ALBANY, NEW YORK

June 16, 1994

10:00 a.m.

REGULAR SESSION

SENATOR JOHN R. KUHL, JR., Acting President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

ACTING PRESIDENT KUHL: The Senate will come to order. Ask the members to take their seats. Join with me in saying the Pledge of Allegiance to the Flag.

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

In the absence of clergy, I would ask you all to bow your heads in a moment of silence.

(A moment of silence was observed.)

Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 15th. The Senate met pursuant to adjournment, Senator Spano in the Chair upon designation of the Temporary President. The Journal of Tuesday, June 14th, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT KUHL: Hearing no objection, the Journal stands approved as read.

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.

SENATOR DiCARLO: Mr. President, on page -- for Senator Levy, on page 41, I offer the following amendments to Calendar 1006, Senate Print 4803, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

SENATOR DiCARLO: On page 35, I offer the following amendments for Senator Johnson, Calendar Number 311, Senate Print Number 3934, and ask that said bill retain its place on the Third Reading Calendar. Please remove the star.

ACTING PRESIDENT KUHL: The amendments are received and adopted. The star

is removed. The bill will retain its place on the Third Reading Calendar.

SENATOR DiCARLO: Mr. President, on page 38, I offer the following amendments to Calendar 607, Senate Print 71-A, and ask that said bill retain its place on the Third Reading Calendar for Senator Levy.

ACTING PRESIDENT KUHL: The amendments are received and adopted. The bill will retain its place on the Third Reading Calendar.

SENATOR DiCARLO: Mr. President, for Senator Farley, on page 8, I offer the following amendments to Calendar 435, Senate Print Number 214-C, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted and the bill will retain its place on the Third Reading Calendar.

SENATOR DiCARLO: Mr. President, on page 35, Calendar 311, please remove the star.

ACTING PRESIDENT KUHL: The star will be removed on Calendar Number -- what is it, Calendar 311.

Senator DiCarlo.

SENATOR DiCARLO: On behalf of Senator Hannon, please place a sponsor's star on Calendar 206.

ACTING PRESIDENT KUHL: A sponsor's star will be placed on Calendar 206.

SENATOR DiCARLO: On behalf of Senator Farley, please place a sponsor's star on Calendar 479.

ACTING PRESIDENT KUHL: A sponsor's star is placed on Calendar Number 479.

SENATOR DiCARLO: On behalf of Senator Bruno, please place a sponsor's star on Calendar 1203.

ACTING PRESIDENT KUHL: A sponsor's star will be placed on Calendar Number 1203.

Senator Padavan, we have a substitution we'd like to read at this time. The Secretary will read.

THE SECRETARY: On page 31 of today's calendar, Senator Babbush moves to discharge the Committee on Cities from Assembly Bill Number 5396-A and substitute it for the identical Third Reading 1192.

ACTING PRESIDENT KUHL: The substitution is ordered.

SENATOR PADAVAN: Mr. President, I'd ask the Senate to stand at ease for a few moments.

ACTING PRESIDENT KUHL: The Senate will stand at ease for a few moments.

SENATOR PADAVAN: I would like to ask those Senators within the sound of our voices to please join us here in the Senate so we might proceed with the day's business.

ACTING PRESIDENT KUHL: The acting floor leader has requested those Senators who are not in the chamber, who have not been in the chamber, to come to the chamber to join in the minority who happens to be here so that we can enact the business of the day.

(Whereupon, the Senate stood at

ease.)

SENATOR DeFRANCISCO: Mr. President, on page 26, I offer the following amendments to Calendar Number 998, Senate Print 8349. I request that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted. The bill will retain its place on the Third Reading Calendar.

SENATOR DeFRANCISCO: In addition, on page number 15, I offer the following amendments to Calendar Number 704, Senate Print Number 4368, and also ask that it retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted and the bill will retain its place on the Third Reading Calendar.

Senator Padavan, we're ready to do the calendar.

SENATOR PADAVAN: Non-controversial, Mr. President.

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

THE SECRETARY: On page 5, Calendar Number 215, by Senator Trunzo, Senate Bill Number 3473-A, an act to amend the Public Authorities Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 31.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 478, by Senator -

SENATOR PADAVAN: Lay it aside.

