ALBANY, NEW YORK

May 10, 1995

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: Senate will come to order. Ask all those members to find their places.

Ask all the people in the chamber to rise and join with me in saying the Pledge of Allegiance to the flag.

(Whereupon, the Senate and those present joined in the Pledge of Allegiance to the Flag.)

In the absence of clergy, may we bow our heads in a moment of silence.

(Whereupon, there was a moment of silence.)

Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 9. The Senate met pursuant to adjournment. Senator DiCarlo in the chair. The Journal of Monday, May 8, 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.

Chair recognizes Senator DiCarlo.

SENATOR DiCARLO: Mr. President. On behalf of Senator Bruno, I move the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Number 3287.

ACTING PRESIDENT KUHL: Bill will be recommitted.

Senator DiCarlo.

SENATOR DiCARLO: On behalf of Senator Velella, please place a sponsor star on Calendar 699.

ACTING PRESIDENT KUHL: Calendar 699 will be starred at the request of the sponsor.

Senator Skelos.

SENATOR SKELOS: Mr. President. I believe there is a resolution sponsored by Senator DiCarlo at the desk. I ask that the title be read and adopted.

ACTING PRESIDENT KUHL: There is a privileged resolution by Senator DiCarlo at the desk. I will ask the Secretary to read the title.

THE SECRETARY: Legislative Resolution, by Senator DiCarlo. Legislative Resolution declaring May 16, 1995 as Senior Citizens Recognition Day in the State of New York.

ACTING PRESIDENT KUHL: Chair recognizes Senator DiCarlo on the resolution.

SENATOR DiCARLO: Mr. President. On the resolution, I would just like to open up the resolution to any member who would like to co-sponsor this resolution.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Mr. President.

Why don't we put everybody on the resolution. If they wish not to co-sponsor it, they can inform the desk. I believe Senator Paterson has agreed to that.

ACTING PRESIDENT KUHL: We will place all the members as co-sponsor on the resolution by Senator DiCarlo except for those people who will signify to the desk that they don't wish to be on the resolution.

Senator Skelos.

SENATOR SKELOS: Can we take up Resolution Number 1180, by Senator Marchi? I ask that the title be read and the resolution adopted.

ACTING PRESIDENT KUHL: There is a privileged resolution at the desk, Senator Skelos, by Senator Marchi. I'll ask the Secretary to read the title.

THE SECRETARY: By Senator Marchi Legislative Resolution -- and others - commending Guy J. Mangano upon the occasion of his designation as a recipient of Man of the Year Award on Thursday, May 11, 1995.

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.

There also is the prior resolution which the Secretary read. The question is on that resolution, by Senator DiCarlo. All those in favor, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

That resolution is adopted.

Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President. At this time, if we can take up the non controversial calendar.

ACTING PRESIDENT KUHL: The Secretary will read -- we have a couple of substitutions. Can we do that first, Senator

Skelos?

SENATOR SKELOS: Yes.

ACTING PRESIDENT KUHL: I'll ask the Secretary to read the substitutions.

THE SECRETARY: Senator Tully moves to discharge from the Committee on Health Assembly Bill Number 2906 and substitute it for the identical Calendar Number 725.

Senator Holland moves to discharge from the Committee on Health Assembly Bill Number 6516 and substitute it for the identical bill, Calendar Number 727.

Senator Sears moves to discharge from the Committee on Consumer Protection Assembly Bill Number 3998 and substitute it for the identical Calendar 759.

Senator Volker moves to discharge from the Committee on Judiciary Assembly Bill Number 2660A and substitute it for the identical bill, Calendar Number 762.

Senator Lack moves to discharge from the Committee on Judiciary Assembly Bill Number 6267 and substitute it for the identical

calendar bill, 767.

Senator DiCarlo moves to discharge from the Committee on Aging Assembly Bill Number 1842A and substitute it for the identical bill, Calendar Number 797.

Senator Levy moves to discharge from the Committee on Education Assembly Bill Number 7486 and substitute it for the identical calendar bill, 810.

Senator Maltese moves to discharge from the Committee on Elections Assembly Bill 444 and substitute it for the identical bill, 834.

