ALBANY, NEW YORK

June 8, 1995

11:06 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 the members to take their places, staff find their places.

I ask everybody in the chamber to join in saying the Pledge of Allegiance to the Flag.

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

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

(Whereupon, there was a moment of silence.)

The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 7. The Senate met pursuant to adjournment, Senator DeFrancisco in the Chair upon designation of the Temporary President. The Journal of Tuesday, June 6th, 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.

Senator Bruno, that brings us to the calendar.

SENATOR SKELOS: Mr. President. Can we at this time take up the noncontroversial calendar.

ACTING PRESIDENT KUHL: Secretary will read the noncontroversial calendar.

THE SECRETARY: Calendar Number 98, by Senator Goodman, Senate Print 1367B, an act to amend the Arts and Cultural Affairs Law, in relation to autographed sports collectibles.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 111, by Senator Kruger, Senate Print 303, an act to amend the Penal Law, in relation to increasing the criminal penalty for fraudulent accosting.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 419, by Senator Rath, Senate Print 1282, an act to amend the Education Law, in relation to full disclosure with respect to proposed annual school budgets.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 420, by Senator Espada, Senate Print 26 -

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Bruno, is it your desire to return to reports of standing committees?

SENATOR SKELOS: Yes, Mr. President. Can we return to reports of standing

committees and recognize Senator Lack, Chair of Judiciary.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Mr. President, is there a report of the Committee on Judiciary at the desk?

ACTING PRESIDENT KUHL: There is a report of the Judiciary Committee at the desk, Senator Lack. I will ask the Secretary to read it.

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the following nomination: Gerald A. Hamill of Syracuse as Judge of the Onondaga Family Court.

SENATOR LACK: Mr. President.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I am privileged again to rise this morning to begin the confirmation process for another group of distinguished appointees of

Governor Pataki. This is the second day that we've been holding these confirmations in the Senate chamber; and, once again, the Governor has provided us with a distinguished list of candidates for various interim judgeships in this state, and I congratulate the Governor for so doing.

Before us at the moment is Gerald A. Hamill of Syracuse, who has been nominated as a Judge of the Onondaga County Family Court. He has been examined by myself and the staff of the Senate Judiciary Committee, has been found superb in all qualifications; appeared this morning before the entire committee and was unanimously approved by said committee, and at this point, I would like to yield the floor to Senator DeFrancisco.

ACTING PRESIDENT KUHL: The Chair will recognize Senator DeFrancisco on the confirmation.

SENATOR DeFRANCISCO: Thank you, Mr. President.

I'm really proud to stand here

today and rise in support of the nomination of Gerald Hamill.

As I mentioned in the Judiciary Committee hearing this morning, I have known Jerry since the mid '70s, and since that time he has exhibited the utmost abilities in the practice of law and the utmost in ethical standards of conduct.

I think what's also significant is that he is being nominated by the Governor for, I think, the toughest judicial position, Family Court; and in order to be successful and be effective in that position, you have to have a broad range of experience and have to know people and know children, and his resume is replete with references of how he has gained that experience over the years by his volunteer work and his work as a teacher, prior to going to law school.

He has practiced in the Family Courts for many years now almost exclusively and has done a very difficult job during that period of time, most often representing children as a

law guardian in Family Court, a very difficult situation, a very difficult assignment, but a very rewarding one when you understand what's at stake for each child who goes through that system.

His experience, his qualifications, his character, all show that he is a superb nominee, and I thank the Governor for making this nomination, and I urge all of us to support this nomination by unanimous vote.

ACTING PRESIDENT KUHL: The question is on the nomination of Gerald A. Hamill of Syracuse to become a Judge of the Onondaga Family Court.

All those in favor of the nomination, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

The nominee is confirmed.

(Applause.)

We're happy to be joined by Judge Hamill, who is in the chamber on our left.

The Secretary will continue to read the Judiciary Committee report.

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the following nomination: Kenneth R. Fisher of Rochester as Justice of the Supreme Court, Monroe County.

SENATOR LACK: Mr. President.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Thank you, Mr. President.

I rise to move the nomination of Kenneth R. Fisher of Rochester as a Justice of the Supreme Court of Monroe County. Mr. Fisher, a current United States magistrate, has appeared before the committee, has been found satisfactory in all respects, was unanimously voted by the committee for movement to the floor, and, at this point, I would yield the floor to Senator Nozzolio.

ACTING PRESIDENT KUHL: Chair recognizes Senator Nozzolio on the

confirmation.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President, my colleagues: I want to congratulate and compliment Senator Lack for his expeditious review and attention to bringing each and every one of these nominations before us today.

I am particularly proud to rise in support of Kenneth R. Fisher to serve as Justice of the United States -- the New York State Supreme Court for the 7th Judicial District.

