ALBANY, NEW YORK

January 16, 1996

3:04 p.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY ROSS, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

Would everyone please rise and join me in the Pledge of Allegiance.

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

May we bow our heads in a moment of silence.

(Whereupon, there was a moment of silence.)

The reading of the Journal, please.

THE SECRETARY: In Senate, Sunday, January 14. The Senate met pursuant to adjournment. Senator Hoblock in the chair. The Journal of Saturday, January 13, 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.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Stafford, from the Committee on Finance, offers up the following nomination: Member of the State Board of Parole, Mary Ellen Jones of Rochester.

THE PRESIDENT: Senator Stafford.

SENATOR STAFFORD: Thank you, Madam President.

Madam President, I first would like to state, place on the record -- I would indicate that today's Finance Committee meeting was held as scheduled. Everyone who was to be notified or should have been notified, including the Minority, were so notified in advance that the nomination of Mary Ellen Jones would be added to the agenda. I trust I make myself clear.

I would state, Mr. President, that Mary Ellen Jones appeared before our committee, and I know some other chairman will be speaking concerning their meeting, Crime and

Correction, Senator Nozzolio. But I would state that Mary Ellen Jones was completely prepared, has the qualifications; and after some questions, some comments, mostly sharing with her the good fortune of her serving on the Parole Board, the Senate Finance Committee voted to send her nomination to the floor, and I do so proudly.

I will now yield to Senator Nozzolio.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Madam President. My colleagues. I offer up the following notice with regard to the New York State Senate Committee on Crime and Corrections held earlier today. I ask that it be read and filed in the Journal.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Nozzolio, Notice from the Senate Standing Committee on Crime Victims, Crime and

Corrections. Pursuant to Senate Rule 7, Section 3, the following members of said committee constituting the majority thereof called for a special meeting of the committee to be held at 10:00 a.m. on Tuesday, January 16, to consider the Governor's nomination of Mary Ellen Jones to become a member of the State Board of Parole. Those present: Senators Nozzolio, Goodman, Volker, Cook, Saland, Maziarz, Sears, Wright, DiCarlo.

THE PRESIDENT: Notice will be filed in the Journal.

Senator Nozzolio.

SENATOR NOZZOLIO: Madam President. It gives me great pleasure to place in nomination and speak on behalf of the nomination of Mary Ellen Jones to serve on the Parole Board.

Madam President. My colleagues. This nomination of Senator Jones continues Governor Pataki's efforts to nominate and place top-flight leaders in important positions in his administration. The nomination of Senator Jones

to serve on the State Parole Board is based on her ability, experience and integrity.

Senator Jones joins a distinguished list of legislators who have been appointed to serve as part of the Pataki administration. Senator Daly, Assemblyman Casale, Behan, King, Davidsen, and Rappleyea. Each of those former members of the State Legislature were selected on the basis, above all other bases, of their ability to serve people, just as Senator Jones has demonstrated throughout her career in public service.

As chairman of the Senate Crime and Corrections Committee, it is my honor to offer the nomination of Senator Jones to the Parole Board. Senator Jones has represented extremely well the interests of Monroe County and her Senatorial District these last three years. She's been an active member of many committees of this body and, particularly, the Senate Committee on Crime Victims, Crime and Corrections, and has served as a legislative leader in the area of tougher laws for sex

offenders, strengthening crime victims rights, and working towards the enactment of Megan's Law.

Senator Jones has been a distinguished member of this house but, before that, served with equal distinction in the Monroe County Legislature, active in that body on the Public Safety Committee. She is certified as an Emergency Medical Technician and has ridden the ambulances continually throughout her tenure in public life and continues even today as her commitment to service of her fellow individuals.

That Senator Jones, active in drug treatment, active in areas of domestic violence prevention, active in areas of victims' assistance, ideally suited for service on the Parole Board; and distinguished service, that is exactly what Senator Mary Ellen Jones has always stood for, and I'm confident that is exactly what she will bring to her new assignment as a member of the New York State Parole Board.

Madam President. My colleagues.

It is with great honor that I rise in support of this fine nomination.

Thank you.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President. I would like to move the nomination that has been placed on the floor.

