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ALBANY, NEW YORK

January 9, 1996

2:01 p.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY ROSS, President

STEPHEN F. SLOAN, Secretary

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P R O C E E D I N G S

THE PRESIDENT: The Senate will  
come to order.

Would you please rise and repeat  
with me the Pledge of Allegiance.

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

May we bow our heads in a moment  
of silence.

(A moment of silence was  
observed. )

Reading of the Journal, please.

THE SECRETARY: In Senate,  
Monday, January 8th. The Senate met pursuant to  
adjournment, Senator Hoblock in the Chair upon  
designation of the Temporary President. The  
Journal of Friday, January 5, was read and  
approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

1 Reports of standing committees.

2 The Secretary will read.

3 Reports of select committees.

4 The Secretary will read.

5 THE SECRETARY: Senator Farley,

6 from the Committee on Banks, reports the

7 following bills:

8 Senate Print 2836, by Senator

9 Farley, an act to amend the Banking Law, in

10 relation to money transmitters to eliminate

11 authority to appoint sub-agents;

12 Senate Print 3788, by Senator

13 Farley, an act to amend the Banking Law and the

14 Penal Law, in relation to providing uniform

15 safety at automated teller machines;

16 5436, by Senator Farley, an act

17 to amend the Banking Law, in relation to

18 interstate branching.

19 Senator Lack, from the Committee

20 on Judiciary, reports Senate Print 4228, by

21 Senator DeFrancisco, an act to amend the Lien

22 Law, in relation to notice of lien on account of

23 public improvements;

1                   5103, by Senator Saland, an act  
2                   to amend the Domestic Relations Law, in relation  
3                   to special relief in matrimonial actions;

4                   5107, by Senator Saland, an act  
5                   to amend the Family Court Act, in relation to  
6                   the submission of transcripts in Family Court  
7                   proceedings before a hearing examiner;

8                   5754, by Senator Lack, an act in  
9                   relation to collective bargaining between the  
10                  Unified Court System and the New York State  
11                  Court Clerks Association.

12                  Senator Hannon, from the  
13                  Committee on Health, reports Senate Print 602,  
14                  by Senator Skelos, an act to amend the Public  
15                  Health Law, in relation to the Senator Tarky  
16                  Lombardi Nursing Home Without Walls program;

17                  1621-A, by Senator Lack, an act  
18                  to amend the Public Health Law, in relation to  
19                  the sale of commercial urns;

20                  5238, by Senator Hannon, an act  
21                  to amend the Public Health Law, in relation to  
22                  quality assurance of managed care plans;

23                  5239, by Senator Hannon, an act

1 to amend the Public Health Law, in relation to  
2 utilization review agents;

3 Senator Kuhl, from the Committee  
4 on Agriculture, reports Senate Print 514-A, by  
5 Senator Kuhl, an act to amend the Agriculture  
6 and Markets Law, in relation to duties of the  
7 Commissioner of Agriculture;

8 1385, by Senator Kuhl, an act to  
9 amend the Agriculture and Markets Law, in  
10 relation to exempting working search dogs from  
11 licensing fees;

12 1475-A, by Senator Kuhl, an act  
13 to amend the Agriculture and Markets Law, and  
14 the Vehicle and Traffic Law, in relation to  
15 exempting farm vehicles;

16 2315, by Senator Kuhl, an act to  
17 amend the Agriculture and Markets Law, in  
18 relation to the producer referendum under the  
19 Rogers-Allen Law;

20 3917-A, by Senator Kuhl, an act  
21 to amend the Agriculture and Markets Law, in  
22 relation to the disposition of pro rata shares  
23 paid to the Milk Producers Security Fund;

1                   4875, by Senator Cook, an act to  
2 amend the Agriculture and Markets Law, in  
3 relation to agricultural practices.

4                   Senator LaValle, from the  
5 Committee on Higher Education, reports Senate  
6 Print 1918, by Senator LaValle, an act to amend  
7 the Education Law and the Public Officers Law,  
8 in relation to the Board of Regents of the  
9 University of the State of New York, reported  
10 with amendments;

11                   2178, by Senator LaValle, an act  
12 to amend the Education Law, in relation to the  
13 Board of Regents of the University of the State  
14 of New York, reported with amendments;

15                   3291, by Senator LaValle, an act  
16 to amend the Education Law, in relation to  
17 filing of notice of athletic scholarships;

18                   3292-A, by Senator LaValle, an  
19 act to amend the Education Law, in relation to  
20 procedures for standardized testing.

21                   Senator Volker, from the  
22 Committee on Codes, reports Senate Print 184, by  
23 Senator Tully, an act to amend the Penal Law, in

1 relation to menacing in the first degree;

2 188, by Senator Tully, an act to  
3 amend the Penal Law, in relation to sexual  
4 performance by a child under the age of 18  
5 years;

6 208-B, by Senator Rath, an act to  
7 amend the Criminal Procedure Law, in relation to  
8 prohibiting issuance of an order of recognizance  
9 or bail;

10 210-D, by Senator Sears, an act  
11 to amend the Penal Law, in relation to dis  
12 seminating indecent material to minors through  
13 any computer communicating system;

14 500-A, by Senator DiCarlo, an act  
15 to amend the Criminal Procedure Law and the  
16 Penal Law, in relation to felony sex offenses;

17 522-A, by Senator Skelos, an act  
18 to amend the Penal Law, in relation to  
19 increasing the penalties for custodial  
20 interference;

21 654-A, by Senator Skelos, an act  
22 to amend the Executive Law, in relation to the  
23 search of criminal history records for persons

1 seeking employment;

2 1638, by Senator Johnson, an act  
3 to amend the Penal Law, in relation to  
4 possessing an obscene sexual performance by a  
5 child;

6 3773, by Senator Volker, an act  
7 to amend the Criminal Procedure Law, in relation  
8 to submission of written materials to the jury  
9 during deliberation;

10 4262, by Senator Volker, an act  
11 to amend the Criminal Procedure Law, the Penal  
12 Law and the Civil Practice Law and Rules, in  
13 relation to assault against a child;

14 5479-A, by Senator Volker, an act  
15 to enact the Persistent Child Sexual Predator  
16 Act, and to amend the Penal Law.