I rise with great pride as Mr. Fisher is a constituent of mine, one who was born in Senator Kuhl's district, educated at Williams College and Vermont Law School, and I dare say, upon review of Mr. Fisher's qualifications, can say that he is certainly bringing with him an outstanding record of accomplishment in fields of law from a variety of experiences, a variety of experiences that I believe will serve the people extremely well in

his new capacity.

He served as a special counsel at the Steuben County District Attorney's Office, was a Special Assistant United States attorney. He served also the Monroe County District Attorney's Office and also was Deputy County Attorney for the Monroe County Department of Law, participated for a time in private practice, and then was called to serve in one of the highest judicial offices as United States Magistrate Judge for United States District Court for the Western District of New York, a tremendous combination of experience that I dare say, my colleagues, will serve the people of the 7th Judicial District and New York State extremely well.

Bringing this broad background to be a Supreme Court Judge I say is an excellent testament not only to Mr. Fisher but to Governor Pataki for recognizing this talent. I know Ken Fisher. It is a great deal of pride to stand here and move his nomination and confirmation for New York State Supreme Court judge.

Thank you, Mr. President. I move the nomination.

ACTING PRESIDENT KUHL: Chair recognizes Senator Dollinger on the nomination.

SENATOR DOLLINGER: Mr. President. I'm going to give every Republican in this chamber a reason to vote for Ken Fisher on this nomination. Ken Fisher is one of the few Republicans who has looked me in the eye and said, "Mr. Dollinger, you have to keep quiet," and I actually listened to him.

(Applause.)

I doubt Mr. Fisher knew that exercising judicial authority as a magistrate would be so popular in this chamber.

But Ken Fisher is a good lawyer. He's been a very good federal magistrate. He will be a good Supreme Court judge in the 7th Judicial District. He has a career that has spanned many opportunities in our community not only as the federal magistrate but as a prosecutor and as a private lawyer. I wish him well in his new assignment and maybe there will

come a day again when he will look across the table and say, "Mr. Dollinger, it's time to be quiet." I look forward to that opportunity, and I wish him well in his new endeavor as a state Supreme Court justice.

ACTING PRESIDENT KUHL: The question is on the nomination of Kenneth R. Fisher of Rochester, New York, to be a Justice of the Supreme Court.

All those in favor of the nomination, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

The nominee is confirmed.

We're happy to have Judge Fisher with us in the chamber. Good luck.

(Applause.)

Secretary will continue to read.

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the following nomination: Gail Nackley Uebelhoer of New Hartford as Judge of the Oneida County

Court.

ACTING PRESIDENT KUHL: Chair recognizes Senator Lack.

SENATOR LACK: Thank you, Mr. President. I rise to move the nomination of Gail Nackley Uebelhoer from New Hartford as Judge of the Oneida County Court.

Made a most impressive performance this morning at the Judiciary Committee. She's been nominated to be the first woman judge from Oneida County.

Before I go any further, I do have to yield the floor to Senator William Sears, who appeared before the committee this morning on her behalf and is an old-time family friend, so he can proceed with seconding the nomination.

ACTING PRESIDENT KUHL: Chair recognizes Senator Sears.

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

I want to thank Senator Lack for allowing me to appear with him at the Judiciary

meeting this morning and allowing me to introduce Gail Uebelhoer to the committee.

I am certainly happy and proud to recommend the nomination of Gail Uebelhoer to fill the vacancy for Judge in the Oneida County Court. Ms. Uebelhoer will bring impeccable credentials and a varied background to this important position.

Additionally, as was indicated by Senator Lack, we're making history here today because this extremely capable lady will become the very first woman ever appointed or elected to an Oneida County Court judgeship in Oneida County. Let me share with you just a few of the highlights about her.

Gail Uebelhoer has extensive experience in the law. As a former assistant district attorney, she prosecuted a wide variety of virtually every type of crime, including the most violent of felonies. But as she was prosecuting those cases, she was also extending care and compassion to victims and developing a greater understanding of how vicious crimes can

ruin the lives of the most vulnerable citizens of the community.

She also served as an appellate prosecutor researching and presenting the law before the highest state appeals courts. Beyond her prosecution and courtroom experience, Ms. Uebelhoer is currently serving as a confidential law clerk advising New York State Supreme Court Justice Tony Shaheen of Utica.

In closing, I want to highly recommend Gail Nackley Uebelhoer to my Senate colleagues as an excellent candidate for Oneida County Court Judge. I believe she possesses not only the courage and conviction but also the sensitivity that is essential to this position. I believe she will actively make a positive difference on behalf of our residents, helping them to feel safe in their homes and on our streets.

She's here today, Mr. President, with her husband, Bernard; her son, Luke; her mother, Isabelle Nackley; her sister, Mary D'Angelo; and her cousin, Patricia Thompson.

I'm very pleased, Mr. President, to second the nomination and also to move it.

Thank you.