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

THE SECRETARY: Calendar Number

613, by Senator Cook, Senate Bill Number 3202-B, an act to amend the General City Law, the General Municipal Law and the Real Property Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 31.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 615, by Senator Cook, Senate Bill Number 7215-A, an act to amend the General City Law, the Town Law and the Village Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 31.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 707, by Senator Holland, Senate Bill Number 6946, an act to amend the Social Services Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 31.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 728, by Senator Hannon, Senate Bill Number 7044, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

Senator Leichter, this is

Calendar Number 728.

SENATOR LEICHTER: Thank you.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 34.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1119, by Senator Stafford, Senate Bill Number 6497-A, an act to amend the Environmental Conservation Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1164, by Senator Kuhl, Senate Bill Number 2068, authorize the county of Yates to convey certain lands.

SENATOR PADAVAN: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1178, by Senator Pataki, Senate Bill Number 7128, an act to amend the Town Law.

ACTING PRESIDENT KUHL: There's a home rule message at the desk.

SENATOR GOLD: Lay it aside for Senator Leichter.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1180, by Senator Seward, Senate Bill Number 7737-A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 38.

ACTING PRESIDENT KUHL: The bill is passed.

SENATOR GOODMAN: Mr. President, would you please record me in the negative on Calendar 728 which passed a moment ago, 728.

ACTING PRESIDENT KUHL: Without objection, Senator Goodman will be recorded in the negative so Calendar Number 728.

The Secretary will continue the non-controversial calendar.

THE SECRETARY: Calendar Number 1191, by Senator Cook, Senate Bill Number 2549, an act to amend the Education Law.

SENATOR GOLD: Lay it aside for the day.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1192, substituted earlier today, by member of the Assembly Griffith, Assembly Bill Number 5396-A, authorize the city of New York to

reconvey its interest in certain real property.

ACTING PRESIDENT KUHL: The Secretary will read the last section. There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1193, by Senator DeFrancisco, Senate Bill Number 4485-A.

SENATOR GOLD: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1194, by Senator Espada, Senate Bill Number 4646-A, authorizing the city of New York to

reconvey its interest in certain real property.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1195, by Senator Larkin, Senate Bill Number 7497, an act to amend the Labor Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1196, by Senator Kuhl, Senate Bill Number 7699, an act to amend the General Municipal Law.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1197, by Senator Cook, Senate Bill Number 7849.

SENATOR COOK: Lay it aside temporarily.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number

1198, by Senator Farley, Senate Bill Number 7870, Education Law, in relation to state aid for public libraries.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1199, by -

SENATOR GOLD: Lay it aside.

THE SECRETARY: Lay the bill aside.

THE SECRETARY: Calendar Number 1200, by Senator DeFrancisco, Senate Bill Number 7887, authorizing the town of Camillus to discontinue use as park lands.

ACTING PRESIDENT KUHL: There's a

home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1201, by Senator Trunzo, Senate Bill Number 7921, authorizing the county of Suffolk to lease certain park lands to the town of Brookhaven.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number -

Senator Waldon.

SENATOR WALDON: Mr. President, can I ask for an interruption, please? I was out of the chamber when 1195 was voted upon. May I please have unanimous consent to be recorded in the negative?

ACTING PRESIDENT KUHL: Without objection, Senator Waldon will be recorded in the negative on Calendar Number 1195.

SENATOR WALDON: Thank you, Mr. President.

ACTING PRESIDENT KUHL: The Secretary will continue the non-controversial calendar.

THE SECRETARY: Calendar Number 1202, by Senator Volker, Senate Bill Number 7951, Local Finance Law, in relation to the sale of bonds and notes of the city of Buffalo.

ACTING PRESIDENT KUHL: There's a

home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1204, by Senator Daly, Senate Bill Number 8061.

SENATOR DOLLINGER: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1205, by Senator Skelos.

SENATOR GOLD: Wait one second. Mr. President -

ACTING PRESIDENT KUHL: Senator Gold.

SENATOR GOLD: -- on 1204,

Senator Daly, could I have a day on that, please; 1204, could I have a day on that?

SENATOR DALY: Certainly. Lay it aside for the day.

ACTING PRESIDENT KUHL: Lay Calendar Number 1204 aside for the day.

