ALBANY, NEW YORK

May 31, 1995

10:05 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 places, the staff to find their places. Ask everybody in the chamber to rise and join with me in saying the Pledge of Allegiance.

(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, Tuesday, May 30th. The Senate met pursuant to adjournment, Senator Kuhl in the Chair upon designation of the Temporary President. The Journal of Monday, May 29, 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.

The Chair recognizes Senator Wright.

SENATOR WRIGHT: Mr. President, on behalf of Senator Goodman, on page 23, I offer the following amendments to Calendar Number 733, Senate Print Number 4017, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: The amendments to Calendar Number 733 are received and adopted. The bill will retain its place on the Third Reading Calendar.

SENATOR WRIGHT: Mr. President, on behalf of Senator Libous, please remove the sponsor's star from Calendar Number 939.

ACTING PRESIDENT KUHL: The star is removed on Calendar Number 939 at the request of the sponsor.

SENATOR LACK: Mr. President.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I would like to announce a 10:15 meeting of the Judiciary Committee in its normal place, Room 124 of the Capitol.

ACTING PRESIDENT KUHL: There will be a meeting of the Senate Judiciary Committee at 10:15 in Room 124 of the Capitol.

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time go to the non-controversial calendar.

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

THE SECRETARY: On page 8,

Calendar Number 245, by Senator LaValle, Senate Print 1126-A, an act to amend the Education Law, in relation to votes on school taxes, propositions to expend money and providing absentee ballots.

SENATOR BRUNO: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 440, by Senator Velella, Senate Print 3614-A, an act to amend Chapter 630 of the Laws of 1988 amending the Insurance Law, relating to estab lishing an excess line advisory organization.

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 37.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 729, by Senator Wright, Senate Print 2256, an act to amend Chapter 533 of the Laws of 1993 amending the Vehicle and Traffic Law and the Correction Law, in relation to the suspension and revocation of driver's license.

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside at the request of the Acting Minority Leader.

SENATOR WRIGHT: Lay it aside for the day.

ACTING PRESIDENT KUHL: Lay the bill aside for the day at the request of the sponsor.

THE SECRETARY: Calendar Number 760, by Senator Marchi, Senate Print 742-A, an act to amend the Real Property Law, in relation to modifying the real estate continuing education requirement.

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 37.

ACTING PRESIDENT KUHL: The bill is passed.

ACTING PRESIDENT KUHL: Announce the results when tabulated.

THE SECRETARY: On Calendar Number 760, ayes 36, nays 1, Senator Wright recorded in the negative.

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

THE SECRETARY: Calendar 798, by Senator DiCarlo, Senate Print 2940, an act to amend the Real Property Tax Law, in relation to partial exemption from taxation of real property owned by persons 65 years of age or older.

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

THE SECRETARY: Section 2. This act shall take effect on the first day of January.

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 800, by Senator Leibell, Senate Print 3871, an act to amend the Real Property Tax Law, in relation to partial real property tax exemptions for senior citizen auxiliary dwelling units.

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 856, by Senator Levy, Senate Print 2670, an act to amend the Vehicle and Traffic Law, in relation to leaving the scene of injury to certain animals without reporting.

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

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

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 859, by Senator Goodman, Senate Print 3498, an act to amend the Transportation Law, in relation to estimates of transportation charges for household goods.

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

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Announce the results when tabulated.

THE SECRETARY: Ayes 39, nays 1, Senator Kuhl recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 863, by Senator Maltese, Senate Print 4344, an act to amend the Vehicle and Traffic Law, the Criminal Procedure Law and the Tax Law, in relation to penalties for failure to answer a traffic summons.

ACTING PRESIDENT KUHL: The 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 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 894, by Senator Sears, Senate Print 1355-B, an act to amend the Environmental Conservation Law, in relation to prohibiting the feeding of deer within 300 feet of a public highway.

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

THE SECRETARY: Section 3. This act shall take effect on the 60th day.

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 940, by Member of the Assembly Matusow, Assembly Print 6345-A, an act to amend the Alcoholic

Beverage Control Law, in relation to authorizing farm winery licensees.

ACTING PRESIDENT KUHL: Lay the bill aside for the day at the request of the sponsor.

THE SECRETARY: Calendar Number 972, by Senator Kuhl, Senate Print 3932-A, an act to amend the Agriculture and Markets Law, in relation to milk control and to repeal certain provisions of such law relating thereto.