17 Senator Goodman, from the  
18 Committee on Investigations, reports Senate  
19 Print 983, by Senator Goodman, an act to amend  
20 the Arts and Cultural Affairs Law, in relation  
21 to the New York State fine arts collection;

22 4009-B, by Senator Saland, an act  
23 to amend the Tax Law and others, in relation to

1           enacting the Omnibus Mandate Relief Act;

2                                 Senate Print 5617, by Senator  
3       Volker, an act to amend the Tax Law, in relation  
4       to the imposition of sales and use taxes by the  
5       county of Erie.

6                                 All bills ordered directly to  
7       third reading.

8                                 THE PRESIDENT:   Senator  
9       Paterson.

10                                SENATOR PATERSON:   Madam  
11       President, we have an objection to any unanimous  
12       consent reporting all the bills to third  
13       reading.  We don't want to object, and I was  
14       here last week and we were talking about the new  
15       spirit of cooperation, and we don't want to be  
16       uncooperative, but there is a bill that we  
17       understand will come before the Senate today  
18       sponsored by Senator Velella, which is an  
19       excellent bill.  Many of us are co-sponsors of  
20       it.  There are seven co-sponsors from this side  
21       of the aisle who are unable to actually come to  
22       Albany today, and with the -- in light of the  
23       state of emergency that has been declared by the

1 Governor up until this morning, we are asking  
2 that perhaps Senator Velella's bill be put over  
3 until

4 SENATOR SKELOS: Madam President.

5 THE PRESIDENT: Senator Skelos.

6 SENATOR SKELOS: Would Senator  
7 Paterson yield to a question?

8 SENATOR PATERSON: Certainly.

9 SENATOR SKELOS: On the list of  
10 bills that were just read, was Senator Velella's  
11 bill included in that list?

12 SENATOR PATERSON: I didn't hear  
13 Senator Velella's bill in that list.

14 SENATOR SKELOS: If these bills  
15 are not reported to third reading without  
16 unanimous consent, which is necessary, when will  
17 be the first time that these bills can be  
18 brought up for discussion and vote in this  
19 house?

20 SENATOR PATERSON: Oh, no, I have  
21 absolutely no problem with those bills, Madam  
22 President.

23 SENATOR SKELOS: So the bills

1           that have been read now, you have no objection  
2           to those being reported to third reading?

3                         SENATOR PATERSON:  Not at all.

4                         SENATOR SKELOS:  I thought your  
5           objection was that they be reported to third  
6           reading.

7                         SENATOR PATERSON:  Well, I

8                         THE PRESIDENT:  Senator Paterson,  
9           then the bills that have been read will be  
10          reported directly to third reading.

11                        SENATOR PATERSON:  Madam  
12          President, I don't have a problem with those  
13          bills, but the reason that I was -- the reason  
14          that I was -- was of course, was because of the  
15          other bill, and

16                        SENATOR SKELOS:  If I could raise  
17          a point of order, I believe the bills have now  
18          been reported to third reading.  The bill that  
19          Senator Paterson is debating or questioning is  
20          not before this house.  If he has a question  
21          later as to whether we should be voting upon it,  
22          then he should bring it up at that time, but  
23          presently that bill, Senator Velella's bill, is

1 not one of those that are being read.

2 He's indicated that he's not  
3 going to object to these bills being reported to  
4 third reading, and I believe the Chair has ruled  
5 that the bills, with unanimous consent, have  
6 been reported to third reading and perhaps then  
7 we can proceed.

8 SENATOR PATERSON: Madam  
9 President.

10 THE PRESIDENT: Senator  
11 Paterson.

12 SENATOR PATERSON: Let me clarify  
13 my position.

14 I certainly don't want to object  
15 to these bills being reported to third reading.

16 THE PRESIDENT: Senator  
17 Paterson. Are you objecting

18 SENATOR PATERSON: Yes.

19 THE PRESIDENT: -- because you  
20 have another problem? Are you objecting to  
21 these bills being -- are you objecting to any of  
22 these bills being reported to the third reading?

23 SENATOR PATERSON: I'm objecting

1 to all of them being reported to third reading,  
2 Madam President.

3 THE PRESIDENT: Then the -- O.K.  
4 Then the bills will be reported to the order of  
5 first reading.

6 SENATOR SKELOS: If I could have  
7 a clarification. I believe about two and a half  
8 minutes ago I asked Senator Paterson if he was  
9 objecting to the bills being reported to third  
10 reading. He indicated no, he was just objecting  
11 to a bill that may come up later that was not  
12 part of this list.

13 I believe the Chair ruled then  
14 the bills are reported to third reading. Now,  
15 Senator Paterson is objecting to these bills  
16 being reported to third reading which would  
17 indicate to me, because I asked the question  
18 previously, if you objected to them, when could  
19 we first vote on them and you said, "I'm not  
20 objecting to them," so the question is now, the  
21 Chair has ruled that the bills have been  
22 reported to third reading, I believe.

23 THE PRESIDENT: I want -- I

1 believe that Senator Paterson said that he  
2 didn't want to object to the bills.

3 SENATOR SKELOS: O.K. Then I  
4 stand corrected. So you are then objecting to  
5 the bills being reported to third reading when  
6 you said you didn't want to do it and then, if I  
7 can ask the question I asked originally, if you  
8 are going to object to them, when can these  
9 bills be voted upon?

10 THE PRESIDENT: Senator  
11 Paterson.

12 SENATOR PATERSON: Madam  
13 President, I want to apologize to the -- to the  
14 Majority if I was unclear. What I mean -- if I  
15 could clarify my position, not only for the body  
16 but for myself, what I would say is that I don't  
17 have a problem with those bills. When I rose, I  
18 rose, Madam President, to object, which is what  
19 I said at the time.

20 I was then asked a question,  
21 basically in terms of substance, do I have any  
22 objection to the bills? No, I don't. What I'm  
23 saying is, I'm -- I have an objection to the

1 process, and the reason that I have an objection  
2 to the process is because we have some members  
3 who can't be here because of weather  
4 conditions. It would be a little different if  
5 it was just a member or two that had a personal  
6 illness or something. We actually have eight  
7 members that can't be here, but seven are  
8 co-sponsors of a bill that's going to come  
9 before the Legislature today, and I just thought  
10 that it would be a little more prudent to wait  
11 until next week and it will take five minutes to  
12 pass the bill.

13 And so, this is a procedure  
14 reporting directly to third reading, Madam  
15 President that is really kind of unprecedented.  
16 It is not something that we do in the normal  
17 course of business, so there has to be some  
18 leniency and some cooperation from both sides of  
19 the aisle to allow that to happen.