THE SECRETARY: Calendar Number 1205, by Senator Skelos, Senate Bill Number 8108, to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 41.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1207, by Senator Johnson, Senate Bill Number 8361, Suffolk County charter, in relation to

jurisdiction of village courts.

SENATOR GOLD: 1206.

THE SECRETARY: Excuse me. Calendar 1206.

SENATOR GOLD: Thank you.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

SENATOR GOLD: Lay it aside for the day.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1207, by Senator Sears, Senate Bill Number 8448, General Business Law, prohibiting the manufacture or sale of crayons containing lead.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1208, by Senator DeFrancisco, Senate Bill Number 8472-A, Real Property Tax Law.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1209, by Senator Nozzolio, Senate Bill Number 8574, Agriculture and Markets Law.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Padavan, that completes the non-controversial calendar. What's your pleasure?

SENATOR PADAVAN: Controversial, Mr. President.

ACTING PRESIDENT KUHL: The Secretary will read the controversial calendar.

THE SECRETARY: On page 29, Calendar Number 1119, by Senator Stafford, Senate Bill Number 6497-A, Environmental Conservation Law.

SENATOR GOLD: Hold on one second.

Last section.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: On page 30, Calendar Number 1178, by Senator Pataki, Senate Bill Number 7128, an act to amend the Town -

SENATOR PADAVAN: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1191, by Senator Cook.

SENATOR COOK: Lay that aside for the day, would you please?

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

THE SECRETARY: Calendar Number 1193, by Senator DeFrancisco, Senate Bill Number 4485-A, authorizing the city of Syracuse to replace residential water service.

SENATOR GOLD: Hold on one second.

Last section.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1197, by Senator Cook -

SENATOR PADAVAN: Lay that aside temporarily, please.

ACTING PRESIDENT KUHL: Lay the bill aside temporarily.

THE SECRETARY: Calendar Number 1199, by Senator Tully, Senate Bill Number 7882, an act to amend the Executive Law.

SENATOR COOK: Mr. President.

SENATOR PADAVAN: Lay it aside for the day -- temporarily and possibly for the day. We'll decide a little later.

ACTING PRESIDENT KUHL: Lay the bill aside temporarily.

SENATOR PADAVAN: Calendar 1197, Mr. President.

ACTING PRESIDENT KUHL: The calendar -- the Secretary will read Calendar Number 1197.

THE SECRETARY: Calendar Number 1197, by Senator Cook, Senate Bill Number 7849, transfer retirement plans for certain police department employees in the town of Ulster.

ACTING PRESIDENT KUHL: The Secretary will read the last section. There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1206, by Senator Johnson, Senate Bill Number 8361, to amend the Suffolk County charter, in relation to jurisdiction of village courts.

SENATOR GOLD: Explanation.

ACTING PRESIDENT KUHL: Senator Johnson, an explanation has been asked for by Senator Gold.

SENATOR JOHNSON: Mr. President, this bill just seeks to clarify the rights which have always been exercised by the village courts in western Suffolk, namely that of trying misdemeanors and without this, if these cases have to be referred to the district court, would cost our villages -- just one village alone $300,000 plus $100,000 loss in fees.

All we're saying here is that potential challenge for this authority we've always had by -- the Legal Aid Society wrote a letter and said we don't have the authority to do this. Well, they've always had it, so this bill clarifies that they've had the authority to do this in the past and they will be able to

continue to do that in the future. Yes.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Galiber.

SENATOR GALIBER: Yes. Just a couple questions. Those persons in that jurisdiction, they are judges, aren't they?

SENATOR JOHNSON: They're village justices. They're all lawyers, though. Too bad. Yeah, we lost the JPs. They have more common sense.

SENATOR GALIBER: What about other jurisdictions, are they village justices also, the other jurisdictions?

SENATOR JOHNSON: The -- district court is district court.

SENATOR GALIBER: Let me ask you one other question. Why was Legal Aid challenging based on your particular question or whether -- the question before.

SENATOR JOHNSON: It was their interpretation.

SENATOR GALIBER: Mr. President.

ACTING PRESIDENT KUHL: Senator

Galiber.

SENATOR GALIBER: The Senator yield for a question?

ACTING PRESIDENT KUHL: Senator Johnson, do you yield to Senator Galiber?