Senator Maltese moves to discharge from the Committee on Elections Assembly Bill Number 4695 and substitute it for the identical calendar bill, 835.

Senator Maltese moves to discharge from the Committee on Elections Assembly Bill 4887 and substitute it for the identical calendar bill, 836.

Senator Maltese moves to discharge from the Committee on Elections

Assembly Bill Number 4746A and substitute it for the identical calendar bill, 837.

Senator Padavan moves to discharge from the Committee on Finance Assembly Bill 354B and substitute it for the identical calendar bill, 882.

Senator Johnson moves to discharge from the Committee on Environmental Conservation Assembly Bill 6220 and substitute it for the identical calendar bill, 896.

Senator Tully moves to discharge from the Committee on Environmental Conservation Assembly Bill Number 2690 and substitute it for the identical calendar bill, 897.

Senator Tully moves to discharge from the Committee on Environmental Conservation Assembly Bill Number 2268 and substitute it for the identical calendar bill, 4426.

Senator Saland moves to discharge from the Committee on Investigations and Taxation Assembly Bill 1811B and substitute it for the identical calendar bill, 907.

ACTING PRESIDENT KUHL:

Substitutions are ordered.

Chair recognizes Senator Skelos.

SENATOR SKELOS: Yes. At this time, Mr. President, we can take up the non controversial calendar.

ACTING PRESIDENT KUHL: Secretary will read the noncontroversial calendar.

THE SECRETARY: Calendar Number 222, by Senator Velella.

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

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

THE SECRETARY: Calendar Number 296, by Senator Lack, Senate Print 3195A, an act to amend the Surrogate Court Procedure Act, in relation to commissions of attorneys.

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 41.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 381, by Senator Levy, Senate Print 1410, an act to amend the Penal Law, in relation to the offense of assault.

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 405, by Senator Levy, Senate Print 329, an act to amend the Vehicle and Traffic Law, in relation to pedestrians' right-of-way in crosswalks.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Announce the results.

THE SECRETARY: Ayes 40. Nays 1. Senator Kuhl recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 431, by Senator Cook, Senate Print 565A, an act to amend the Corrections Law and the Civil Practice Law and Rules, in relation to repayment by inmates.

SENATOR GOLD: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 446, by Senator Levy.

SENATOR SKELOS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 453, by Senator Levy, Senate Print 359, an act

to amend the Vehicle and Traffic Law, in relation to criminal history checks on school bus attendants.

SENATOR PATERSON: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 457, by Senator Spano, Senate Print 2840A, an act to amend the Vehicle and Traffic Law, in relation to authorizing a residential parking system in the Village of Tarrytown.

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

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 42.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 78, by Senator Cook, Senate Print 3224, an act to amend the Social Service Law, in relation to New York State Rural Human Services Networking Program.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 6. This act shall take effect April 1.

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 498, by Senator Seward, Senate Print 1108A, an act to amend the General Business Law, in relation to the wearing of insignia identification.

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 42.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 503, by Senator Hannon, Senate Print 3467, an act to amend the General Business Law, in relation to unauthorized or improper use of -

SENATOR SKELOS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 525, by Senator Volker, Senate Print 3494, an act to amend the Criminal Procedure Law, the Family Court Act, and the Penal Law, in relation to crimes involving firearms.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 11. This

act shall take effect on the first day of November.

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 527, by Senator Volker, Senate Print 3620A, an act to amend the Penal Law, in relation to trademark counterfeiting.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first day of November.

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 538, by Senator LaValle, Senate Print 1099, an act to amend the General Municipal Law, in relation to granting additional points in a service award program for volunteer fire fighters.

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 43.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 539, by Senator Farley, Senate Print 1311A, an act to amend the Real Property Tax Law, in relation to providing for installment payments.

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 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 541, by Senator Sears, Senate Print 1394, an act to amend the County Law, in relation to additional enhanced emergency telephone system surcharges.

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 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

543, by Senator Lack, Senate Print 1465A, an act in relation to real property tax assessed by the Town of Smithtown.