20 In this particular case, we are  
21 being asked to, in a sense, be accommodating at  
22 the expense of seven of our members, and I'd  
23 like you to know who those members are, Madam

1 President. Senator Babbush is not here. Senator  
2 Hoffmann is not here. Senator Markowitz is not  
3 here.

4 THE PRESIDENT: Senator DiCarlo,  
5 why do you rise?

6 SENATOR PATERSON: Senator  
7 Oppenheimer is not here.

8 SENATOR DiCARLO: Will Senator  
9 Paterson yield to a question?

10 SENATOR PATERSON: Can I just  
11 finish the list of the Senators that are not  
12 here.

13 THE PRESIDENT: Yes, complete the  
14 list, please, and then I'd recognize Senator  
15 DiCarlo.

16 SENATOR PATERSON: Senator  
17 Leichter is not here. Senator Santiago is not  
18 here and Senator Waldon is not here.

19 These Senators are co-sponsors of  
20 this bill. They have worked to see this bill  
21 passed. They have worked to see this law  
22 enacted, and this is a piece of legislation they  
23 would want to be a part of. When you look at

1 the record in retrospect, when you look at the  
2 record in July, nobody remembers why they  
3 weren't here for its passage and people ask  
4 these questions.

5 THE PRESIDENT: Senator Paterson,  
6 will you yield to a question?

7 SENATOR PATERSON: Well, I'll  
8 yield to a question right after I finish the  
9 list, and the reason why I was giving you the  
10 list, Madam President.

11 THE PRESIDENT: Senator Skelos,  
12 why do you rise?

13 SENATOR SKELOS: For my infor  
14 mation, is that bill before the house? He's  
15 telling us about members that are co-sponsoring  
16 a bill, a bill that's not before the house.

17 THE PRESIDENT: No, it's not.

18 SENATOR PATERSON: Madam  
19 President, I'm just trying to finish my  
20 statement and, when I'm finished, I'll entertain  
21 any questions from anybody, and I have a right  
22 to object, even if the bill is not before the  
23 house, even if the bill is not on that list.

1                   If the bill relates to something  
2                   for which I am being asked to accommodate other  
3                   bills, then I see the connection. Now, if the  
4                   Majority does not, then, that's fine but that's  
5                   the reason that we're raising the point that why  
6                   are we going to be asked to accommodate the  
7                   Majority in this particular situation by  
8                   allowing bills to go directly to third reading  
9                   when we have to then -- I've been informed that  
10                  we're going to be voting on a bill in which  
11                  seven of our members who can't be here because  
12                  of a statewide emergency can't vote on the  
13                  bills, and that's why I draw a connection  
14                  between those two situations.

15                  Yes, in a way, I am using those  
16                  bills to demonstrate the fact that there's a  
17                  process for which the members of the Minority  
18                  object. But it's just a -- a fashion of trying  
19                  to bring forth a message, and that message being  
20                  that we want to be fair. We want to be  
21                  cooperative.

22                  We can report a number of bills  
23                  to -- directly to third reading to speed up the

1 legislative process. That's what we want to do,  
2 but we don't want to see members who aren't here  
3 lose the opportunity to vote on a bill when we  
4 could do it in five minutes on Tuesday.

5 THE PRESIDENT: Senator Skelos.  
6 Senator Skelos, and then Senator DiCarlo.

7 SENATOR SKELOS: I yield to  
8 Senator DiCarlo.

9 SENATOR DiCARLO: Thank you.  
10 Senator Paterson, would you yield  
11 for a question?

12 THE PRESIDENT: Senator Paterson,  
13 would you yield to a question, please?

14 SENATOR PATERSON: Most  
15 certainly, Madam President.

16 SENATOR DiCARLO: Senator, it  
17 seems you're objecting to something that hasn't  
18 come to the floor yet, objecting to it based on  
19 the fact that some colleagues are not here in  
20 this chamber with the rest of us. Is that  
21 basically the case?

22 SENATOR PATERSON: That is  
23 correct, Madam President. The Senator is

1 correct.

2 SENATOR DiCARLO: And the reason  
3 that you're saying that these Senators are not  
4 in the chamber is because of an emergency  
5 downstate, is that correct, with snowfall that  
6 we've had?

7 SENATOR PATERSON: That is the  
8 information that many of them have given us as  
9 to why they can't be here today, Senator.

10 SENATOR DiCARLO: Senator  
11 Paterson, when did you arrive in Albany, if I  
12 might ask?

13 SENATOR PATERSON: 11 years ago,  
14 Senator.

15 SENATOR DiCARLO: This week.  
16 This week, Senator.

17 THE PRESIDENT: Senator DiCarlo.

18 SENATOR DiCARLO: I asked when he  
19 arrived this week in Albany.

20 THE PRESIDENT: Senator  
21 Paterson.

22 SENATOR PATERSON: When I most  
23 recently arrived?

1                   SENATOR DiCARLO:  When you most  
2                   recently arrived.

3                   SENATOR PATERSON:  On Sunday.

4                   SENATOR DiCARLO:  On Sunday.  
5                   Senator Paterson, I arrived on Sunday also and I  
6                   think many of our legislators and Senators who  
7                   were serving and were sent here by our  
8                   constituents came to Albany early, and I think  
9                   one of the reasons I came to Albany on Sunday  
10                  and many other Senators came on Sunday is  
11                  because we all knew that we were having a  
12                  snowstorm in the downstate region as far back as  
13                  last Wednesday, isn't that true, from weather  
14                  reports?

15                  THE PRESIDENT:  Senator Paterson.  
16                  Senator Skelos.

17                  SENATOR DiCARLO:  To rephrase  
18                  that, when were you aware that we were going to  
19                  have snow in the New York City region?

20                  SENATOR PATERSON:  Senator, many  
21                  of our colleagues had obviously other  
22                  obligations that were set before the snowstorm.  
23                  We didn't schedule the snowstorm.  Those of us

1       who had the opportunity or those such as  
2       yourself, who had a predilection about the  
3       weather and were able to get here before,  
4       certainly should be commended, but what we're  
5       doing here today, I would hope, Senator, is the  
6       same thing we always do around the state that  
7       when there's a part of the state that is  
8       affected by some sort of condition and maybe not  
9       all of the Senators from that area could get out  
10      at the same time, we would

11                    SENATOR DiCARLO:  Senator  
12      Paterson, do you know when Senator Skelos  
13      arrived in Albany?