SENATOR JOHNSON: Yes, I do.

ACTING PRESIDENT KUHL: Senator Johnson yields, Senator Galiber.

SENATOR JOHNSON: The answer to your question -

SENATOR GALIBER: I haven't asked it.

SENATOR JOHNSON: You said why would I challenge.

ACTING PRESIDENT KUHL: Senator Johnson, please let Senator Galiber ask the question first.

SENATOR GALIBER: We'll start out with this. Why were they challenged? Obviously, they were challenged. Were they challenging them based on a jurisdictional issue or were they challenging them on the question of the town justices perhaps not qualified to try mis

demeanor cases?

SENATOR JOHNSON: Number one, they read the Suffolk charter and thought the Suffolk charter took this power away from the village courts. Number two, they had no problem with the quality of the justices.

SENATOR GALIBER: They had what?

SENATOR JOHNSON: No problem with the quality of the justices sitting in the case.

SENATOR GALIBER: In this interim, how are these justices appointed?

SENATOR JOHNSON: They're elected in the villages.

SENATOR GALIBER: They're elected?

SENATOR JOHNSON: Yes.

SENATOR GALIBER: Thank you, Senator.

ACTING PRESIDENT KUHL: Any other Senator wishing to speak on this bill?

(There was no response.)

If not, the Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1208, by Senator DeFrancisco, Senate Bill Number 8472-A, an act to amend the Real Property Tax Law.

SENATOR DOLLINGER: Could we just have an explanation, Mr. President?

ACTING PRESIDENT KUHL: Senator DeFrancisco, an explanation has been asked for.

SENATOR DeFRANCISCO: Last year this body unanimously passed a bill which would provide to veterans an exemption that would be equivalent to the exemption they had prior to a jurisdiction going to full value reassessment. For example, if the property was valued at $20,000 and the veteran had a $5,000 exemption,

they would have a 25 percent exemption. Jurisdictions going to full value may result in that home being $100,000 which dilutes the veteran exemption to a 5 percent exemption.

The Assembly passed the same bill that we drafted in this house last year and, unfortunately, the Governor vetoed it, claiming that there were some technical defects. We have been meeting with the Governor's office and, fortunately, the Governor and both the Assembly and this house have agreed as to the language and that is this bill which accomplishes that purpose.

ACTING PRESIDENT KUHL: Senator Dollinger.

SENATOR DOLLINGER: Mr. President, if the sponsor would just yield for a question.

ACTING PRESIDENT KUHL: Senator DeFrancisco, do you yield?

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT KUHL: Senator DeFrancisco yields.

SENATOR DOLLINGER: First of all, I want to commend Senator DeFrancisco as well as Senator DiCarlo for the work on this bill because this is a critical issue in the community which I happen to represent which is going through the process of revaluation, and I appreciate the diligence in seeing this through to a conclusion, but the way the bill works, it allows the communities to proportionally increase the eligible funds exemption?

SENATOR DeFRANCISCO: Correct.

SENATOR DOLLINGER: Does it also allow the veterans who have converted to the alternate form of valuation to convert back to an eligible funds exemption and then get the benefit of that increase in service?

SENATOR DeFRANCISCO: That's correct.

SENATOR DOLLINGER: Mr. President, I think this is a good bill. I appreciate, as I said a moment ago, the work of Senator DeFrancisco and Senator DiCarlo in seeing this through to a conclusion.

I point out that in the town of Brighton which I represent, we had a meeting on this back in January. We had about 900 veterans come out to a meeting that dealt with this issue in which the question of preservation of the eligible funds exemption and the importance to that, especially in a community like ours which hasn't been reassessed in 50 years, where the actual assessed valuation in many cases was less than 10,000, the $5,000 eligible funds exemption was extremely valuable to the veterans. It was an extreme consternation, and I appreciate seeing this through. It's my hope that the Governor will sign this bill into law and that this problem will be resolved.

Just one final question as I think. What is the effective date of the statute, Senator; again, if the Senator would yield?

ACTING PRESIDENT KUHL: Senator DeFrancisco, do you yield to a question?

SENATOR DeFRANCISCO: Take effect on the 120th day after it shall have become a

law.

SENATOR DOLLINGER: Okay. And again, my understanding is it won't affect the school taxes. This is only for municipal taxes?