ACTING PRESIDENT KUHL: Chair recognizes Senator Seward on the nomination.

SENATOR SEWARD: Thank you, Mr. President. I, too, want to join my colleagues Senator Sears and Senator Lack in standing in support of the nomination of Gail Nackley Uebelhoer to be the Judge of the Oneida County Court.

I'm standing because, as has been noted, most recently she has been the confidential law clerk of Supreme Court Justice Tony Shaheen, who is an old and dear friend of mine, and also because of the fact that a part of that judicial district covers Herkimer County, which I am pleased to represent.

I can say without question that the nominee is known throughout the Mohawk Valley as having a very keen legal mind and having the highest ethical standards, a keen understanding of people, and I know that she

will be both firm but fair as the Judge of the Oneida County Court.

I'm also pleased that we will be having a woman jurist in the Mohawk Valley, as well.

So, Mr. President, I'm pleased to stand in support of the nominee this morning Gail Nackley Uebelhoer.

SENATOR DeFRANCISCO: Mr. President.

ACTING PRESIDENT KUHL: Senator DeFrancisco, on the nomination.

SENATOR DeFRANCISCO: I also rise in support of the nomination.

The reason she's known in Oneida County and the Mohawk Valley and through all parts of Upstate New York is because she was trained in Onondaga County, and that's where I first met her when she was a law clerk in the Onondaga County District Attorney's Office when I was an Assistant D.A.

At that time it was obvious that she had a great command of the law, that she had

great integrity, and she was going to do good things in the future, and it's obvious that she has.

I'm proud to be here knowing two of the nominees this morning and to be able to speak on their behalf. I think what's significant about this nominee is that she's not only the first woman County Court Judge but she is the most qualified person in Oneida County for this particular position, which is much more significant in my mind. She's got a broad range of experience, especially in the criminal law area, as I mentioned, that began in Onondaga County and then that experience broadened under Judge Shaheen; and having had cases before Judge Shaheen, I know that he definitely looks to her -- or, looked to her for advice and he took it, probably always.

So I rise proudly to stand in support of this nomination, and I also urge its unanimous adoption.

ACTING PRESIDENT KUHL: The question is on the nomination of Gail Nackley

Uebelhoer to become a Judge of the County Court of Oneida County.

All those in favor of the nomination, signify by saying aye.

(Response of "Aye.")

Oppose, nay.

(There was no response.)

The nominee is confirmed.

Judge Uebelhoer is with us.

(Applause.)

SENATOR LACK: Mr. President.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Yes, can I please ask, Mr. President, with permission of the Acting Majority Leader at this time that, with no disrespect to Mr. Halloran, if we would please suspend the rest of the report of the Judiciary Committee, pending the imminent arrival of Senator Stafford in the chamber and when he does arrive, if we could then, with permission of the Acting Majority Leader, go back to the report of the Judiciary, I would

appreciate it and so would he.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: If we could once again take up the noncontroversial calendar from the beginning.

ACTING PRESIDENT KUHL: Secretary will read the noncontroversial calendar.

THE SECRETARY: Calendar Number 98, by Senator Goodman, Senate Print 1367B, an act to amend the Arts and Cultural Affairs Law, in relation to autograph sports collectibles.

ACTING PRESIDENT KUHL: The bill is high and will be laid aside.

THE SECRETARY: Calendar Number 111, by Senator Kruger, Senate Print 303, an act to amend the Penal Law, in relation to increasing the criminal penalty for fraudulent accosting.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. 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 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 419, by Senator Rath, Senate Print 1282, an act to amend the Education Law, in relation to full disclosure with respect to proposed annual school budgets.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

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 420, by Senator Espada, Senate Print 2601A, an act to amend the Education Law, in relation to making community school board members ineligible for election or appointment.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect July 30.

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 438, by Senator Velella, Senate Print 1699, an act to amend the Insurance Law, in relation to the amount of uninsured, under-insured motorists insurance coverage.

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 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 471, by Senator Sears, Senate Print 3545, an act to amend the Environmental Conservation Law, in relation to hooking, snatching or snagging of Pacific salmon.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first day of September.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Chair recognizes Senator Wright to explain his vote.

SENATOR WRIGHT: Mr. President,

to explain my vote.

Let me first acknowledge the courtesies extended to me by Senator Sears on this particular piece of legislation and to also state that probably to most of you this is an issue that is unique to my area and perhaps one or two other areas in the state, but is particularly unique to the Salmon River corridor in the small village of Pulaski in Oswego County.

I can appreciate the concerns of the sportsmen who have supported this bill. I share their rejection of the concept of snagging and the fact that that is not a sportsmanlike method of taking fish and, in fact, in our area of the state is referred to as "meat fishing."

But the reality is, DEC enacted a policy some ten years ago that encouraged snagging, that, in fact, encouraged that small community to make economic investments; and now, by changing this policy, in fact, it's going to have an extremely negative impact on that community and its economy, and I would equate

that to a plant closure.