14                    SENATOR PATERSON:  Do I know when  
15      Senator Skelos arrived in Albany?

16                    SENATOR DiCARLO:  For this week,  
17      not 12 years ago.

18                    SENATOR PATERSON:  Could you hold  
19      on just a second?

20                    SENATOR SKELOS:  Senator  
21      Marcellino and I left Long Island in the middle  
22      of the snowstorm yesterday at 10:00 a.m., and we  
23      arrived here at 1:30 ready to do the people's

1 business, and certainly a day later we're ready  
2 to do the people's business.

3 SENATOR DiCARLO: Senator  
4 Paterson, if I might just -- the reason I rise  
5 and ask you these questions that we all are  
6 aware that we had snow down in the New York City  
7 downstate region, and the point that I made  
8 about when were we made aware of this fact, the  
9 weather forecasters told us on Wednesday and  
10 Thursday that it was practically guaranteed that  
11 we were getting a foot to two feet of snow over  
12 the week end, and then on Friday and Saturday it  
13 came down to the region that if you wanted to  
14 leave the downstate region to get up here to be  
15 in Albany, to be in your offices on Monday, you  
16 better leave a little early on Sunday to not be  
17 hit with the storm. I object that I was here in  
18 Albany yesterday ready to work. When I came  
19 from Brooklyn, which had 29 inches, more than  
20 Manhattan did, but I got here to do the work of  
21 the people and we sat around here and did  
22 nothing yesterday because there were some  
23 legislators who had a problem getting to work on

1 time.

2 Now, I don't know, the excuse is  
3 being used for the City and Long Island  
4 legislators or Westchester about the snow, but I  
5 want to know what was still going on in Syracuse  
6 that our Syracuse Senator isn't here.

7 THE PRESIDENT: Senator  
8 Paterson.

9 SENATOR PATERSON: I -- Madam  
10 President.

11 THE PRESIDENT: Yes, Senator  
12 Paterson.

13 SENATOR PATERSON: Well, I think  
14 it's terrific that -- that so many Senators,  
15 considering this incident, were able to actually  
16 get here, but I would like to point out that one  
17 of the reasons that I understood that the  
18 session was cancelled yesterday is that the  
19 Governor had set a statewide emergency and so  
20 that, although Senators could travel, it was  
21 asked of the residents of the state that anyone  
22 who could avoid traveling do that, and so that  
23 that cancellation yesterday was an accommodation

1 to those members that couldn't be here.

2 As for today, there is still a  
3 problem. The AMTRAK was not running this  
4 morning from Penn Station in New York City.  
5 There's at least one Senator that got on the  
6 AMTRAK that didn't get out of New York City this  
7 morning, and so I'm just suggesting that I think  
8 Senator DiCarlo is right, that in those cases  
9 where it's possible that preparation is always  
10 the best order and timely departure is the best  
11 order, that that may not have been possible in  
12 all cases, and I was just feeling that as an  
13 accommodation to our colleagues, all of whom  
14 are

15 SENATOR VELELLA: Could I ask you  
16 a question?

17 THE PRESIDENT: Senator Velella.

18 SENATOR VELELLA: Senator, I'm  
19 the sponsor of the bill that I believe you're  
20 directing your question to and that you have the  
21 problem with. Do any of the members that you  
22 listed have a strong objection to this bill that  
23 they want to be cast in the negative against

1       this bill?

2                   THE PRESIDENT:   Senator

3       Paterson.

4                   SENATOR VELELLA:   Delay the  
5       passage of this bill or oppose the concept of  
6       this bill?

7                   SENATOR PATERSON:   Madam  
8       President.

9                   THE PRESIDENT:   Senator  
10      Paterson.

11                  SENATOR PATERSON:   I want Senator  
12      Velella to be aware that I'm a co-sponsor of  
13      this bill, and I did not read the names of all  
14      the Senators that are not present.   I read the  
15      names of the Senators who are not present who  
16      are co-sponsors of your bill; so this whole  
17      discussion has nothing to do with the substance  
18      of your bill.

19                  If anything, it is really out of  
20      their admiration for your work that they want to  
21      be here and vote for the bill and that at some  
22      point in the future, not be penalized for  
23      appearing to not be present at the time this

1       rather important piece of legislation passed,  
2       and I don't say that with any

3                       SENATOR VELELLA: Will you yield  
4       to another question?

5                       SENATOR PATERSON: Yes.

6                       THE PRESIDENT: Senator Velella.

7                       SENATOR VELELLA: Have you always  
8       been present for every vote on every bill that  
9       you supported in this house? I know that I've  
10      been absent on several that I was a co-sponsor  
11      on and didn't support for one reason or  
12      another.

13                      To me, it seems rather strange  
14      that the people who support my bill want to  
15      delay it further so that they can come and be  
16      here when it passes when they know it's going to  
17      pass anyway. Their name is going to be on it.  
18      They're going to be able to write their news  
19      letters. They're going to be able to have their  
20      press releases and to use it for those purposes,  
21      and granted I appreciate their supporting me in  
22      a bipartisan fashion.

23                      I think, however, you do a

1       disservice by delaying a bill that they support,  
2       that -- this is a major bill that's going to  
3       save a few lives, that every day there is a  
4       potential for a child or mother to be released  
5       from a hospital and for them to have serious  
6       health problems and maybe die as a result of  
7       it.

8                   I think they would applaud  
9       getting this out as quick -- as fast as  
10      possible. The Assembly has indicated they want  
11      to move full steam ahead. The Governor pointed  
12      out in his State of the State message that this  
13      was a priority. It's a bill to save lives.

14                   I guess sometimes the old saying  
15      that you ought not look too closely at good laws  
16      and good sausage being made is true. I don't  
17      understand. We all agree this is a good bill.  
18      This is something that everybody wants, and why  
19      the heck are we bickering over what day we pass  
20      it?

21                   Let's get it done; let's get it  
22      moved. If we have some differences, let's get  
23      on the road to resolving them, and the bottom

1 line is we'll be able to save a few lives a lot  
2 sooner. There are babies and mothers being  
3 released from hospitals that should not be  
4 released. We've had deaths. We've had the  
5 testimony. We've seen the problem. Let's act  
6 and stop playing petty politics and bickering  
7 and jockeying.

8 I publicly announce everybody  
9 that's on the bill equally shares the credit  
10 with me. Everybody should issue their press  
11 releases from their district office, from their  
12 Albany office. Everybody should write a letter  
13 saying that they did it. Publicly acknowledge  
14 it. Senator Velella, the prime sponsor of the  
15 bill, says they did it with me.