THE PRESIDENT: Senator Hoffmann.

SENATOR HOFFMANN: I rise with mixed feelings to support the nomination of Senator Jones to Parole Board because I will be losing a valued friend in this chamber as will many others. We have come to have extremely warm feelings for Senator Jones and have known in the years that she served here that we could always rely upon her uncanny ability to see with common sense, as a first-grade school teacher can see, some of the issues that many of us would otherwise render much too difficult to comprehend or too difficult to explain to the general public. Mary Ellen has that wonderful skill at breaking a complex issue down to its most elementary parts and finding a way to come

up with a solution that is satisfactory to all parties concerned. She's able to function in a bipartisan manner under the most difficult circumstances.

These kind of creative talents are going to hold her in excellent stead dealing with one of the more pressing problems that we face in the state today, and that is the growing number of people who are leaving our facilities of incarceration, reentering the community and, often, do not have any provisions made for how they will satisfactorily reintegrate into society. I am comforted in knowing that someone of Senator Jones' creative thought, wide-range of experience and unbelievable hard work is going to be serving in that capacity.

At the same time, I would be remiss if I did not say that I will miss her as a colleague and I'm sorry that we will be losing her in the Senate chambers, but it is to the benefit of New York State that she's continuing in public service, and I compliment Governor Pataki on his remarkable ability to have located

such an excellent choice for the Parole Board.

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you, Madam President. I rise to support the nomination of Senator Mary Ellen Jones.

I think if there is any member of the other side that is respected and admired and liked by my conference and me personally, it's Senator Jones, and I can't think of anybody that has served in a more partisan manner and deserves this appointment.

Mary Ellen, you have been a credit to this chamber and a member of the Senate family, and we're delighted to see you get this appointment, and I wish you all the best and the best wishes to you and your family.

Good luck.

THE PRESIDENT: Senator Cook.

SENATOR COOK: Thank you, Madam President.

I also have mixed feelings regarding Senator Jones' appointment. As a member of the Education Committee, I'm going to

miss her very much. The thing that I have always admired about her was that when she made comments, they were substantive comments, comments based on an understanding of the situation, comments based on some real feelings and experience, and I also consider her something of a collaborator because we have a very sensitive bill that we worked on for a couple of years, and she worked, I'm sure, with members of her conference to help get that bill passed, and I think that we can take pleasure that with the Governor's cooperation the bill is now law, and probably 100 children a year have their lives saved as a result of that bill, and that is something that I think you can share in, Senator, and I want to thank you for your part in that and for all the leadership that you have shown and, more than that, the leadership I know you are going to continue to show.

THE PRESIDENT: Has every member wishing to speak been heard?

SENATOR DeFRANCISCO: Excuse me.

THE PRESIDENT: The question -

oh, I'm sorry.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes. I also rise in support of the nomination. I think one thing hasn't been said yet; and that is, the role of somebody on the State Board of Parole is a role much like a judge, and that person has to be fair and impartial, open-minded in looking at both sides of an issue, and that's what's impressed me about Senator Jones. She's an individual who looks at both sides of the issue, will be compassionate but fair, and that's the way she's shown herself on this floor of the Senate for the years that she's been there.

So I rise in support of the nomination, and I wish her the best of luck because I wish her the best of the luck because whenever there is an issue in the State Board of Parole, there's always two sides of the issue, and if I have a case where I want someone to evaluate those two sides, I want someone like Mary Ellen Jones to do that.

THE PRESIDENT: The question is

on the confirmation of the Mary Ellen Jones as a member of State Board of Parole. All in favor signify by saying aye.

(Response of "Aye.")

Opposed, nay.

Senator Bruno.

SENATOR BRUNO: Madam President. By way of explaining my vote, I would just like to add my voice to the others, in that, this is a happy occasion for the people of this state that we'll do well by the services rendered by Senator Mary Ellen Jones, and we will miss her in this chamber because she has been a colleague that relates to the issues and, all of us know, has extremely well been a representative of the people in her area and of this state, so she goes on to greater public service and we admire and we respect her for the good works that she does on behalf of all of the people of this state. I vote aye.