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 40.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1042, by Senator Johnson, Senate Print 3233 -

SENATOR JOHNSON: Star the bill.

ACTING PRESIDENT KUHL: Star the bill at the request of the sponsor.

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time take up the Resolution Calendar and move for its adoption.

ACTING PRESIDENT KUHL: We'll return to motions and resolutions. The question is on the Resolution Calendar which is on all the members' desks. All those in favor of adopting it signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The Resolution Calendar is adopted.

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can we call an immediate meeting of the Crime Victims, Crime and Corrections Committee in Room 332.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Crime Victims, Crime and Corrections Committee in the Majority Conference Room, Room 332. Immediate meeting of the Crime Victims, Crime and Corrections Committee, Majority Conference Room, Room 332.

May I have your attention, please?

The Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can we call an immediate meeting of the Corporations Committee in Room 332.

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

Senator Bruno.

SENATOR BRUNO: That meeting, Mr. President, would be followed by a Rules

Committee meeting in the same room, Room 332.

ACTING PRESIDENT KUHL:

Immediately thereafter there will be a Rules Committee meeting in Room 332, the Majority Conference Room, immediately following the Corporations Committee.

For the benefit of those people who can hear my voice and who are awaiting the termination of the Corporations Committee meeting, you should be informed that the Corporations Committee meeting is over and that Rules is commencing immediately. Immediate meeting of the Rules Committee in the Majority Conference Room, Room 332, immediate meeting of the Rules Committee in Room 332.

Thank you.

SENATOR GOODMAN: Mr. President.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Goodman.

SENATOR GOODMAN: Mr. President, there will be an immediate meeting of the Senate Investigations, Taxation and Government Operations Committee in Room 332 immediately

following the Rules Committee.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Committee on Investigations in Room 332 immediately following the Rules Committee meeting.

Thank you, Senator Goodman.

The Senate will come to order.

SENATOR SKELOS: With the consent -

ACTING PRESIDENT KUHL: The Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President, with the consent of the Minority, would call up Calendar Number 739 by Senator Wright.

ACTING PRESIDENT KUHL: The Secretary will read the title of Calendar Number 729.

THE SECRETARY: On page 22, Calendar 729, by Senator Wright, Senate Print 2256, an act to amend Chapter 533 of the Laws of 1993 amending the Vehicle and Traffic Law and the Correction Law.

ACTING PRESIDENT KUHL: Senator

Paterson.

SENATOR PATERSON: Mr. President, last year this bill was debated by Senator Galiber. As you know, Senator Galiber is ill and has not been with us for a couple of weeks, but he did ask me to get up and make a statement that would reflect his and many of our points of view on this particular bill.

We feel this bill is unnecessary because the federal program that allows for the state to receive funding because of the legisla tion can be received and is being received by 31 states right now, and so, in other words, the Governor and the Legislature can opt out of this program simply by passing a resolution that would state that we are in disagreement with the federal legislation.

Moving to the substance of the actual legislation itself, we would just like to point out, as Senator Galiber informed me, that this legislation really is ancillary to the actual nature of the crime of possession or dealing of drugs. In other words, the automo

bile license and the actual crime are two separate things which is generally not considered in the purview of criminal justice law to be something that is consistent and goes on at other points.

If we want to punish someone for the crime of dealing drugs, which is as violent and vicious an act that probably exists in society today, then we need to punish the individual for that act. The ancillary issues of the car and the driver's license might actually apply if the car was being used to assist the actual drug sale. In these types of cases, it's just the proximity or the use of the car which we don't think is actually germane to the charge for which the defendant is arrested and eventually convicted.

And so, therefore, Senator Galiber recommends a no vote on this particular legislation.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Wright.

SENATOR WRIGHT: Mr. President,

on the bill.

As my colleague relates, the budget does, in fact, reflect an additional 42.6 million in federal highway aid as a result of compliance with the federal requirements, but on the point I would also point out that back in 1990 prior to this first being enacted in 1993, Statewide Anti-drug Abuse Council recommended several proposals to deter the use of controlled substances.

One method identified to reduce substance abuse was to establish civil deter rence in addition to the traditional criminal sanctions available for conviction of drug-related offenses. That's the nature of the legislation.

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 50...

ACTING PRESIDENT KUHL: Announce the results when tabulated.

THE SECRETARY: Those recorded in the negative on Calendar Number 729 are Senators Connor and Paterson. Ayes 52, nays 2.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, there will be a meeting of the Transportation Committee in Room 123 in the Capitol at 11:00 a.m. That's in three minutes.