16 THE PRESIDENT: Senator  
17 Paterson. You raise a point as to the  
18 prematurity of this bill. Senator Gold seems to  
19 have something to say.

20 SENATOR PATERSON: Madam  
21 President.

22 SENATOR GOLD: Madam President,  
23 there was a question and Senator Paterson has

1 the floor. I don't want to step on that. I ask  
2 for recognition from the Chair when it's  
3 appropriate to recognize me, and I appreciate  
4 your comments, but I think Senator Velella and  
5 Senator Paterson should be entitled to  
6 preference.

7 THE PRESIDENT: Just a moment.  
8 Senator Bruno, why do you rise?

9 SENATOR BRUNO: Madam President,  
10 I would like to ask that we call a little time  
11 here and, I'm going to suggest we just recess  
12 for a few minutes, but in the interim, I would  
13 like to ask for an immediate meeting of the  
14 Rules Committee in Room 332, and that will give  
15 us a chance to deliberate here while that is  
16 going on. With your indulgence, Senator.

17 THE PRESIDENT: The Senate will  
18 recess, and there will be an immediate meeting  
19 of the Rules Committee.

20 SENATOR BRUNO: Just at ease, at  
21 ease, Madam President, while the Rules Committee  
22 is meeting.

23 THE PRESIDENT: The Senate is at

1 ease.

2 (The Senate stood at ease from  
3 2:29 p.m. until 2:39 p.m.)

4 THE PRESIDENT: The Senate will  
5 come to order, please.

6 Senator Paterson, why do you  
7 rise?

8 SENATOR PATERSON: Madam  
9 President, I'm -- I'm very happy we had this  
10 recess because it gave me a chance to reflect,  
11 to think about the things that the Minority  
12 Leader said last week and the Majority Leader  
13 said last week and the cooperation we're going  
14 to have and maybe I raced so quickly to get up  
15 here Sunday, I'm just out of sync' with the  
16 process, because I was really just trying to  
17 point out that the unanimous consent to go to  
18 third reading, something that would expedite the  
19 process, is something that is an accommodation  
20 that one side of the aisle gives to another and  
21 with our assurance that there is a very high  
22 number of absentee Senators today and that seven  
23 of them are among the 19 on this side of the

1 aisle who are very much in support of Velella's  
2 bill -- Senator Velella's bill and the fact that  
3 this is not an agreed-upon bill and will be  
4 negotiated with the Assembly, so if it passed  
5 Tuesday or if it passed today would be rather  
6 inconsequential to the actual time that it  
7 becomes law, we wanted to make that point.

8 Senator Velella otherwise is  
9 right. I don't want to minimize the gravity of  
10 the content of his bill. We certainly hope it  
11 passes and that it saves lives and in that  
12 spirit, Madam President, I withdraw the  
13 objection to the report of the standing  
14 committees.

15 THE PRESIDENT: Senator Paterson,  
16 the motion before the house is to report the  
17 bills that were just read to third reading.  
18 Without objection, all bills are reported  
19 directly to the third reading.

20 Reports of select committees.

21 Reports of select committees?

22 SENATOR BRUNO: Madam President,  
23 can we now receive the report of the Rules

1 Committee which I believe is at the desk.

2 THE PRESIDENT: The Secretary  
3 will read.

4 THE SECRETARY: Senator Bruno,  
5 from the Committee on Rules, reports the  
6 following bill directly to third reading:

7 Senate Print 5742, by Senator  
8 Velella, an act to amend the Insurance Law, in  
9 relation to establishing the mandatory minimum  
10 coverage for hospital confinement for child  
11 birth.

12 THE PRESIDENT: All those in  
13 favor of accepting the report of the Rules  
14 Committee signify by saying aye.

15 (Response of "Aye.")

16 Opposed nay.

17 (There was no response. )

18 THE PRESIDENT: The report is  
19 accepted.

20 Senator Bruno.

21 SENATOR BRUNO: Can we take up  
22 the bill at this time, Madam President.

23 THE PRESIDENT: The Secretary

1 will read.

2 THE SECRETARY: Calendar Number  
3 1, by Senator Velella, Senate Print 5742, an act  
4 to amend the Insurance Law, in relation to  
5 establishing the mandatory minimum coverage for  
6 hospital confinement for child birth.

7 THE PRESIDENT: Read the last  
8 section please.

9 THE SECRETARY: Section 4.

10 SENATOR PATERSON: Madam  
11 President.

12 THE PRESIDENT: Oh, Senator  
13 Paterson.

14 SENATOR PATERSON: Yes, Madam  
15 President, I'm back.

16 THE PRESIDENT: Welcome.

17 SENATOR PATERSON: Kind of like  
18 poltergeist, Madam President.

19 Would the sponsor yield for a  
20 brief question? I don't need an explanation of  
21 the bill.

22 THE PRESIDENT: Senator Velella.

23 SENATOR VELELLA: Yes.

1                   SENATOR PATERSON:  Senator  
2           Velella, do you have any ideas, in negotiating  
3           with the Assembly, because this is really an  
4           excellent bill and we did not mean to demean its  
5           importance with the discussion about the rules,  
6           and as quickly as it can be enacted into law I  
7           hope it is.  Do you have any ideas as to how the  
8           issue may be resolved about Medicaid patients  
9           who may not be protected as well as the bill  
10          stands right now as opposed to the way it's  
11          formulated in the Assembly?

12                   THE PRESIDENT:  Senator Velella.

13                   SENATOR VELELLA:  Let me respond  
14          by giving you a little bit of history on this.  
15          This bill came up last -- toward the very end of  
16          last session, and we put in a bill and there  
17          were some questions about whether or not it was  
18          properly drafted, so before we got out of town  
19          we did not have enough time to enact the bill.

20                   During the recess, the Governor  
21          called me to tell me that he thought this was a  
22          priority and wanted to see it moved.  I then  
23          called Assemblyman Gottfried at the Governor's

1 request, to do a bill together and the Governor  
2 said that, if we can get this together, a simple  
3 48 hours and a five-day stay -- a four-day stay  
4 for a C-section, he would be happy to give a  
5 bill to both Assemblyman Gottfried and myself,  
6 join in that bipartisan spirit, have a press  
7 conference with all the co-sponsors and move  
8 this thing as a priority bill as soon as the  
9 session was back, as soon as we went back into  
10 session.