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 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 545, by Senator Bruno, Senate Print 1859, an act in relation to authorizing the Village of Galway, County of Saratoga, to reduce the speed limit on its highways.

SENATOR PATERSON: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 546, by Senator Skelos, Senate Print 1964, an

act to amend the General Municipal Law, in relation to issuance of license to conduct Bingo.

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 45.

ACTING PRESIDENT KUHL: The bill is passed.

Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President. There will be an immediate meeting of the Housing Committee in Room 332 of the Capitol.

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

SENATOR SKELOS: Mr. President. Will you recognize Senator Farley?

ACTING PRESIDENT KUHL: Chair recognizes Senator Farley.

SENATOR FARLEY: Thank you, Mr. President. Thank you, Senator Skelos.

There will be an immediate-- not an immediate meeting -- 10:30 meeting of the Committee on Banks in Room 124.

ACTING PRESIDENT KUHL: There will be a Banks Committee meeting in Room 124 at 10:30.

ACTING PRESIDENT KUHL: Secretary will continue to call the noncontroversial calendar.

THE SECRETARY: Calendar Number 547, by Senator Rath, Senate Print 2010, an act to amend the General Municipal Law, Chapter 708 of the Laws of 1992, amending the General Municipal Law and other laws, relating to the temporary investment of monies.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 5. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT KUHL: Awful noisy. Awful tough to understand what's going on. Can we please settle down just a minute.

Okay. Secretary will continue to call the noncontroversial calendar.

Bill is passed.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Recognize Senator Farley once again, please.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: To all my good friends and colleagues on the Banks Committee, there will be an immediate meeting of the Banks Committee in Room 124 because it's my understanding there may be a conference right after session. So I'd ask all the members of

the Banks Committee to come down to 124 now.

ACTING PRESIDENT KUHL: Time of the Banks Committee meeting has changed from 10:30 to 10:16, which is right now. So please attend, all those members.

Secretary will continue to call the noncontroversial calendar.

THE SECRETARY: Calendar Number 549, by Senator Sears, Senate Print 2436A, an act to establish the Salisbury Volunteer Exempt Firemen's Benevolent Association.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 8. 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.

THE SECRETARY: Calendar Number 550, by Senator Sears, Senate Print 2538, an act

authorizing the Town of New Hartford, Oneida County, to consolidate existing sewer districts.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 10. 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.

THE SECRETARY: Calendar Number 551, by Senator Present, Senate Print 2557, an act to amend the Town Law and the Public Officers Law, in relation to qualifications for holding the office of town justice.

ACTING PRESIDENT KUHL: 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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 552, by Senator Sears, Senate Print 2711, an act to amend the County Law, in relation to additional enhanced emergency telephone system surcharges.

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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 559, by Senator LaValle, Senate Print 3328, an act to amend the Village Law, in relation to allowing the Village of Greenport, in the county

of Suffolk, to abolish the office of village justice.

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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 560, by Senator Skelos, Senate Print 3350, an act to amend Chapter 821 of the Laws of 1970, amending the Town Law.

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

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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 565, by Senator Holland, Senate Print 32, an act to amend the Highway Law, in relation to increasing bonded indebtedness in the Town of Ramapo.

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

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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

571, by Senator Levy, Senate Print 381, an act to amend the Railroad Law, in relation to requiring trains operating in the state to have operable voice communications.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Announce the results when tabulated. Announce the results when tabulated.

THE SECRETARY: Those recorded in the negative on Calendar Number 571 are Senators Rath and Wright. Ayes 45. Nays 2.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 576, by member of the Assembly Weisenberg, Assembly Print 1823, an act to amend the Vehicle and Traffic Law, in relation to excluding

certain vehicles from the provisions of the Uniform Vehicle Certification Title Act.

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 48.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 604, by Senator Kuhl, Senate Print 3535, an act to amend the Executive Law, in relation to exempting educational facilities.

ACTING PRESIDENT KUHL: 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 47. Nays 1. Senator Stavisky recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos, that completes the noncontroversial calendar.

SENATOR SKELOS: Mr. President. If we could just stand at ease for about one minute?

