you that haven't read the book I would recommend it and I have a dozen copies, that I would make available to you, at no charge, Senator, after

that seminar sponsored by the Governor's office, there has been a follow-up in training people within every State Department and the objective is to reinvent government, reinvent what they're doing in their work and not just going along putting one foot after the other and doing what goes on day after day, week after week, month after month, year after year with the taxpayers paying the bill and, Senator, this is not a novel idea. I didn't make it up. If you read the book, you would know that this is what the whole book focuses around.

The Governor of this state, I think a friend of yours, started the whole thing, they brought the author in. They have been working with every state agency. They have been in my office, implementing this program, so there isn't any magic that we're trying to perform. It's not so distasteful that you attempt to train someone to improve their performance on a job.

Senator, do you find that objectionable?

SENATOR LEICHTER: Senator, let me first say that when we talk about re-inventing government are we also re-inventing how the Legislature works, or is that beyond being improved upon?

SENATOR BRUNO: It's very difficult to improve this process, Senator.

SENATOR LEICHTER: I'm afraid, Senator, you're right, it's found itself to be sort of impermutable, really not subject to improvement.

But, Senator, I have no problem at this moment with finding ways to improve government and if it's -- if you wanted to do it under the catchy phrase of re-inventing government, that's fine. I know I was walking through the maze of halls here and earlier this year, there were signs all over saying "the new New York."

I -- you know, we -- we got a lot of people come up with catchy phrases. I thought the old New York was pretty good. I would have preferred a sign saying "the old New York," but

be that as it may, Senator, that's not the point that I'm getting at. But it's creating old New York or re-inventing New York or new New York or teaching people how to put one foot above the other in a different way that they're doing maybe it's what we should be doing, Senator, but I'm just saying that all of these reports, that you people love to mandate by your bills and all of the training and all of the different ways of doing things maybe in the long run they'll - they'll save money, but you're a businessman and I understand very successful and you know that sometimes you've got to make initial investments and you require by this bill certain action by executive agencies, and I'm just pointing out to you that costs money.

Now, if you're serious about this bill, you've got to put an appropriation on it and my objection is not at this moment necessar ily to the merits of the bill. I'm not discuss ing the merits. I'm just discussing the fact that time after time, Senator Bruno, you and Senator Cook who I must say I find the worst

offender, put forward these bills that require action by government but you never seem to have the courage to put in any appropriation.

If it's such a good idea, put an appropriation behind it and then, if somebody attacks you and says, Oh, you're spending money, you can say, but it shows that I'm really serious about saving you money in the long run.

Now, if the sole concern is to say, Look at the wonderful things I'm doing, we can have -- we can save money for everybody and never have to spend anything, you know, then I don't think, frankly, that we can accept this as a serious bill, and unless I see an appropri ation, I don't know whether it even makes sense to look at the merits because I don't think you're being serious about it. Then it's really in the nature of a press release, a press statement.

So if you're serious, put an appropriation there.

ACTING PRESIDENT SPANO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

ACTING PRESIDENT SPANO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT SPANO: Senator Stachowski to explain his vote.

SENATOR STACHOWSKI: Mr. President, explain my vote.

Just in the words of Senator Bruno, it's a comparable bill -- he didn't stumble like that when he said it in the other house -- and so I don't understand why we're passing this bill which the CSEA has so much trouble with and the comptroller isn't supporting but the Comptroller has a different bill, and so if there's another alternative that may not have the opposition this one has, I don't understand the purpose of doing such a controversial bill which apparently doesn't have a bill that's going to be passed along with it matching in the other house.

So other than gaining position

for Senator Bruno, I don't see what the real purpose of this, and I thought the reason for this government is to find a bill, that we have compromise, and the Governor signs that will make maybe government more streamlined and more effective and more efficient rather than something that just puts everything in an awkward position.

So I vote in the negative.

ACTING PRESIDENT SPANO: Senator Stachowski in the negative.

THE SECRETARY: Those recorded in the negative on Calendar Number 1098 are Senators Connor, Galiber, Gold, Kruger, Leichter, Markowitz, Nanula, Ohrenstein, Onorato, Smith, Solomon, Stachowski and Waldon. Ayes 38. Excuse me. Also Senator Oppenheimer. Ayes 37, nays 14.

ACTING PRESIDENT SPANO: The bill is passed.

SENATOR PADAVAN: Recognize Senator Levy.

ACTING PRESIDENT SPANO: Senator

Levy.

SENATOR LEVY: Yes, Mr. President. I was out of the chamber on June 6th when a vote on 1004, Senate Print 3302-A, was taken, and I'd like the record to reflect that had I been in the chamber, I would have voted in the affirmative on that bill.

ACTING PRESIDENT FARLEY: The record will so indicate.

Senator Holland.

SENATOR HOLLAND: Mr. President, on page 12, I offer the following amendments to Calendar Number 593, Senate Print Number 7281, for Senator Daly, and ask that the said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT SPANO: So ordered.

SENATOR HOLLAND: Mr. President, I wish to call up Senator Saland's bill, Print Number 7834 recalled from the Assembly which is now at the desk.

ACTING PRESIDENT SPANO: Secretary will call the roll.

THE SECRETARY: By Senator Saland, Senate Bill Number 7834, an act to amend the Domestic Relations Law.

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

ACTING PRESIDENT SPANO: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 51.

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

ACTING PRESIDENT SPANO: So ordered.

Any other housekeeping?

Senator Padavan.

SENATOR PADAVAN: Mr. President, there being no further business, I move that we adjourn until tomorrow at 3:00 p.m.

ACTING PRESIDENT SPANO: Senate will stand adjourned until tomorrow at 3:00 p.m.

(Whereupon at 4:59 p.m., the

Senate adjourned.)