11 I spoke with Assemblyman  
12 Gottfried; our staffs have been talking about it  
13 and we have been unable to resolve a few small  
14 issues.

15 The issue of the question of  
16 Medicaid funding under this program is something  
17 that really doesn't relate to this bill. The  
18 purpose of this bill is to get to the issue that  
19 there are insurance companies in this state that  
20 are making medical decisions and denying women  
21 and children reimbursement under their policies  
22 for coverage beyond 24 hours in the hospital.

23 The motive behind that, as I see

1       it, is a profit motive, private companies  
2       telling people they have to get out of the  
3       hospital quickly. We don't have that profit  
4       motive in the Medicaid piece of coverage. The  
5       average stay for a Medicaid patient is a  
6       three-day stay beyond what we're mandating in  
7       this. That's the average. The DRG that  
8       regulate those stays provide for that, so that  
9       it really isn't a major Medicaid issue.

10               This is an issue about companies  
11       that are turning people out of hospitals, babies  
12       and mothers, within 24 hours because of a greed  
13       or profit motive. We want to see that  
14       eliminated. That will really not be. That is  
15       not a motive under the Medicaid system and, in  
16       fact, our research shows that the average stay  
17       of a person giving birth, a normal delivery in a  
18       Medicaid situation is about three days on the  
19       average, some leave a little sooner, some stay a  
20       little longer, so I don't see it as a real, real  
21       issue.

22               If Assemblyman Gottfried wants to  
23       put some language in there for whatever purpose,

1       whether it be cosmetic or whatever, we'll talk  
2       about it. I don't know, if it's not going to  
3       make a difference in the law, if he feels more  
4       comfortable with it, we might be able to do  
5       something in a conference committee.

6                   THE PRESIDENT:   Senator  
7       Paterson.

8                   SENATOR PATERSON:   Madam  
9       President, I want to thank Senator Velella for  
10      a very complete answer. The purpose of the  
11      question was to create a law that actually  
12      responds equitably to all people who are in  
13      this condition so that down the road, anything  
14      that may transpire when we look back and check  
15      the statute, that the law applies equally to  
16      all situations.

17                   It's a tremendous bill. I  
18      commend Senator Velella. I'm happy to see the  
19      Governor wanted to make it a priority. I know  
20      it's Bill No. 1 on this calendar, and I hope it  
21      passes soon.

22                   THE PRESIDENT:   Thank you.  
23                   Senator Dollinger.

1                   SENATOR DOLLINGER:    Yes.

2                   On page 2 of the bill, it  
3                   talks about the followup, talks about the  
4                   followup home care if the mother is discharged  
5                   within the 48 hours, the 96 hours, and my  
6                   question is, it says "Coverage shall be at a  
7                   minimum and includes..."

8                   I'll say right up front this is  
9                   a good bill. Is this in addition to rather  
10                  than in lieu of any home care coverage  
11                  available pursuant to this chapter? What are  
12                  the current standards of available home health  
13                  care to mothers with infants, and how will this  
14                  add that extra visit?

15                  I'm just trying to figure out  
16                  what is their purpose.

17                  SENATOR VELELLA:  At any time.  
18                  It's my understanding there is no statutory  
19                  mandate as to what type of followup can be  
20                  had.

21                  Our committee had public  
22                  hearings. The case of Brian Jones is on  
23                  everyone's mind, that was the young boy who

1 died when he was released from the hospital  
2 prematurely, was born with only three chambers  
3 in his heart, it was not detected, he was  
4 released within 24 hours as a normal, healthy  
5 child when, in fact, he had a defective heart  
6 which ultimately caused his death.

7 But, the point is, under the  
8 plan that his parents had, she had to get out  
9 in 24 hours but she was entitled a home health  
10 care visit by a "health worker". Now, the  
11 health worker came and told the mother the  
12 whole problem was she didn't know how to  
13 position the baby for nursing and that when she  
14 was properly instructed how to position the  
15 baby for nursing, the baby would be great, get  
16 his color back, would not be yellow any more,  
17 would not show jaundice symptoms.

18 That person, while sincere, was  
19 totally unqualified to make that visit and to  
20 assess the health of that child. We want to  
21 stop that by putting in that there should be  
22 licensure, a licensed health professional, and  
23 allowing the Health Department to make the

1 regulations as to what that health professional  
2 should do when they go to the site. They must  
3 be licensed and they should have had training  
4 in postpartum examinations.

5 So, the purpose of that is to  
6 say that beyond the health care worker, we want  
7 a health care professional; and whatever your  
8 company may give you in terms of a commitment  
9 that someone will visit within 24 hours after  
10 you are released from the hospital, if you  
11 discharge immediately, we want to set a  
12 standard in there that isn't there now to say  
13 it must be someone with some ability to make a  
14 rational judgment because someone visiting and  
15 making the wrong diagnosis, as in the case of  
16 the Jones baby, was worse than if nobody  
17 visited, because if nobody had visited, the  
18 parents would have pursued additional medical  
19 advice because they thought there was something  
20 wrong when the so-called health care worker  
21 came and saw these signs and assured the family  
22 it was just the positioning of the child for  
23 breastfeeding that led the family to wait a

1 little longer, which was really the problem.

2 SENATOR DOLLINGER: But in  
3 essence

4 THE PRESIDENT: Senator  
5 Dollinger.

6 SENATOR DOLLINGER: Again,  
7 through you, Madam President, just so I  
8 understand it, what this now says is however  
9 much home health care a mother and infant would  
10 get

11 SENATOR VELELLA: I'm sorry, I  
12 was distracted.

13 SENATOR DOLLINGER: What this  
14 bill says, in essence, if your HMO says that  
15 you get so much home health care with a  
16 provider of their choice, what we're saying in  
17 this bill is whatever that says, you now have  
18 to add on a licensed professional, more  
19 competent to analyze and assess. You talk  
20 about the physical assessment, I think those  
21 are the skills that we do need for mothers and  
22 children. This will put a single additional  
23 required licensed professional, health care

1 provider, one additional one as a prerequisite  
2 of all that HMO coverage. Whatever they have  
3 now, this adds one visit with, in essence, a  
4 professional of our dictation, rather than  
5 their choice.

6 SENATOR VELELLA: Only in  
7 those circumstances where a woman has given  
8 birth, has left the hospital in less than 48  
9 hours, she feels fine, the baby looks fine, the  
10 doctor says everything's okay, takes the baby  
11 home, she's entitled to that extra visit;  
12 instead of 40, it will be 41 for the total  
13 package.