ACTING PRESIDENT KUHL: We have a couple of housekeeping measures we could take up at this time if that's okay, Senator Skelos.

SENATOR SKELOS: Very good, Mr. President.

ACTING PRESIDENT KUHL: Okay. We will return to motions and resolutions. Chair recognizes Senator Cook.

SENATOR COOK: Mr. President. On behalf of Senator DeFrancisco, I wish to call up Calendar Number 206, Assembly Print 917.

ACTING PRESIDENT KUHL: Secretary will read the title.

THE SECRETARY: Calendar Number

206, by Member of the Assembly Pillittere, Assembly Print 917, an act to amend the Navigation Law, in relation to vessel lighting.

SENATOR COOK: Now move to reconsider the vote by which the Assembly bill was substituted for the Senate bill, Print Number 2640, on March 15.

ACTING PRESIDENT KUHL: Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 48.

ACTING PRESIDENT KUHL: The bill is before the house.

Senator Cook.

SENATOR COOK: I now move that the Assembly bill, Number 917, be recommitted to the Committee on Tourism, Recreation, and Sports Development, and that the Senate bill be restored to the order of third reading.

ACTING PRESIDENT KUHL: The Assembly bill is recommitted. The Senate bill will be replaced on the Third Reading Calendar.

SENATOR COOK: Mr. President. I now offer the following amendments.

ACTING PRESIDENT KUHL: Amendments are received and adopted.

Senator Saland.

SENATOR SALAND: Mr. President. I would like to place a sponsor star on Senate Bill 3918, Calendar 607.

ACTING PRESIDENT KUHL: Calendar Number 607 will be starred at the request of the sponsor.

Chair recognizes Senator Padavan.

SENATOR PADAVAN: I would like to call up my bill, Print 3380, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: Secretary will read the title.

THE SECRETARY: Calendar Number 299, by Senator Padavan, Senate Print 3380, an act to amend the General Municipal Law and others.

ACTING PRESIDENT KUHL: Senator

Padavan.

SENATOR PADAVAN: Move to reconsider the vote by which the bill passed.

ACTING PRESIDENT KUHL: The motion is to reconsider the bill by which the bill passed the house.

The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 48.

ACTING PRESIDENT KUHL: The bill is before the house.

Senator Padavan.

SENATOR PADAVAN: I now offer up the following amendments.

ACTING PRESIDENT KUHL: Amendments are received and adopted.

SENATOR SKELOS: Mr. President. There will be an immediate meeting of the Higher Education Committee in Room 433A of the Capitol.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Higher

Education Committee in Room 433A of the Capitol, 433A of the Capitol.

SENATOR COOK: Mr. President. I think that Senator Stavisky, who is on the Higher Education Committee, wanted to discuss this bill with the -- I defer to the Majority Leader as to whether we can lay it over for Senator Stavisky's benefit.

SENATOR STAVISKY: Or just later in the day, 431.

SENATOR COOK: If there is a later. I don't have any objection, but I don't know what the scheduling is here.

ACTING PRESIDENT KUHL: Chair recognizes Senator Skelos.

SENATOR SKELOS: Lay it aside temporarily.

Return to motions and resolutions.

ACTING PRESIDENT KUHL: We will return to motions and resolutions.

Senator Skelos.

SENATOR SKELOS: There is a

resolution sponsored by Senator Hoblock at the desk. I ask that the title be read and the resolution adopted.

ACTING PRESIDENT KUHL: There is a privileged resolution at the desk by Senator Hoblock. I'll ask the Secretary to read the title.

THE SECRETARY: By Senator Hoblock, Legislative Resolution, commending Frances Diacetis upon the occasion of her designation as Senior Citizen of the Year.

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 Skelos.

SENATOR SKELOS: Mr. President. I believe there is another resolution at the desk by Senator Hoblock.

ACTING PRESIDENT KUHL: There is

another privileged resolution at the desk by Senator Hoblock. I will ask the Secretary to read the title.

THE SECRETARY: By Senator Hoblock, Legislative Resolution proclaiming May 1995 as Urban League Month in the State of New York.

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 Skelos.