I share the concerns of people in that small community. While I don't reject the concept of the sportsmen and what they are attempting to do and what Senator Sears is attempting to do, I do have to voice the concerns of the people of the village of Pulaski and their businesses and record my vote as no.

Thank you, Mr. President.

ACTING PRESIDENT KUHL: Senator Wright will be recorded in the negative.

Announce the results.

THE SECRETARY: Ayes 44, nays 1, Senator Wright recorded in the negative.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT KUHL: Chair recognizes Senator Skelos.

SENATOR SKELOS: Would you recognize Senator Dollinger.

SENATOR DOLLINGER: Mr. President.

ACTING PRESIDENT KUHL: Senator Dollinger, why do you rise?

SENATOR DOLLINGER: Could I be recorded in the negative on that bill, as well.

SENATOR SKELOS: Without objection.

SENATOR DOLLINGER: Thank you.

ACTING PRESIDENT KUHL: Without objection, Senator Dollinger will be recorded in the negative on Calendar Number 471.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we again at this time could return to reports of standing committee to finish the one confirmation; and please recognize Senator Lack.

ACTING PRESIDENT KUHL: Calendar Number 471 was passed.

Chair would return to reports of standing committees and recognize Senator Lack.

SENATOR LACK: Yes. Mr. President, at this point, could we please finish the report of the Standing Committee on Judiciary.

ACTING PRESIDENT KUHL: Secretary will read.

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the following nomination: Andrew Halloran of Minerva as Judge of the Essex County Court.

SENATOR LACK: Mr. President.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Mr. President, I rise to move the nomination of Andrew Halloran of Minerva as Judge of the Essex County Court. Actually, it's a very unusual appointment in this chamber. He will be a three-hatted judge, judge of the Essex County Court, Family Court and Surrogate's Court, a most impressive performance this morning before the Senate Judiciary Committee, who unanimously recommended his endorsement to the floor.

If I could at this time, I would like to yield to the distinguished chairman of the Senate Finance Committee, Senator Stafford.

SENATOR STAFFORD: Thank you, Mr. President.

ACTING PRESIDENT KUHL: Chair

recognizes Senator Stafford.

SENATOR STAFFORD: This is probably one of the most pleasant days that I have had in the Senate in the few number of years that I have been here.

We, today, have the next County Judge of Essex County with us, Andy Halloran. He has had tremendous training, now I mean really, really good training. He, of course, did very well at RPI. He got his law degree cum laude, and he was my counsel. I think that will out-measure the other two.

But he was here with us when we had such minor activities, noncontroversial, very simple issues such as the enactment of the Adirondack Park Law -- we won't spend any more time on that day.

Also -- also, he has been a leader in his community, Supervisor of the town of Minerva. He has been very, very active in civic organizations, has an excellent practice. He has been -- he has been a counsel and confidential clerk to the County Judge of

Hamilton County for a number of years.

Mr. President, I have stood here a number of times this year and said what an excellent nomination the Governor has made. Well, I'm up here again today, and this is another excellent nomination that I state without reservation.

Andy Halloran will be a tremendous judge. He has, obviously, the legal ability. He has the temperament, and he is a fine individual.

We have here with him today his wife, Ann, and his daughter, Alice; his son, Edwin.

And finally, Mr. President, let me state this. In this day when we are concerned of having capable people in public service, Andy Halloran -- and you know I stated this from what I said before, but I want to emphasize this. He epitomizes the American, hard worker, a tremendously loyal individual, raised a fine family and is most interested and wants to serve in the Judiciary.

Mr. President, it's a pleasure for me to move the nomination of a gentleman who has worked with me, done a tremendous job, and I know he will continue to do a tremendous job, Andrew Halloran.

ACTING PRESIDENT KUHL: The question is on the nomination of Andrew Halloran of Minerva to be a Judge of the Essex County Court.

All those in favor of the nomination, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

The nominee is confirmed.

We're happy to have Judge Halloran here with us, together with his family.

(Applause.)

Congratulations and good luck.

Senator Skelos.

SENATOR SKELOS: Mr. President, at this time, if we could continue with the noncontroversial calendar.

ACTING PRESIDENT KUHL: Secretary will continue to call the noncontroversial calendar, beginning with Calendar Number 485.

THE SECRETARY: Calendar Number 485, by the Assembly Committee on Rules, Assembly Print 7395, an act to amend the Civil Service Law, in relation to complying with the federal Americans with Disabilities Act of 1990.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 583, by Senator Levy, Senate Print 4146, an act to amend the Transportation Law, in relation to requiring the Commissioner of Transportation to take an annual inventory.

SENATOR SKELOS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 601, by Senator Larkin, Senate Print 2963, an act to amend the -

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 614, by Senator Kuhl, Senate Print 2403, an act to amend the Retirement and Social Security Law, in relation to the retirement of traffic officers.