THE PRESIDENT: All those opposed nay.

Senator Paterson.

SENATOR PATERSON: Madam President. I would like to be recorded in the negative on this nomination.

THE PRESIDENT: The record will so indicate.

Mary Ellen Jones is hereby confirmed as a member of the state Board of Parole.

(Applause.)

Senator Bruno.

SENATOR BRUNO: Madam President. Can we at this time call for an immediate meeting of the Rules Committee in Room 332.

THE PRESIDENT: There is an immediate meeting of the Rules Committee in Room 332.

Committee reports.

The Secretary will read.

THE SECRETARY: Senator Saland, from the Committee on Children and Families, hands up the following bills directly for third reading:

Senate Print 1741, by Senator

Skelos, an act to amend the Social Services Law, in relation to access to certain conviction records.

2108, by Senator Saland, an act to amend the Family Court Act, in relation to judicial notification.

Senate Print 2594, by Senator Saland, an act to amend the Social Services Law, in relation to child abuse.

Senate Print 5712, by Senator Goodman, an act to amend the Social Services Law, in relation to disclosure of information in the Statewide Central Register of Child Abuse.

Senator Trunzo, from the Committee on Civil Service and Pensions, hands up the following bills directly for third reading:

Senate Print 3653A, by Senator Trunzo, an act to amend the Retirement and Social Security Law, in relation to permitting pensioners to enter into marriage.

Senate Print 5779, by Senator Trunzo, an act to amend the Civil Service Law,

in relation to providing jurisdiction to the Public Employee Relations Board.

Senator Stafford, from the Committee on Finance, offers up the following bills directly for third reading:

Senate Print 5434A, by Senator Maziarz, an act to amend the State Finance Law, in relation to establishing a transportation mobility revolving loan.

Senate Print 5597, by Senator Bruno, Concurrent Resolution of the Senate and the Assembly, proposing an amendment to Section 20 of Article 3 of the Constitution.

Senate Print 5598, by Senator Bruno, an act to amend the Legislative Law, the State Finance Law, and the Executive law, in relation to estimates of state revenues.

Senator Stafford from the Committee on Finance offers up the following bills directly for third reading -- or Senator Velella, excuse me, offers up the following bills directly for third reading:

Senate Print 69, by Senator

Larkin, an act to amend the Insurance Law and the Tax Law, in relation to supplemental health insurance accounts.

Senate Print 1261B, by Senator Stafford, an act to amend the Insurance Law and the General Obligations Law, in relation to limiting liability for property owners.

Senate Print 3459B, by Senator Velella, an act to amend the Insurance Law in relation to the definition of surety insurance.

Senate Print 5711, by the Committee on Rules, an act to amend the Insurance Law, the Tax Law, the Administrative Code of the City of New York, in relation to the tax deductibility of long-term care insurance coverages.

All the bills directly for third reading.

THE PRESIDENT: Without objection, all bills will go directly to a third reading.

Report of select committees.

Communications from state

officers.

Motions and resolutions.

Senator DiCarlo.

SENATOR DiCARLO: Madam President. On behalf of Senator Cook, on page 5, I offer the following amendments to Calendar 18, Senate Print 4875, and ask that said bill retain its place on Third Reading Calendar.

THE PRESIDENT: So ordered.

SENATOR DiCARLO: Also, Madam President, on behalf of Senator Hannon, please place a sponsor star on Calendars 11 and 12.

THE PRESIDENT: So ordered.

Senator Nanula.

SENATOR NANULA: Madam President. I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: It's Senate Number 2052.

THE PRESIDENT: The enacting clause will be struck and the bill will be recommitted.

SENATOR NANULA: Thank you.

THE PRESIDENT: Senator Bruno, are you ready for the calendar?