SENATOR DeFRANCISCO: That's correct.

SENATOR DOLLINGER: So it would only -- it would affect the tax of -- the town and county taxes that are levied in January, not in September?

SENATOR DeFRANCISCO: Exactly.

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

ACTING PRESIDENT KUHL: Any other Senator wishing to speak on this bill?

(There was no response.)

Hearing none, the Secretary will read -- Senator DeFrancisco.

SENATOR DeFRANCISCO: I would just like to emphasize something that Senator Dollinger said. We've had similar meetings in the town of Camillus and I know Geddes is going

to full value reassessment. The city is talking about revaluing their properties, and this is an extremely important exemption, and what's important also is that it allows the local communities to provide this relief. It's still a local option, and the community will have to adopt it which I'm sure each local community will.

Thank you.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT KUHL: The bill is passed.

SENATOR PADAVAN: Mr. President.

ACTING PRESIDENT KUHL: Senator Padavan.

SENATOR PADAVAN: There's a

resolution at the desk sponsored by Senator Tully. Will you move that resolution, please?

ACTING PRESIDENT KUHL: Ask the Secretary to read the resolution at the desk.

THE SECRETARY: Legislative Resolution, by Senator Tully, commending William Mill for his 50 years of dedicated and dis tinguished service to the community of New Hyde Park, New York.

ACTING PRESIDENT KUHL: The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

The resolution is adopted.

Senator Padavan.

SENATOR PADAVAN: I believe there's some amendments.

ACTING PRESIDENT KUHL: We'll return to motions and resolutions.

Senator Wright.

SENATOR WRIGHT: Mr. President, I

move to recommit Senate Print Number 6876, Calendar Number 930, on the order of third reading to the Committee on Finance with instructions to said committee to strike out the enacting clause, on behalf of Senator Goodman.

ACTING PRESIDENT KUHL: The Senate bill will be recommitted and the enacting clause will be stricken.

SENATOR PADAVAN: Return to Calendar Number 1199, please.

ACTING PRESIDENT KUHL: The Secretary will read Calendar Number 1199.

THE SECRETARY: Calendar Number 1199, by Senator Tully, Senate Bill Number 7882, an act to amend the Executive Law, in relation to creation of a Long Island Sound Coastal Advisory Commission.

SENATOR GOLD: Can you hold up a second?

Last section.

ACTING PRESIDENT KUHL: The Secretary will read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 48.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Padavan, that completes the controversial calendar.

SENATOR PADAVAN: Mr. President, I'll offer a moment to see if there are any other amendments which I believe there are.

ACTING PRESIDENT KUHL: Return to motions and resolutions.

Senator DiCarlo.

SENATOR DiCARLO: Mr. President, on page 25, I offer the following amendments to Calendar 993, Senate Print Number 5407-C, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted. The bill will retain its place on the Third Reading

Calendar.

SENATOR DiCARLO: On behalf of Senator Daly, on page 25, I offer the following amendments to Calendar 994, Senate Print 5533-A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments are received and adopted and the bill will retain its place on the Third Reading Calendar.

Senator Padavan.

SENATOR PADAVAN: Before making a motion to adjourn, Mr. President, I would remind the members that our schedule indicates five full days of legislation next week and, therefore, we would urge everyone to act accordingly.

SENATOR GOLD: That's -

SENATOR PADAVAN: Five full days, Monday through Friday.

SENATOR GOLD: I would like -

ACTING PRESIDENT KUHL: Senator Gold.

SENATOR GOLD: I want to amend what's just been said. I think the schedule says the last five days, the last five days.

SENATOR PADAVAN: Your mouth to God's ears, Senator Gold.

SENATOR GOLD: "Emanuel" -

SENATOR PADAVAN: Mr. President.

SENATOR GOLD: -- means God's with us, but it doesn't always work, Senator.

SENATOR PADAVAN: Mr. President, there being no further business, I move that we adjourn until Monday, June 20th, at 3:00 p.m., intervening days to be legislative days.

ACTING PRESIDENT KUHL: Without objection, the motion is adopted. The Senate stands adjourned until Monday at 3:00 p.m..

(Whereupon at 12:16 p.m., the Senate adjourned.)