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

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 779, by Senator Lack, Senate Print 4853A, an act to amend the Surrogate's Court Procedure Act, in relation to service of process.

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.)

ACTING PRESIDENT KUHL: Announce the results when tabulated.

THE SECRETARY: Ayes 45, nays 1, Senator Kuhl recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 861, by Senator Spano.

SENATOR SKELOS: Lay it aside for

the day.

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

THE SECRETARY: Calendar Number 866, by Senator LaValle, Senate Print 4482, an act authorizing the Village of Port Jefferson and the Town of Riverhead in the County of Suffolk to maintain traffic control devices.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 874, by Senator Levy, Senate Print 4984, an act to amend Chapter 496 of the Laws of 1990, amending the General Municipal Law and others.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 994, by Senator Leibell, Senate Print 5019.

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

Lay the bill aside.

THE SECRETARY: Calendar Number 1072, by Senator Stafford, Senate Print 629A, an act to amend the Environmental Conservation Law, in relation to nonhazardous municipal landfill closure.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1141, by Senator Farley, Senate Print 5120, an act to amend the Banking Law, in relation to establishing limitations on the percentage of savings bank assets.

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.)

ACTING PRESIDENT KUHL: Announce the results when tabulated.

SENATOR FARLEY: Would you lay that bill aside for the day.

ACTING PRESIDENT KUHL: Lay the

bill aside for the day.

THE SECRETARY: Calendar Number 1151, by Senator Spano, Senate Print 1701, an act to amend Chapter 78 of the Laws of 1989, amending the Arts and Cultural Affairs Law.

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.)

ACTING PRESIDENT KUHL: Announce the results when tabulated.

Senator Maziarz -- or, excuse me, Marcellino.

SENATOR MARCELLINO: We're twins.

Mr. President, I rise in support of this bill. As town clerk of the town of Oyster Bay, I was able to, as have many of my colleagues, take advantage of the provisions of this legislation in order to get funding for many projects that the town otherwise would not

have been able to afford.

This particular project afforded the town of Oyster Bay, in my case, in excess of $200,000 in money for the restoration of documents and old records. It also allowed many other of the townships, libraries, school districts, and otherwise, to do the same.

This is an excellent piece of legislation and should be continued, and Senator Spano is to be commended for taking on this legislation.

ACTING PRESIDENT KUHL: Announce the results.

SENATOR MAZIARZ: Mr. President.

ACTING PRESIDENT KUHL: I thought I knew Senator Maziarz wanted to speak.

Senator Maziarz.

SENATOR MAZIARZ: Mr. President, to explain my vote.

ACTING PRESIDENT KUHL: Senator Maziarz to explain his vote.

SENATOR MAZIARZ: Like my colleague, Senator Marcellino, I'm a former

county clerk -- of Niagara County -- and this particular piece of legislation sponsored by Senator Spano has been a great, great help to town, village, city and county clerks, clerks of fire districts, throughout the state of New York. This bill does not cost the state any money. The monies paid out come from filings within the county clerk's office. It's been a great deal of help.

I know in my county, Niagara County, we have completely revamped our record storage area. We used to go to the supermart and get old cardboard boxes and throw the records in and mark them and throw them in whatever room happened to be available. Today, our records are all computerized and organized, very easy retrieval.

This is a great bill for record managers across New York State.

Thank you.

ACTING PRESIDENT KUHL: Senator Marcellino's twin will be recorded in the affirmative.

Secretary will continue to call the noncontroversial calendar.

THE SECRETARY: Calendar Number 1195, by Member of the Assembly Perry, Assembly Print 4675, an act authorizing the City of New York to reconvey its interest in certain real property.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1196, by Senator Paterson, Senate Print 3247, an act to authorize the City of New York to release its interest in and to reconvey to its former

owner certain real property.

ACTING PRESIDENT KUHL: There is 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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1200, by Senator Velella, Senate Print 3954, an act to amend the Insurance Law and the Vehicle and Traffic Law, in relation to licensing of auto body repair estimators.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 7. This act shall take effect January 1.

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 1201, by Senator Spano, Senate Print 4287, an act to amend the Local Finance Law, in relation to bonds issued by act of the Westchester County Board of Legislators.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

1202, by Senator Tully, Senate Print 4356, an act to amend the Public Health Law, in relation to the New York State Innovation in Breast Cancer Early Detection and Research Awards Program.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1203, by Senator Trunzo, Senate Print 4671, an act to amend the Public Authorities Law, in relation to clarifying the status of employees.

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 1204, by Senator Leibell, Senate Print 5177, an act to amend the Real Property Tax Law, in relation to the rehabilitation of certain multiple dwellings.

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 1205, by Senator Hannon, Senate Print 5239, an

act to amend the Public Health Law, in relation to utilization review agents.