SENATOR BRUNO: Madam President, yes. Can we at this time take up the noncontroversial calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 2, by Senator Farley, Senate Print 2836, an act to amend the Banking Law, in relation to money transmitters.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section Number 6. This act shall take effect on the 90th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 5, by Senator DeFrancisco, Senate Print 4228, an act to amend the Lien Law, in relation to notice

of lien on account of public improvements.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section 2. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 52. Nays 1. Senator Nanula recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 7, by Senator Saland, Senate Print 5107, an act to amend the Family Court Act, in relation to the submission of transcripts in Family Court.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 14, by Senator Kuhl, Senate Print 1385, an act to amend the Agriculture and Markets Law, in relation to exempting working search dogs from licensing fees.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 16, by Senator Kuhl, Senate Print 2315, an act to amend the Agriculture and Markets Law, in relation to the producer referendum under the

Rogers-Allen law.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 23 Senate Print 184, an act to amend the Penal Law, in relation to menacing in the first degree.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 31, by Senator Volker, Senate Print 3773, an act to amend the Criminal Procedure Law, in relation to submission of written materials to the jury during deliberations.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect 90 days after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: I rise to explain my negative vote. I just want to make it clear that the reason that I'm voting no on this bill, I've tried cases for a few years now

and what the bill would provide is that the portions of the judge's instructions concerning the elements of a crime could be allowed to be presented to the jury in the jury room for their review along with the elements of the crime. I know that there is a split in the various departments of the state as to how the Appellate Divisions feel about this particular issue. I feel that that's a bad way to run a court. I think what's going to happen, especially now that juries are now -- can now be such a varied degree of individuals including lawyers in the jury room that someone is going to be taking over the role of a judge and interpreting and explaining to jurors in the jury room what these elements really mean and interpreting the judge's instruction as they are there.

I think it's much better practice as we have it presently that, with respect to instructions, those instructions should come from the word and the mouth of the judge, and the judge can explain those issues much more carefully and based upon the law better than a

juror who will be trying to interpret those instructions to the jury, so I vote in the negative for that reason.

THE PRESIDENT: Thank you, Senator.

The results, please.

THE SECRETARY: Ayes 52. Nays 1. Senator DeFrancisco recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 34, by Senator Goodman, Senate Print 983, an act to amend the Arts and Cultural Affairs Law, in relation to the New York State fine arts collection.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: Senator Hoblock, are you recording your negative vote?

THE SECRETARY: In relation to Calendar Number 34, Senator Hoblock recorded in the negative. Ayes 52. Nays 1.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 38, by Senator Volker, Senate Print 95, an act to amend the Vehicle and Traffic Law, in relation to authorizing villages and towns to regulate traffic at parking areas and driveways of office buildings.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is

passed.

THE SECRETARY: Calendar Number 44, by Senator Stafford, Senate Print 610, an act to amend the Vehicle and Traffic Law, in relation to the operation of school buses with headlights and tail lights.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 52. Nays 1. Senator Seward recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 45, by Senator LaValle, Senate Print 1491, an act to amend the Vehicle and Traffic Law, in relation to traffic control signal indicators.

THE PRESIDENT: Read the last

section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 46, by Senator Wright, Senate Print 3186, an act to amend the Vehicle and Traffic Law, in relation to allowing commercial vehicles to have distinctive plates.

THE PRESIDENT: Read the last section, please.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

That completes the noncontroversial calendar.

Senator Skelos.

SENATOR SKELOS: Madam President. May we please return to reports of standing committees. I believe there is a report of the Rules Committee at the desk.

THE PRESIDENT: Yes. The Secretary will read.

THE SECRETARY: Senator Bruno from the Committee on Rules hands up the following bill directly for third reading:

Senate Print 5800, by Senator Marcellino, an act authorizing the extension of time for the collection of taxes without penalties in the city of Glen Cove.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President. I move we accept the report of the Rules Committee.

THE PRESIDENT: All those in

favor of accepting the report of the Rules Committee, signify by saying aye.

(Response of "Aye.")

Opposed, nay.

(There was no response.)

The report is accepted.

Senator Skelos.

SENATOR SKELOS: Madam President. At this time, I would like to take up Calendar Number 50, Senate 5800, which was just reported from the Rules Committee.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 50, by Senator Marcellino, Senate Print 5800, an act authorizing the extension of time for the collection of taxes without penalty in the city of Glen Cove in 1996.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section 3. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Results.