14 SENATOR DOLLINGER: On the  
15 bill, Madam President. I think this is a good  
16 bill. I commend Senator Velella and the other  
17 sponsors of this bill.

18 I had three children, all of  
19 whom suffered from jaundice, two of whom had to  
20 be taken back to the hospital after they came  
21 home because they were detected as having  
22 jaundice because of a blood incompatibility  
23 between their blood and their mother's blood.

1       So, the notion of extending to women, all the  
2       women of this State, the option if they do go  
3       home early to get additional services above and  
4       beyond those currently provided by their HMO is  
5       a good idea.

6                       And I also think philosophi  
7       cally this is an important moment for us and I  
8       commend the sponsor and the chief sponsor for  
9       this because as we move in this rapid  
10      progression to HMOs and as we move to an  
11      environment - and we talked about this today in  
12      the Health Committee with Senator Hannon - as  
13      we move to an environment in which we're going  
14      to allow the private sector to set the  
15      standards for health care and because we have a  
16      concern, a philosophical concern about  
17      overregulating this industry that's going to be  
18      subject to competition, we have to remember  
19      that it is our fundamental responsibility to  
20      intervene in that system when, in our judgment,  
21      to protect the public interests, we need to be  
22      able to say, "I'm sorry, whatever you want to  
23      do for pregnant women who give birth, it isn't

1       enough under the competitive private sector  
2       model."

3                       And we have to continue to be  
4       attentive to those instances in which the  
5       public interest requires that we do more, and I  
6       think this is a clear example of that. I know  
7       there will be other examples, and this is a  
8       reminder to us that we need to continue to be  
9       vigilant, that we don't allow the competitive  
10      model to drive our health care system to a  
11      state where we are only barely protecting women  
12      and children.

13                      I think we have got to provide  
14      more than just bare protection because of the  
15      dangers presented, not just in the Jones case,  
16      the dangers presented in my own family's case.

17  
18                      I think this is a good bill, I  
19      think it's a good trend, and it sends a good  
20      message to people about this State. We're  
21      going to be vigilant and not allow a  
22      competitive health care model to make all the  
23      public interest decisions, we're still going to

1 contain that power and intervene when  
2 necessary.

3                                    Congratulations.

4                                    THE PRESIDENT: Thank you,  
5 Senator.

6                                    Senator Bruno.

7                                    SENATOR BRUNO: I would like  
8 to, as I believe you're concluding debate, just  
9 acknowledge the good will that is represented  
10 on both sides of the aisle as we relate, Madam  
11 President, to something that's critically  
12 important to the people of this State; and I  
13 really firmly believe that your indulgence sets  
14 the tone for a session that's going to be  
15 extremely productive for the people of this  
16 State.

17                                    Thank you.

18                                    THE PRESIDENT: Thank you,  
19 Senator Bruno.

20                                    Read the last section, please.

21                                    THE SECRETARY: Section 4.

22 This act shall take effect on the 180th day.

23                                    THE PRESIDENT: Call the roll.

1 (The Secretary called the  
2 roll.)

3 SENATOR HANNON: To explain my  
4 vote.

5 THE PRESIDENT: Senator Hannon  
6 to explain his vote.

7 SENATOR HANNON: Yes. I would  
8 like to explain my vote. I just want to  
9 congratulate Senator Velella for his seizing  
10 upon this issue. In fact, if he had acted  
11 upon it last June, we would probably be first  
12 in the nation when he had introduced it and  
13 correctly recognized that this brings home the  
14 tension between what people can do for quality  
15 care and what they can do for trying to save  
16 money and rewrite a balance that had gotten too  
17 far.

18 There are problems, however, in  
19 terms of the inability of any state to reach  
20 all people who are covered because of the  
21 federal preemption under ERISA, and that, of  
22 course, leaves us with a number of choices that  
23 are difficult because you not only are

1 prevented from reaching all covered when  
2 you're dealing with HMOs, but also with the  
3 traditional fee for service, and we would be  
4 looking to work with the whole business  
5 community and through this administration of  
6 Governor Pataki's to reach out to that business  
7 community so that they might afford to their  
8 covereds, especially through the largest  
9 corporations, what would be a reasonable  
10 balance of care so that people would keep and  
11 gain a confidence in this system that Senator  
12 Velella has introduced for the HMOs, and so I'm  
13 very happy to support this bill. Thank you.

14 THE PRESIDENT: Thank you,  
15 Senator Hannon.

16 Would you repeat the results?

17 THE SECRETARY: Ayes 47.

18 THE PRESIDENT: The bill is  
19 passed.

20 Senator Bruno.

21 SENATOR BRUNO: Madam  
22 President, can we, at this time, return to  
23 resolutions and move for their immediate

1 adoption?

2 THE PRESIDENT: All those in  
3 favor of adopting the Resolution Calendar,  
4 signify by saying aye.

5 (Response of "Aye.")

6 Opposed, nay.

7 (There was no response.)

8 The Resolution Calendar is  
9 adopted.

10 Senator Bruno.

11 SENATOR BRUNO: Madam  
12 President, we are in the process of printing a  
13 piece of legislation that's important that we  
14 move and I am told that we have a mechanical  
15 problem that's going to get resolved in about  
16 ten minutes. So, I would respectfully ask the  
17 members to stand at ease for about ten minutes.

18 THE PRESIDENT: The Senate  
19 will stand at ease.

20 (The Senate stood at ease from  
21 2:56 p.m. to 3:03 p.m.)

22 ACTING PRESIDENT FARLEY:

23 Senator Bruno.

1                   SENATOR BRUNO:    Mr. President,  
2                   can we ask for an immediate meeting of the  
3                   Rules Committee in room 332?

4                   ACTING PRESIDENT FARLEY:    The  
5                   Rules Committee will meet in room 332  
6                   immediately, and the Senate will continue to  
7                   stand at ease.

8                                       (The Senate continued to stand  
9                   at ease.)

10                   THE PRESIDENT:    Senator Bruno.

11                   SENATOR BRUNO:    Madam  
12                   President, can we have the report of the Rules  
13                   Committee, please?

14                   THE PRESIDENT:    The Secretary  
15                   will read.

16                                       Senator Bruno from the  
17                   Committee on Rules reports the following bill:  
18                   Senate Print 5758 by Senator Johnson, an act  
19                   authorizing the extension of time for the  
20                   collection of taxes without interest in Suffolk  
21                   County in 1996 as a result of the severe  
22                   weather conditions in such county.