ACTING PRESIDENT KUHL: Senator Dollinger to explain your vote?

SENATOR DOLLINGER: Just to explain my vote.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect 90 days after it shall have become law.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Senator Dollinger to explain his rote.

SENATOR DOLLINGER: Mr. President, just to explain my vote ever so briefly.

I think we have done a Utilization Review Agent Bill in the past, one that I believe Senator Tully carried. I know that there is one Assemblyman Gottfried has

proposed in the Assembly.

Now, this bill is a step down the road to establishing procedures and qualifications for utilization review agents. I think it's a very important area with the growing emphasis on managed care and HMOs, and I hope that we use this bill as a springboard to extended discussions both in this house and with our colleagues in the other house so that we can come up with a solution to this problem.

This is a step in the right direction. How we frame it and what we add to it or subtract from it in the final negotiations is important, but this is a step on a very important issue we should be doing something about.

ACTING PRESIDENT KUHL: Senator Dollinger will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes 46.

ACTING PRESIDENT KUHL: Bill is passed.

THE SECRETARY: Calendar Number

1206, by Senator Stafford, Senate Print 5249, an act to legalize, validate, ratify and confirm certain acts and proceedings of the town board, planning board, zoning board, board of appeals and certain agents and employees of the town of Kingsbury.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1207, by Senator Seward, Senate Print 5254, an act to amend the Real Property Law, in relation to mobile home parks.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1208, by Senator Padavan, Senate Print 5264, an act to amend the Penal Law, in relation to possession of gambling devices.

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 46.

ACTING PRESIDENT KUHL: The bill

is passed.

THE SECRETARY: Calendar Number 1209, by Senator Maltese, Senate Print 5271, an act to amend the Election Law, in relation to write-in voting at primary elections.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1210, by Senator Hoblock, Senate Print 5356, an act to amend the Public Officers Law and the Executive Law, in relation to activities by former state officers and employees.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Is there a

message at the desk?

ACTING PRESIDENT KUHL: There is a message of necessity at the desk on Calendar Number 1210.

SENATOR SKELOS: Move we accept the message.

ACTING PRESIDENT KUHL: The motion to accept the message of necessity on Calendar Number 1210.

All in favor, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

The message is accepted.

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 46.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, at this time, if we could take up Senator Larkin's bill, Calendar Number 601.

ACTING PRESIDENT KUHL: Secretary will read the title of Calendar Number 601.

THE SECRETARY: Calendar Number 601, by Senator Larkin, Senate Print 2963, an act to amend the Election Law, in relation to hours of voting at primary elections.

ACTING PRESIDENT KUHL: Senator Larkin, an explanation of Calendar Number 601 has been asked for by the Acting Minority Leader, Senator Paterson.

SENATOR LARKIN: Thank you very much, Mr. Speaker.

Senator Paterson, this is a bill that allows the Counties of Orange and Ulster to conform to most other counties in the state that have primary balloting from 12:00 noon to 9:00 p.m. This bill has the support of the

Commissioner of Elections of both the Republican and Democratic Parties in both Orange and Ulster Counties.

SENATOR PATERSON: Mr. President, if my good friend Senator Larkin would yield for a number of questions?

ACTING PRESIDENT KUHL: Senator Larkin, do you yield?

SENATOR LARKIN: I yield to the distinguished Acting Minority Leader.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR PATERSON: Senator Larkin, I guess we've all had the unfortunate experience on primary day and election days of walking around, particularly in those hours early in the morning -- not early in the morning, but in the mid-morning and just seeing no one at the polls, and I guess it would seem as if it's right to change the time because not that many people are voting.

But Orange County -- and as a New York City resident, I've noticed that a number

of people from Orange County come down to the City every day to work, and they get on some of those trains as early as 6:20 and 6:30 in the morning, and I would have to assume that on election day those that vote would be voting before they came down.

So, to get back before 9:00 o'clock in the evening, I think would be an encumbrance upon them, so with all due respect to the commissioners and whatever parties that they happen to be from, do you think it's a good idea? We don't have election many days of the year, and this is what distinguishes our democracy from others all around the world. Do you think it's a good idea that we close down the polls for those six hours even if, in many respects, we're sitting there with very few people trickling in to vote?

SENATOR LARKIN: Well, Senator, we've looked at this, and we've looked at it very carefully, and last year one of the items that was discussed in this bill was the cost factor, and we've gotten the dollars on the cost

factor.

But, Senator, when you look at my counties of Orange and Ulster, those commuting to the City, at 6:00 o'clock in the morning they are long gone from their home. They are long away from a polling place. They are on it.

The majority of the people in my district that commute to the city are on that last train at 6:13 in the morning out of the middle of the county. If they are in Port Jervis, they're on those trains at 5:30, 5:20 in the morning, so they are long gone from their home before the polls are even open.

