ALBANY, NEW YORK

March 23, 1995

10:02 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 find their seats, staff to find their places. Will you all rise and join 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, may we bow our heads in a moment of silence.

(A moment of silence was observed. )

Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, March 22nd. The Senate met pursuant to adjournment, Senator Kuhl in the Chair. The Journal of Tuesday, March 21st, was read and approved. On motion, 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.

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can I ask you to recognize Senator Libous for an announcement.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Libous for an announcement.

SENATOR LIBOUS: Thank you, Mr. President.

There will be an immediate meeting of the Committee on Mental Health and Developmental Disabilities in Room 332.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Committee on Mental Health in the Majority Conference Room, Room 332.

Senator Bruno.

SENATOR BRUNO: And, Mr. President, I understand there's a resolution at the desk, Number 664, by Senator Libous. We would ask you to read the title.

ACTING PRESIDENT KUHL: Secretary will read the title.

THE SECRETARY: By Senator Libous, Legislative Resolution honoring Mary Jane Bolles in recognition of her distinguished career of 37 years service on behalf of the credit union movement in New York State, upon the occasion of her retirement April 7th, 1995.

ACTING PRESIDENT KUHL: 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 Bruno, are you ready for the calendar, sir?

SENATOR BRUNO: Yes, Mr. Presi

dent. Can we now take up the non-controversial calendar.

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

THE SECRETARY: On page 17, Calendar Number 171, by Senator Maltese, Senate Bill 441, an act to amend the Vehicle and Traffic Law, in relation to authorizing license plates.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 1st day of April.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 35.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 176, by Senator Velella, Senate Bill Number 2946, an act to amend Chapter 696 of the Laws of 1887, relating to providing hospitals, orphan

asylums and other charitable institutions in the city of New York with water.

ACTING PRESIDENT KUHL: 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 35.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar 178, by Senator Lack, Senate Bill 1298, an act to amend the Real Property Tax Law, in relation to allowing the assignment of mortgage in lieu of a certificate of discharge.

SENATOR PATERSON: Lay aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 180, by Senator Lack, Senate Bill Number 2134,

an act to amend the Estates, Powers and Trusts Law, in relation to shares of stock.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1st.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 35.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 181, by Senator Volker, Senate Bill Number 2444, an act to amend the Real Property Law, in relation to disclosure obligations, real estate brokers.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 36.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 183, by Senator Hannon, Senate Bill Number 2348, an act to amend the Public Health Law, in relation to compensation of and disposition of fees.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 36.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 196, by Senator DiCarlo, Senate Bill 2723, an act to amend the Real Property Tax Law, in relation to increasing income eligibility for

real property tax exemption.

ACTING PRESIDENT KUHL: 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 37.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 197, by Senator Seward, Senate Bill Number 2016, an act to amend the Tax Law, in relation to eliminating the expiration provisions authorizing the county of Tompkins to impose an additional sales tax.

ACTING PRESIDENT KUHL: 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 37.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 216, by Senator Hoblock, Senate Bill Number 3354, an act to amend the Public Officers Law, in relation to activities by former state officers.

SENATOR HOBLOCK: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 224, by Senator Velella, Senate Bill 3454, an act to amend Chapter 60 of the Laws of 1994, in relation to provisions that impact on certain appropriations.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the

roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 37.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Bruno, that completes the non-controversial calendar, sir.

SENATOR BRUNO: Mr. President, can we now take up the controversial calendar.

ACTING PRESIDENT KUHL: Secretary will read the controversial calendar.

THE SECRETARY: On page 18, Calendar Number 178, by Senator Lack.

SENATOR LACK: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Bruno, that completes the controversial calendar.

SENATOR BRUNO: Mr. President, is the report back from the committee meeting of Senator Libous? Is that at the desk?

ACTING PRESIDENT KUHL: I'm in formed by the desk, Senator Bruno, that it has

not been returned to the desk at this point.

SENATOR BRUNO: Can we just - answer the phone?

Mr. President, the information that I have indicates it's not necessary for us to hold up this day of this body, so we will move forward, and I move that we would adjourn until Monday coming.

I am interrupted, Mr. President, by my colleague on the left. Would you please recognize him.

ACTING PRESIDENT KUHL: The Chair would recognize Senator Dollinger.

SENATOR DOLLINGER: My apologies to the Majority Leader, Mr. President. I would just ask unanimous consent to be recorded in the negative on Calendar Number 197. My apologies.

ACTING PRESIDENT KUHL: Without objection, Senator Bruno. Senator Dollinger, without objection, Senator Dollinger -

SENATOR BRUNO: There being no further business to come -

I would ask the Chair to

recognize Senator Jones.

SENATOR JONES: Yes, I'd like unanimous consent to be recorded in the no on Calendar 197.

ACTING PRESIDENT KUHL: Without objection, Senator Dollinger and Senator Jones will be recorded in the negative on Calendar Number 197.

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Yes, Mr. President. My counsel tells me I'm supposed to say "without objection," so that's without objection.

ACTING PRESIDENT KUHL: Without objection, Senator Bruno.

SENATOR BRUNO: I'd like to remind my colleagues on my front and right and rear that we will be conferencing -- it is now ten after ten -- at twenty after ten sharp. I would suggest they synchronize their watches. And there being no further business to come before the Senate, I move that we stand

adjourned until Monday, that is March 27th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Majority Conference in Room 332, in eight minutes, and without objection, the Senate stands adjourned until Monday at 3:00 p.m.

(Whereupon, at 10:11 a.m., the Senate adjourned.)