ACTING PRESIDENT KUHL: Transportation Committee in -- what room is that again, Senator Skelos?

SENATOR SKELOS: Room 123 of the Capitol.

ACTING PRESIDENT KUHL: Room 123. Transportation Committee in Room 123 of the Capitol at 11:00 a.m., two minutes from now.

SENATOR SKELOS: Mr. President,

can we stand at ease?

ACTING PRESIDENT KUHL: The Senate will stand at ease.

(Whereupon, the Senate stood at ease from 10:58 a.m. until 11:00 a.m.)

ACTING PRESIDENT KUHL: The Senate will come to order.

Senator Skelos.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Labor Committee in Room 124 of the Capitol.

ACTING PRESIDENT KUHL: Immediate meeting of the Labor Committee in Room 124 of the Capitol, Labor Committee immediate meeting in Room 124 of the Capitol.

(Whereupon the Senate stood at ease.)

ACTING PRESIDENT KUHL: The Senate will come to order. Members please find their places.

The Chair recognizes Senator Skelos.

SENATOR SKELOS: There will be an

immediate meeting of the Social Services Committee in Room 332 of the Capitol, and just for members' scheduling purposes, there will be a meeting of the Children and Family Committee at 11:30 in Room 332 of the Capitol, and there will be a meeting of the Veterans Committee at 11:45 a.m. in Room 433-A of the Capitol.

ACTING PRESIDENT KUHL: Immediate meeting of the Social Services Committee in Room 332. Immediate meeting of the Rules -- excuse me -- Social Services Committee in Room 332. There will be a meeting of the Children and Family Committee at 11:30 in Room 332. A meeting of the Veterans Committee meeting in Room 433-A at 11:45.

The Chair recognizes Senator Paterson.

SENATOR PATERSON: Mr. President, would you please recognize Senator Smith and Abate for purposes of vote casting.

ACTING PRESIDENT KUHL: Senator Smith.

SENATOR SMITH: Mr. Chairman, I

would like unanimous consent to be recorded in the negative on Calendar 729.

ACTING PRESIDENT KUHL: Without objection. Hearing no objection, Senator Smith will be recorded in the negative on Calendar Number 729.

Senator Abate.

SENATOR ABATE: Yes. I also ask for unanimous consent to be recorded in the negative on Calendar Number 729.

ACTING PRESIDENT KUHL: Without objection. Hearing no objection, Senator Abate will be recorded in the negative on Calendar 729.

Senator Espada.

SENATOR ESPADA: Thank you, Mr. President.

I also ask request unanimous consent to be recorded in the negative on Calendar Number 729.

ACTING PRESIDENT KUHL: Without objection. Hearing no objection, Senator Espada will be recorded in the negative on Calendar

Number 729.

Senator Skelos.

SENATOR SKELOS: Mr. President, at 11:15 a.m., there will be a meeting of the Aging Committee in Room 332. So to recap for the members, Labor Committee is meeting right now in Room 124 of the Capitol. Children and Families will be meeting at 11:30 a.m. in 332, Aging at 11:15 in Room 332, Veterans at 11:45 a.m. in Room 433-A of the Capitol.

ACTING PRESIDENT KUHL: Thank you, Senator Skelos.

ACTING PRESIDENT TULLY: Senator Volker.

SENATOR VOLKER: The Environmental Conservation Committee will meet immediately in Room 124. Environmental Conservation Committee will meet immediately in Room 124.

ACTING PRESIDENT TULLY: There will be an immediate meeting of the Environmental Conservation Committee in Room 124.

(Whereupon the Senate stood at ease.)

ACTING PRESIDENT KUHL: The Senate will come to order. Members please find their places.

The Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President, I believe there's a report of the Rules Committee at the desk. Could we have it read at this time.

ACTING PRESIDENT KUHL: There is a report of the Rules Committee. We'll return to reports of standing committees. I'll ask the Secretary to read the Rules report.