SENATOR SKELOS: Mr. President. There will be a conference of the Majority at 11:00 a.m., and the Senate will stand in recess until 1:00 p.m. this afternoon.

ACTING PRESIDENT KUHL: Without objection, the Senate stands in recess until 1:00 p.m. this afternoon. There will be a Majority conference in Room 332 of the Majority

Conference Room at 11:00 a.m., 31 minutes from now.

Senator Levy.

SENATOR LEVY: No.

ACTING PRESIDENT KUHL: Okay. Senate stands in recess until 1:00 p.m. this afternoon.

(Whereupon, at 10:28 a.m., Senate recessed.)

(Whereupon, at 1:00 p.m., Senate reconvened.)

ACTING PRESIDENT COOK: Senate will be in order.

Senator Farley.

SENATOR FARLEY: Thank you, Mr. President. We have some housekeeping. There's a committee assignment and notice.

ACTING PRESIDENT COOK: Yes, we do.

Secretary will read.

Senator, we have a motion we would like to clear up.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President. I wish to call up my bill, Print Number 2272, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT KUHL: Secretary will read.

THE SECRETARY: Calendar Number 445, by Senator Lack, Senate Print 2272, an act to amend the Labor Law, in relation to enacting the Advance Technology Act of 1995.

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

ACTING PRESIDENT COOK: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 53.

ACTING PRESIDENT COOK: The bill is before the house.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President. I now offer the following

amendments.

ACTING PRESIDENT COOK:

Amendments received and adopted.

Senator Farley.

SENATOR FARLEY: Does the desk have a committee assignment change? Read it, please.

ACTING PRESIDENT COOK: Secretary will read the committee assignment.

THE SECRETARY: Senator Bruno handed up the following committee assignment, Committee on Ethics: Delete Senator Johnson, chairman; add Senator Marcellino, chairman.

ACTING PRESIDENT COOK: That is filed in the Journal.

Senator Farley.

SENATOR FARLEY: Yes, Senator Cook. I wish to make an announcement that - all Senators that are within earshot, please pay attention. The Senate will adjourn as of 1:00 o'clock today until 3:00 o'clock Monday intervening legis....

Oooo, hold on.

Change of orders here. There is an amendment that's coming, and we're just going to have to wait and stand at ease for just a few seconds.

ACTING PRESIDENT COOK: Senator, I think you could complete your announcement as to what's going to happen, even though it's not a motion.

SENATOR FARLEY: Yes, I will complete the announcement. We will not adjourn until the amendment comes. The Majority Leader has asked that we adjourn shortly after 1:00, and everyone be subject to the call of the Majority Leader; and there may be some announcements, so stay close and bring extra shirts and so forth to possibly next week, and all the intervening days will be legislative.

So we will wait for this amendment, and then we will be adjourning for the rest of the week.

Senator Cook, if you would recognize Senator Paterson.

ACTING PRESIDENT COOK: Senator

Paterson.

SENATOR PATERSON: So, as I understand it, we will adjourn today until Monday at 3:00 p.m. subject to the call of the Majority Leader?

ACTING PRESIDENT COOK: That will be the motion, as I understand it, Senator, yes.

SENATOR PATERSON: Does the Majority Leader need my phone number?

ACTING PRESIDENT COOK: I beg your pardon?

SENATOR FARLEY: He wants to know if you need his phone number.

We'll gettcha.

SENATOR PATERSON: I'll leave it at the desk.

ACTING PRESIDENT COOK: We have your license number, Senator. We'll find you some place.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President. For Senator Levy, on page number 52, I offer the following amendments to Calendar

Number 446, Senate Print Number 25, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT COOK: Amendments received. Bill will retain its place on the Third Reading Calendar.

Senator Farley, do you have something you would like to say?

SENATOR FARLEY: There being no further business to come before the Senate, we will stand adjourned until Monday at 3:00 p.m., regular hour, and intervening legislative days; and, again, I ask that all Senators stay close, subject to the call of the Majority Leader, for the rest of this week.

Senate stands adjourned.

ACTING PRESIDENT COOK: Without objection, the Senate stands adjourned.

(Whereupon, at 1:05 p.m., Senate adjourned.)