ALBANY, NEW YORK

February 8, 1995

10:00 a.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order. Would everyone please rise and join with me in the Pledge of Allegiance.

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

And now may we bow our heads in a moment of silence.

(A moment of silence was observed.)

Senator Bruno, before we begin, do you have an announcement?

SENATOR BRUNO: Yes, Madam President. On behalf of Senator Larkin, I would like to announce an immediate meeting of the Local Government Committee in Room 332.

THE PRESIDENT: The reading of the Journal, please.

THE SECRETARY: In Senate, Tuesday, February 7th. The Senate met pursuant to adjournment. The Journal of Monday, February 6th, was read and approved. On motion, the Senate adjourned.

THE PRESIDENT: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Bruno, are you ready for the calendar?

SENATOR BRUNO: Yes, Madam President. We're now ready for the non-controversial calendar.

THE PRESIDENT: The Secretary will read, please.

THE SECRETARY: Calendar Number 39, by Senator Stafford, Senate Bill Number 633, proposing an amendment to the Constitution, in relation to the exchange of certain forest preserve land.

THE PRESIDENT: On the resolution, all those in favor please say aye.

(Response of "Aye".)

Those opposed, say nay.

(There was no response.)

The resolution is adopted. The Secretary will read.

THE SECRETARY: Calendar Number 40, by Senator Stafford, Senate Bill Number 634, proposing an amendment to Section 1 of Article 14 of the Constitution, in relation to the exchange of certain forest preserve land.

THE PRESIDENT: Read the last section, please. Oh, lay it aside, please.

THE SECRETARY: Calendar Number 41, by Senator Stafford, Senate Bill Number 635.

SENATOR BRUNO: Lay it aside.

THE PRESIDENT: Lay it aside, please.

THE SECRETARY: Calendar Number 45, by Senator Stafford, Senate Bill Number 626.

SENATOR PATERSON: Lay it aside, please.

THE PRESIDENT: Lay it aside, please.

THE SECRETARY: Calendar Number 46, by Senator Cook, Senate Bill Number 1301.

SENATOR PATERSON: Lay it aside, please, Madam President.

THE PRESIDENT: Lay it aside, please.

Senator Bruno, that completes the non-controversial reading of the calendar.

SENATOR BRUNO: Yes, Madam President. Now may we take up the controversial calendar?

THE PRESIDENT: The Secretary will read, please.

THE SECRETARY: Calendar Number 40, by Senator Stafford, Senate Bill Number 634, proposing an amendment to the Constitution, in relation to the exchange of certain forest preserve land.

SENATOR PATERSON: Explanation, please.

THE PRESIDENT: An explanation is

requested.

SENATOR BRUNO: Lay it aside.

THE PRESIDENT: Lay it aside, please.

THE SECRETARY: Calendar Number 41, by Senator Stafford, Senate Bill Number 635, proposing an amendment to the Constitution, in relation to the use of certain forest preserve land.

SENATOR PATERSON: Explanation, please.

THE PRESIDENT: Lay it aside until we find Senator Stafford.

THE SECRETARY: Calendar Number 45, by Senator Stafford, Senate Bill Number 626, relating to state aid to the North Warren Central School District.

SENATOR PATERSON: Explanation, please.

THE PRESIDENT: Lay it aside, please.

SENATOR BRUNO: For the day at the request of the sponsor.

THE PRESIDENT: Lay it aside for the day at the request of the sponsor.

THE SECRETARY: Calendar Number 46, by Senator Cook, Senate Bill Number 1301, authorize payment of transportation aid to the Roscoe Central School District.

THE PRESIDENT: Read the last section, please. Oh, there's -- a local fiscal impact note is at the desk. Would you read the last section, please.

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

THE PRESIDENT: Read the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

THE PRESIDENT: The bill is passed.

Senator Levy.

SENATOR LEVY: Yes, I would like unanimous consent to be recorded in the negative on 39.

THE PRESIDENT: Without objection.

Senator Abate -- Senator Abate.

SENATOR ABATE: No.

THE PRESIDENT: Would you please stand and -

SENATOR ABATE: Yes, Madam President. I would like to be registered a no for item 39.

THE PRESIDENT: Without objection.

SENATOR ABATE: Thank you.

THE PRESIDENT: Senator Bruno, we're waiting -

SENATOR BRUNO: Madam President, may we stand at ease for just a few minutes? We're waiting for the report of the Local Government Committee which should be here momentarily.

THE PRESIDENT: The Senate will stand at ease.

(Whereupon, the Senate stood at ease from 11:08 a.m. to 11:22 a.m.)

SENATOR BRUNO: Madam President, can we now return to reports of standing

committees?

THE PRESIDENT: Yes. The Secretary will read, please.

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

Senate Bill Number 658-A, by Senator Kuhl and others, an act to amend the Agriculture and Markets Law and the Environmental Conservation Law.

659, by Senator Kuhl, Agriculture and Markets Law, in relation to actions for private nuisance based on sound agricultural practices.

1286, by Senator Padavan, an act to amend the Agriculture and Markets Law, in relation to spectators at exhibitions of animal fighting.

1385, by Senator Kuhl and others, Agriculture and Markets Law, in relation to exempting working search dogs for licensing fees.

1475, by Senator Kuhl and others,

Agriculture and Markets Law and the Vehicle and Traffic Law, in relation to exempting farm vehicles from motor vehicle financial security.

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

Senate Bill Number 2034, by Senator Kuhl, an act to amend Chapter 356 of the Laws of 1993, amending the General Municipal Law.

Also, Senate Bill Number 2081, by Senator Kuhl, an act in relation to exempting a certain project of the city of Hornell Industrial Development Agency.

Senator LaValle, from the Committee on Higher Education, reports the following bills directly for third reading:

Senate Bill Number 211, by Senator Holland and others, authorizing the United States Military to recruit on the campuses of the State University of New York and such other state college campuses.

Also, Senate Bill Number 1032, by

Senator LaValle, an act to amend the Education Law, in relation to the definition of income for determining the amount of the awards.

All bills reported directly for third reading.

THE PRESIDENT: Without objection, all bills will go directly to the third reading.

Senator Bruno.

SENATOR BRUNO: Madam President, may we now return to the controversial calendar?

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 40, by Senator Stafford, Senate Bill Number 634, proposing an amendment to Section 1 of Article 14 of the Constitution, in relation to the exchange of certain forest preserve land.

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

THE PRESIDENT: Lay it aside for the day, please.

THE SECRETARY: Calendar Number 41, by Senator Stafford, Senate Bill Number 635, proposing an amendment to the Constitution, in relation to the use of certain forest preserve land.

SENATOR BRUNO: Lay it aside for the day.

THE PRESIDENT: Lay it aside for the day, please.

Senator Bruno, that completes the calendar.

SENATOR BRUNO: Thank you, Madam President.

And now I would move that we stand adjourned until Monday at 3:00 p.m. -

THE PRESIDENT: Without objection, the -

SENATOR BRUNO: -- intervening days to be legislative days.

Thank you.

THE PRESIDENT: Without objection, the Senate stands adjourned.

(Whereupon, at 11:25 a.m., the

Senate adjourned.)