We've done some -- not scientific, but at certain times, we've asked people at the polls, "When do you vote?" They say they vote at night because they don't have the time. They don't want to miss the train. Those that make car pools, they don't want to miss a car pool, and they say they have no problem getting back home to vote at 9:00 o'clock at night.

SENATOR PATERSON: So your

experience, then, is that most of the people who are commuting, the ones that I am addressing in this particular situation, that there is a pickup toward the end, not in the beginning, more toward 9:00 p.m.

SENATOR LARKIN: Senator, we've looked at the numbers voting from 7:00 to 9:00. We find that those in the areas where commuters live, the hours between like 7:00 to 9:00 is predominant voting patterns.

SENATOR PATERSON: All right, Senator.

ACTING PRESIDENT KUHL: Senator Paterson.

SENATOR PATERSON: I think that your data, while I would certainly like to look at it sometime, is no doubt accurate. I just have to tell you that I -- I think that the cost factor is almost nominal on what we're doing on an election day, and I think it's very important for us to be promoting participation and making it as easy as possible, even if sometimes the polls are sitting there and not many people are

using them.

It's really different than any other situation where, if it's not cost effective, we certainly shouldn't do it, and it's just my opinion that we open the door and do this and then it just becomes more convenient to have polls in a lot of places open from the midafternoon until 9:00 o'clock.

On that one or two days a year when people are voting -- and with all due respect, because I think that you probably have researched this and you certainly have people who are more expert in the field than myself agreeing with you, but I really think that there is a value that almost supercedes the entire discussion, and that is the fact that we just want for residents of this state or particular counties to know that, when there is an election day or a primary day, if anything goes wrong, if there is any kind of discrepancy even for a few, that we would keep the polls open for the maximum period of time.

Other than that, obviously your

bill will pass and it may actually prove to be a good thing. But I think there is a standard that I'm trying to address that almost overcedes the entire issue.

ACTING PRESIDENT KUHL: Chair recognizes Senator Dollinger.

SENATOR DOLLINGER: Mr. President. Will the sponsor yield to just one question?

ACTING PRESIDENT KUHL: Senator Larkin, do you yield to just one question?

SENATOR LARKIN: Yes, Mr. President. Just one question.

SENATOR DOLLINGER: Just one question.

ACTING PRESIDENT KUHL: Senator yields to just one question.

SENATOR DOLLINGER: Would this reduction in primary hours affect the Presidential primary that the Republican Party may have next spring?

SENATOR LARKIN: We haven't come to that position, yet, Senator.

SENATOR DOLLINGER: But if this bill passed -- again, Mr. President, I apologize.

SENATOR LARKIN: If this bill passed, Senator -

ACTING PRESIDENT KUHL: Senator Larkin, do you yield now to a second question?

SENATOR DOLLINGER: Only because the first question gave rise to the second.

ACTING PRESIDENT KUHL: The Senator yields to a second question.

SENATOR LARKIN: This is the freebie. Senator, right now, if this bill passed this would be the voting hours for the primary in Orange and Ulster County, the same as it would be for the county that you represent, Monroe, which has voting from noon to 9 p.m., Senator.

SENATOR DOLLINGER: I would point out -- Mr. President. So it would apply to the Presidential primary next spring?

SENATOR LARKIN: The same as in your county, Senator.

SENATOR DOLLINGER: On the bill, Mr. President.

ACTING PRESIDENT KUHL: Senator Dollinger on the bill.

SENATOR DOLLINGER: Thank you for taking an extra question.

I would love to change the law back in Monroe County so that we voted more. I would like more people to go to the polls, and I would suggest that those in the Republican Party who may support this, that next spring, I assume, if there is any kind of primary -- and we've been told by some state officials that there may not be because they may use sort of our archaic practices in primaries to prevent other Republicans from coming to this state and engaging in a Presidential primary.

But we have restructured our Presidential primary system to try to make New York -- with its electoral vote and its importance as an industrial state, we've tried to make New York a focal point of the Presidential primary process. Now the

Republican Party has a chance to use New York as a springboard in that process, and in two of our counties in which I would anticipate there would be significant Republican interest in the future of this country, we're now going to shrink the number of voting hours for the first time. For the first time, we will shrink the number of voting hours in counties where people would want to participate in that process.

I don't know how that does anything good for the Republican Party. My job isn't necessarily to stand here and tell you what's good for your party, but it seems to me in a Presidential primary where you want the voice of New York to be heard, and you want it to be heard on a national level, you are going to send a message, "Well, we're just going to cut back the voting hours and have our people vote less," give them less of an opportunity to pick the person who will run against the President of the United States in the 1996 election.

I don't think it makes good sense

for Republicans. I don't think it makes good sense for Democrats. I'd change it back in Monroe County if I could.

I will be voting no.

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.)