THE SECRETARY: Senator Bruno, from the Committee on Rules, reports the following bills:

Senate Print 181, by Senator Tully, an act to amend the General Municipal Law, in relation to providing coverage for injuries sustained by Nassau County advanced ambulance medical technicians;

Senate Print 522-A, by Senator Skelos, an act to amend the Penal Law, in relation to increasing the penalties for custodial interference;

654-A, by Senator Skelos, an act to amend the Executive Law, in relation to the search of criminal history records for persons seeking employment in or to adopt a child;

917, by Senator Goodman, an act to amend the Civil Rights Law, in relation to prohibiting the non-consensual use of a person's voice;

1636, by Senator Holland, an act authorizing the county of Rockland to place county funds into the custody of a private firm;

Senate Print 2328, by Senator Volker, an act to amend the Criminal Procedure Law, in relation to peace officer status for cell block attendants;

2404, by Senator Kuhl, an act to amend the Public Officers Law, in relation to defense and indemnification of employees of soil and water conservation districts;

2584, by Senator Padavan, an act to amend the Penal Law, in relation to disposal of allegedly stolen motor vehicles;

2907, by Senator Holland, an act to amend the General Municipal Law, in relation to the establishment of a contingency and tax stabilization reserve fund by the county of Rockland;

2979, by Senator Libous, an act to amend the General Municipal Law, in relation to establishing the town of Norwich Industrial Development Agency;

3250, by Senator Paterson, an act authorizing the city of New York to reconvey its interest in certain real property acquired by in rem foreclosure in the borough of Manhattan;

3327, by Senator Johnson, an act to amend the Criminal Procedure Law, in relation to requiring certain persons committed to the custody of the sheriff pending a hearing on revocation of bail;

3748, by Senator Leibell, an act to amend the Criminal Procedure Law, in relation

to designating security officers for the town court of the town of Putnam Valley;

3799, by Senator Wright, an act to amend the State Administrative Procedure Act, in relation to issuance of declaratory rulings by agencies;

4018-A, by Senator Maziarz, an act to amend the Tax Law, in relation to the imposition of sales and use taxes in the county of Orleans;

4289, by Senator Volker, an act to amend the Erie County Tax Act, in relation to payment of school taxes in installments;

4411, by Senator Marchi, an act to amend the General Business Law, in relation to the registration of securities agents;

4842, by Senator Skelos, an act to amend the Civil Practice Law and Rules, in relation to objections to service of process;

5188, by the Committee on Rules, an act to amend Chapter 12 of the Laws of 1995, relating to providing a retirement incentive for certain public employees;

5199, by Senator Kuhl, an act to amend the Alcoholic Beverage Control Law, in relation to certain types of wine packaging;

5246, by the Committee on Rules, an act to amend the Racing, Pari-mutuel Wagering and Breeding Law and Chapter 281 of the Laws of 1994 amending the Racing, Pari-mutuel Wagering and Breeding Law and other laws relating to racing and simulcasting;

All bills ordered directly for third reading.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Mr. President, at this time, if we could take up supplemental Calendar Number 1, non-controversial.

ACTING PRESIDENT KUHL: Without objection, the Rules report is accepted. All bills are ordered directly to third reading.

The Secretary will read the Supplemental Calendar.

THE SECRETARY: Senate Bill 1048, by Senator Tully, Senate Print 181, General

Municipal Law, in relation to providing coverage for injuries sustained by Nassau County advanced ambulance medical technicians.

ACTING PRESIDENT KUHL: There's no home rule message at the desk. The bill will be laid aside.

THE SECRETARY: Calendar Number 1049, by Senator Skelos, Penal Law, in relation to increasing the penalties for custodial inter ference.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 15th day of November.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1050, by Senator Skelos, Senate Print 654A,

Executive Law, in relation to the search of criminal history records for persons seeking employment.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1051, by Senator Goodman, Senate Print 917, an act to amend the Civil Rights Law, in relation to prohibiting the non-consensual use of a person's voice.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 1st day of

November.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1052, by Senator Holland, Senate Print 1636, an act authorizing the county of Rockland to place county funds into the custody of a private firm.

ACTING PRESIDENT KUHL: There is no home rule message at the desk. The bill will be laid aside.

THE SECRETARY: Calendar Number 1053, by Senator Volker, Senate Print 2328, an act to amend the Criminal Procedure Law, in relation to peace officer status for cell block attendants.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 60th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1054, by Senator Kuhl, Senate Print 2404, an act to amend the Public Officers Law, in relation to defense and indemnification of employees of soil and water conservation districts.

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 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

1055, by Senator Padavan, Senate Print 2584, an act to amend the Penal Law, in relation to disposal of allegedly stolen motor vehicles.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1057, by Senator Holland, Senate Print 2907, an act to amend the General Municipal Law, in relation to the establishment of a contingency and tax stabilization reserve fund.

ACTING PRESIDENT KUHL: There is no home rule message at the desk. The bill will be laid aside.