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President. On behalf of Senator Bruno, I hereby file notice that he will move to amend Senate Rules 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14 and ask that said notice be filed in the Journal.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, motion to amend the rules. I hereby give written notice, as required by Rule 11, that I will move to amend the following rule:

Rule 2, Section 6, in relation to the powers of the Temporary President.

Rule 3, Section 1, in relation to the powers of presiding officer.

Rule 5, Sections 2, 3, 4, 5, 6, 7, 8 and 9, in relation to the meeting hours of

session, the creation of a motion, and reconsideration of questions.

Rule 6, Sections 1, 2, 3, 4 and 9, in relation to the introduction of bills and resolutions.

Rule 7, Sections 1, 3 and 5, in relation to the size and creation of standing committees and the duties of standing committees.

Rule 8, Sections 3, 4, 6 and 8, in relation to bills on the Third Reading Calendar, notice of amendments and recall and concurrence.

Rule 9, Sections 2, 3, and 4, in relation to order and decorum of debate.

Rule 10, Sections 2 and 3, in relation to admission to the Senate floor and freedom of information.

Rule 11, Section 1, to make technical corrections.

Rule 13, Section 2, in relation to expenditure reporting; and

Rule 14, Section 1, in relation

to freedom of information.

THE PRESIDENT: Notice will be filed in the Journal.

Senator Skelos.

Who goes first?

Senator Paterson.

SENATOR PATERSON: Madam President. Would the Acting Majority Leader yield for a question?

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Absolutely.

SENATOR PATERSON: Madam President. I just want to know when the Majority Leader intends to act on the notice?

SENATOR SKELOS: I believe it's the intention of the Majority Leader to act on those tomorrow morning during session.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: Session tomorrow will be at -

SENATOR SKELOS: I was just going to announce it when I make my motion to adjourn.

SENATOR PATERSON: I'm sorry.

SENATOR SKELOS: Madam President. There being no further business, I move we adjourn until Wednesday, January 17, 1966 at 10:00 a.m. sharp.

THE PRESIDENT: 1996, Senator Skelos? 1996.

SENATOR SKELOS: 1996.

THE PRESIDENT: Right. Without objection, the Senate stands adjourned until Wednesday, January -

SENATOR PATERSON: Madam President.

THE PRESIDENT: Oh, Senator Paterson.

SENATOR PATERSON: Madam President. The Notice of Rule Change is due to be filed under -

SENATOR SKELOS: I believe the Senate stands adjourned.

THE PRESIDENT: Just a moment, please.

SENATOR PATERSON: I want to point out, Madam President, that the Notice -

THE PRESIDENT: Can you be patient one second, please.

SENATOR PATERSON: Absolutely, Madam President.

THE PRESIDENT: The motion to adjourn has been made. It's not a debatable motion. Should we have a vote on the motion?

SENATOR PATERSON: Madam President. I was asking a question of the Majority Leader that he told me he would answer, and the reason I was asking him the question was because under Rule 11, which is how these rules are being changed, they require a 24-hour notice; and, therefore, if the time of tomorrow's session was going to be at -- 10:00 a.m.?

SENATOR SKELOS: Sharp.

SENATOR PATERSON: -- 10:00 a.m. sharp, that leaves us five and a half hours short of the 24 hours; and so giving the Minority an opportunity to review the rules change, I was going to suggest that we act on the rules change in the first day of session

next week, January 22.

SENATOR SKELOS: We appreciate your recommendation, and certainly I will convey that to Senator Bruno.

I believe the motion is -

SENATOR PATERSON: Madam President.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: I was wishing that the Deputy Majority Leader convey the rule to Senator Bruno not my opinion; in other words, I'm just saying that that's my understanding of how we should do it.

SENATOR SKELOS: I will convey everything that you have suggested to the Majority Leader, and I believe there is a motion before the house to adjourn which is non debatable.

THE PRESIDENT: Yes.

SENATOR SKELOS: If we could have a decision by the chair whether we stand adjourned or not.

THE PRESIDENT: Without

objection, I believe, the Senate stands adjourned until Wednesday, January 17, at 10:00 a.m. sharp.

(Whereupon, at 3:35 p.m., Senate adjourned.)