23                   SENATOR BRUNO:    Move we adopt

1           that report, Madam President.

2                         THE PRESIDENT:    All those in  
3           favor of accepting the report of the Rules  
4           Committee, signify by saying aye.

5                         (Response of "Aye.")

6                         Opposed, nay.

7                         (There was no response.)

8           The report is accepted.

9           Senator Bruno.

10                        SENATOR BRUNO:    Madam  
11           President, can we now at this time take up  
12           Calendar No. 49?

13                        THE PRESIDENT:    The Secretary  
14           will read.

15                        THE SECRETARY:    Calendar No.  
16           49 by Senator Johnson, Senate Print 5785, an  
17           act authorizing the extension of time for the  
18           collection of taxes without interest in Suffolk  
19           County in 1996 as a result of the severe  
20           weather conditions in such county.

21                        THE PRESIDENT:    Senator Bruno.

22                        SENATOR BRUNO:    Madam  
23           President is there a Message of Necessity at

1 the Desk on this bill?

2 I move that we accept the  
3 Message at that time.

4 THE PRESIDENT: All those in  
5 favor of accepting the Message, signify by  
6 saying aye.

7 (Response of "Aye.")

8 Opposed, nay.

9 (There was no response.)

10 The Message is accepted.

11 SENATOR BRUNO: At this time,  
12 move to read the last section.

13 THE PRESIDENT: Read the last  
14 section.

15 THE SECRETARY: Section 3, this  
16 act shall take effect immediately.

17 THE PRESIDENT: Call the roll,  
18 please.

19 (The Secretary called the  
20 roll.)

21 THE SECRETARY: Ayes -

22 THE PRESIDENT: Senator  
23 Paterson.

1                   SENATOR PATERSON: Madam  
2 President, we just have a question; nothing  
3 wrong with this bill, we just have a question.

4                   THE PRESIDENT: To whom are  
5 you addressing it?

6                   SENATOR PATERSON: The sponsor  
7 or to whom may concern.

8                   THE PRESIDENT: Senator  
9 Johnson.

10                  SENATOR JOHNSON: Yes.

11                  SENATOR PATERSON: Senator,  
12 the substance of the bill is quite  
13 self-explanatory. Are there any other regions  
14 where this same problem may arise? Is there  
15 any reason we're doing it just for Suffolk  
16 County -

17                  SENATOR JOHNSON: Where are  
18 you reading?

19                  SENATOR PATERSON: -- cover all  
20 the residents that may be affected?

21                  THE PRESIDENT: Senator  
22 Johnson?

23                  SENATOR JOHNSON: Senator,

1       this was brought to the attention of the  
2       Suffolk County members by the respective town  
3       supervisors and county executive, et cetera,  
4       and asked to get this bill out.

5                    If you want to do it for  
6       another county -- it's the County Tax Act,  
7       which is unique.

8                    SENATOR PATERSON:    Thank you,  
9       Senator.

10                   THE PRESIDENT:    The results,  
11       please.

12                   THE SECRETARY:    Ayes 47.

13                   THE PRESIDENT:    The bill is  
14       passed.

15                    Senator Bruno.

16                    SENATOR BRUNO:    Madam  
17       President, I believe there is a report from the  
18       Transportation Committee; can that be read at  
19       this time?

20                   THE PRESIDENT:    The Secretary  
21       will read.

22                   THE SECRETARY:    Senator Levy  
23       from the Committee on Transportation reports

1 the following bills: Senate Print 34 by  
2 Senator Holland, an act to relocate the Spring  
3 Valley toll plaza of the New York State  
4 Thruway;

5 95, by Senator Volker, an act  
6 to amend the Vehicle and Traffic Law in  
7 relation to authorizing villages and towns to  
8 regulate traffic;

9 319, by Senator Levy, an act in  
10 relation to requiring Department of Motor  
11 Vehicles to inform the public of problems  
12 associated with nighttime driving;

13 322, by Senator Levy, an act in  
14 relation to requiring the Commissioners of  
15 Motor Vehicles, Transportation and Education to  
16 develop a uniform definition of terms "school"  
17 and "school bus", reported with amendments;

18 331, by Senator Levy, an act to  
19 amend the Vehicle and Traffic Law in relation  
20 to distinctive plates for police officers  
21 wounded in the line of duty;

22 369, by Senator Levy, an act to  
23 amend the Vehicle and Traffic Law in relation

1 to authorizing the proration of registration  
2 fees for stolen motor vehicles;

3 429, by Senator Levy, an act in  
4 relation to authorizing the Commissioner of  
5 Transportation and others to develop and  
6 implement a uniform statewide system, reported  
7 with amendments;

8 610, by Senator Stafford, an  
9 act to amend the Vehicle and Traffic Law in  
10 relation to the operation of school buses;

11 1491, by Senator LaValle, an  
12 act to amend the Vehicle and Traffic Law in  
13 relation to traffic control signal indicators;

14 3186, by Senator Wright, an act  
15 to amend the Vehicle and Traffic Law in  
16 relation to allowing commercial vehicles to  
17 have distinctive plates;

18 3488-A, by Senator Levy, an act  
19 to amend the Public Authorities Law in relation  
20 to requiring the Metropolitan Transportation  
21 Authority to implement and maintain subway  
22 station signs; reported with amendments;

23 4857, by Senator Levy, an act

1 to amend the Vehicle and Traffic Law in  
2 relation to increasing fines associated with  
3 passing school buses.

4 All bills ordered directly for  
5 third reading.

6 THE PRESIDENT: Without  
7 objection, all bills will go directly to third  
8 reading.

9 Senator Bruno.

10 SENATOR BRUNO: Madam  
11 President, is there any housekeeping at the  
12 Desk?

13 THE PRESIDENT: No, there is  
14 not.

15 SENATOR BRUNO: There is no  
16 housekeeping. Then there being no further  
17 business to come before the Senate, I move that  
18 we stand adjourned until January 16th, Tuesday,  
19 at 3 p.m., intervening days being legislative  
20 days. Thank you.

21 THE PRESIDENT: Without  
22 objection, the Senate stands adjourned until  
23 Tuesday, January 16th at 3 p.m., intervening "

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days to be legislative days.

(Whereupon, the Senate  
adjourned at 3:09 p.m.)