THE SECRETARY: Calendar Number

1058, by Senator Libous, Senate Print 2979, an act to amend the General Municipal Law, in relation to establishing the town of Norwich Industrial Development Agency.

ACTING PRESIDENT KUHL: There is no home rule message at the desk. The bill will be laid aside.

THE SECRETARY: Calendar Number 1059, by Senator Paterson, Senate Print 3250, an act authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. 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 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1060, by Senator Johnson, Senate Print 3327, an act to amend the Criminal Procedure Law, in relation to requiring certain persons committed to the custody of the sheriff pending a hearing on revocation of bail.

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 57.

ACTING PRESIDENT KUHL: The bill's passed.

THE SECRETARY: Calendar Number 1061, by Senator Leibell, Senate Print 3748, an act to amend the Criminal Procedure Law, in relation to designating security officers for the town court of the town of Putnam Valley.

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 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1062, by Senator Wright, Senate Print 3799, an act to amend the State Administrative Procedure Act, in relation to issuance of declaratory rulings by agencies.

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. )

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1063, by Senator Maziarz, Senate Print -

SENATOR SKELOS: Lay aside for the day.

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

THE SECRETARY: Calendar Number 1064, by Senator Volker, Senate Print 4289, an act to amend the Erie County Tax Act, in relation to payment of school taxes in installments.

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 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1065, by Senator Marchi, Senate Print 4411, an

act to amend the General Business Law, in relation to the registration of securities agents.

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 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1066, by Senator Skelos, Senate Print 4842, an act to amend the Civil Practice Law and Rules, in relation to objections to service of process.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the

roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1067, by the Committee on Rules, Senate Print 5188, an act to amend Chapter 12 of the Laws of 1995, relating to providing a retirement incentive for certain public employees.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1068, by Senator Kuhl, Senate Print 5199, an act to amend the Alcoholic Beverage Control Law, in

relation to certain types of wine packaging.

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 57.

ACTING PRESIDENT KUHL: The bill's passed.

THE SECRETARY: Calendar Number 1069, by the Committee on Rules, Senate Print 5246, an act to amend the Racing, Pari-mutuel Wagering and Breeding Law and Chapter 281 of the Laws of 1994, amending the Racing, Pari-mutuel Wagering and Breeding Law.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Mr. President, is there a message at the desk?

ACTING PRESIDENT KUHL: There is a message of necessity at the desk, Senator

Skelos.

SENATOR SKELOS: Move we accept the message.

ACTING PRESIDENT KUHL: Motion is to accept the message of necessity. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The message is adopted.

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 57.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, as a reminder, the Veterans Committee meeting is

in Room 433A of the Capitol starting in about 30 seconds, and there is a Tourism Committee meeting at 11:45 a.m., in Room 124 of the Capitol.

ACTING PRESIDENT KUHL: Veterans Committee meeting starting now, Room 433A, Tourism Committee Meeting now in Room 123 - excuse me, 124, of the Capitol.

Senator Padavan.

SENATOR PADAVAN: Under motions, Mr. President, I'd like to star two of my bills, Calendar Numbers 735 and 742.

ACTING PRESIDENT KUHL: At the request of the sponsor, sponsor's stars will be placed on Calendar Number 735 and 742.

Senator Present.

SENATOR PRESENT: Mr. President, on page 39, I offer the following amendments to Calendar Number 943, in behalf of Senator Goodman, Assembly -- Senate Print 5055A, and ask that it retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL:

Amendments to Calendar Number 943 are received and adopted. Bill will retain its place on the Third Reading Calendar.

Senator Skelos.

SENATOR SKELOS: Mr. President, can we just stand at ease for a -- for a minute.

ACTING PRESIDENT KUHL: Senate will stand at ease for a couple of minutes.

(Whereupon the Senate stood at ease briefly.)

ACTING PRESIDENT KUHL: The Senate will come to order.

Chair recognizes Senator Skelos.

SENATOR SKELOS: Is there any housekeeping at the desk?

ACTING PRESIDENT KUHL: We're all taken care of, Senator Skelos.

SENATOR SKELOS: Mr. President, there being no further business, the Senate will stand adjourned until 10:00 a.m. Thursday, June 1st, at 10:00 a.m., sharp.

ACTING PRESIDENT KUHL: Without objection, the Senate stands adjourned until

tomorrow, Thursday, June 1st, at 10:00 a.m.

Again note the time change, 10:00 a.m.

(Whereupon, at 11:50 a.m., the Senate adjourned.)