ACTING PRESIDENT KUHL: Announce the results when tabulated.

THE SECRETARY: Those recorded in the negative on Calendar 601 are Senators Abate, Connor, Dollinger, Jones, Kruger, Markowitz, Mendez, Nanula, Onorato, Paterson, Smith and Stachowski, also Senator Oppenheimer.

Ayes 34, nays 13.

ACTING PRESIDENT KUHL: The bill is passed.

SENATOR SKELOS: Mr. President, would you lay aside Calendar Number 994 for the

day.

ACTING PRESIDENT KUHL: Calendar Number 994 will be laid aside for the day.

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

The Senate will stand at ease pending the report of the Rules Committee.

Our Majority Leader has indicated that we will be returning on Monday at 10:00 a.m. to start a very, very busy week because session, regular session, will end on June 15th. So on behalf of our Majority Leader, we urge the members to get their bills in order, make the requests they have to make, so that we can end in an orderly fashion on June 15.

So at this time, is there any housekeeping?

ACTING PRESIDENT KUHL: We have a little housekeeping, Senator Skelos, if we can take that up at this time.

Chair recognizes Senator Farley.

SENATOR FARLEY: Yes, Mr.

President. On behalf of Senator Stafford, on Calendar Number 1043, Senate Print 1995, I would like to recommit this bill to its appropriate committee and strike the enacting clause.

ACTING PRESIDENT KUHL: At the request of the sponsor, Calendar Number 1043 will be recommitted to the appropriate committee and the enacting clause will be stricken.

Senator Farley.

SENATOR FARLEY: Also on behalf of Senator Velella, Mr. President, on page 40, Calendar Number 1197, Senate Print 3663A, I ask that this bill be amended and retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Amendments are received and adopted. Bill will retain its place on the Third Reading Calendar.

Chair will announce an immediate meeting of the Rules Committee in Room 332. Immediate meeting of the Rules Committee in Room 332, and the Senate will stand at ease.

(Whereupon, the Senate was at ease.).

ACTING PRESIDENT KUHL: Senate will come to order. Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to reports of standing committees, I believe there is a report of the Rules Committee at the desk and I ask that it be read.

ACTING PRESIDENT KUHL: We will return to reports of standing committees.

There is a Rules report at the desk. I will ask the secretary to read.

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

ACTING PRESIDENT KUHL: Senator Stachowski.

SENATOR STACHOWSKI: Could you please start over.

ACTING PRESIDENT KUHL: Senate will come to order. Chair recognizes Senator Skelos.

SENATOR SKELOS: Mr. President,

what would we do without Senator Stachowski?

SENATOR STACHOWSKI: That's what I'm here for.

ACTING PRESIDENT KUHL: If we could return to reports of standing committees, I believe there is a Rules report at the desk. I will ask the Secretary to read.

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

Senate Print 595, by Senator Montgomery, an act authorizing the City of New York to reconvey its interest in certain real property;

Senate Print 1736A, by Senator Larkin, an act to amend the Real Property Tax Law and the Public Service Law, in relation to the definition of special franchise property;

2027, by Senator Waldon, an act authorizing the City of New York to reconvey its interest in certain real property;

2992, by Senator Farley, an act to amend the Banking Law, in relation to

permissible fees in connection with open end loans;

3217, by Senator Gold, an act to amend the Penal Law, in relation to metal knuckle knife;

3718, reported with amendments, by Senator Maltese, an act to amend the Administrative Code of the City of New York, in relation to the title and compensation of certain police sergeants;

3891, by Senator Hoblock, an act to amend the Labor Law, in relation to providing for eligibility for unemployment insurance benefits;

4649, by Senator Seward, an act to amend the Alcoholic Beverage Control Law, in relation to authorizing liquor stores to operate on Christmas Eve and New Year's Eve;

4688B, by Senator Goodman, an act to amend the Vehicle and Traffic Law, in relation to unlicensed and fraudulent operators of motor vehicle repair shops;

4712, by Senator Velella, an act

to amend the Insurance Law, in relation to requiring insurers that intend to materially reduce the volume of written policies.

All bills ordered directly for third reading.

ACTING PRESIDENT KUHL: Senator Skelos.

SENATOR SKELOS: Move to accept the Rules report.

ACTING PRESIDENT KUHL: The motion is to accept the Rules report.

All in favor, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

Rules report is accepted. All bills are moved directly to third reading.

Senator Skelos.

SENATOR SKELOS: Mr. President, there being no further business, the Senate stands adjourned until Monday, June 12th, at 10:00 a.m. sharp, intervening days being

legislative days.

ACTING PRESIDENT KUHL: Without objection, the Senate stands adjourned until Monday, June 12th -- note the time change -- at 10:00 a.m., Monday, June 12th, at 10:00 a.m.

(Whereupon, at 12:15 p.m., the Senate adjourned.)