ALBANY, NEW YORK

April 1, 1996

3:23 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. Will 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.

THE SECRETARY: In Senate, Sunday, March 31st. The Senate met pursuant to adjournment. Senator Hoblock in the chair upon designation of the Temporary President. The Journal of Saturday, March 30th, 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.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Kuhl.

SENATOR KUHL: Yes, Madam President. On behalf of Senator Stafford, on page 28, I offer the following amendments to Calendar Number 593, Senate Print 5920, and ask that said bill retain its place on the Third Reading Calendar.

THE PRESIDENT: Amendments received.

SENATOR KUHL: Also, Madam President, on behalf of Senator Larkin, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Print 3316A.

THE PRESIDENT: Enacting clause struck.

SENATOR KUHL: Thank you.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President. There will be an immediate meeting of the Environmental Conservation Committee in Room 332.

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

SENATOR SKELOS: At this time, Madam President, may we please have the noncontroversial reading of the calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1, by Senator Velella, Senate Print 5742A, an act to amend the Insurance Law and the Public Health Law, in relation to establishing mandatory minimum maternity care and coverage.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section 8. This act shall take effect January 1, 1997.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 12, by Senator Hannon, Senate Print 5239A, an act to amend the Public Health Law, in relation to health appeals and access.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section 2. This act shall take effect on the 180th day.

THE PRESIDENT: Call the roll, please.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 275, by Senator DiCarlo, Senate Print 6149A, an act to amend the Real Property Tax Law, in relation to the exemption from real property taxation for tenant stockholders.

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 SECRETARY: Ayes 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 372, by Senator Seward, Senate Print 6142, an act to amend the Public Service Law, in relation to the elimination of the mandate for the Public Service Commission.

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 SECRETARY: Ayes 56.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 500, by the Assembly Committee on Rules, Assembly Print 8383.

SENATOR SKELOS: Lay it aside for the day.

THE PRESIDENT: Lay it aside, please.

THE SECRETARY: Calendar Number 502, by Senator Goodman, Senate Print 1619C, an act to amend the Vehicle and Traffic Law, in relation to mandatory suspensions.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 505, by Senator Holland, Senate Print 6171A, an act to amend the Vehicle and Traffic Law, in

relation to providing for a distinctive Animal Population Control Fund license plate.

THE PRESIDENT: Read the last section, please.

THE SECRETARY: Section 2. This act shall take effect October 1.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 509, by Senator Bruno, Senate Print 6311, an act to amend the Highway Law, in relation to designating a portion of the state highway system as the Turning Point Trail.

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 SECRETARY: Ayes 56.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 524, by Senator Leibell, Senate Print 2677, an act authorizing -

SENATOR SKELOS: Lay it aside for the day at the request of the sponsor.

THE PRESIDENT: Lay it aside, please.

THE SECRETARY: Calendar Number 573, by Senator LaValle, Senate Print 6065, an act to amend Chapter 246 of the Laws of 1916, relating to the extermination of mosquitos and the establishment of districts therefor.

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

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 SECRETARY: Ayes 56.

THE PRESIDENT: The bill is

passed.

Senator Skelos, that completes the calendar.

SENATOR SKELOS: Is there any housekeeping at the desk? Could the Senate stand at ease.

THE PRESIDENT: Senator Larkin.

SENATOR LARKIN: Madam President, I would like to place a sponsor's star on Senate Bill 3067A, Calendar Number 525.

THE PRESIDENT: Starred at the request of the sponsor.

(Whereupon, at 3:30 p.m., the Senate was at ease until 3:48 p.m..)

SENATOR SKELOS: Madam President.

THE PRESIDENT: Senator Skelos.

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

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Marcellino, from the Committee on Environmental Conservation, reports the following bill directly to third reading:

Senate Print 6686, by Senator Marcellino, an act to amend the Environmental Conservation Law, in relation to authorizing cities within the County Nassau to qualify as a planning unit.

THE PRESIDENT: Without objection, bill direct to third reading.

SENATOR SKELOS: Madam President, at this time if we could -

Can you recognize Senator Tully first.

THE PRESIDENT: Senator Tully.

SENATOR TULLY: Yes, Madam President. May we return to motions and resolutions, please.

THE PRESIDENT: Motions and resolutions.

SENATOR TULLY: Madam President,

on behalf of Senator LaValle, on page 26, I offer the following amendments to Calendar Number 574, Senate Print Number 6178, and ask that said bill retain its place on the Third Reading Calendar.

THE PRESIDENT: Amendments received.

Senator Skelos.

SENATOR SKELOS: Madam President, at this time, can we take up Calendar Number 591, by Senator Nozzolio.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 591, by Senator Nozzolio, Senate Print 6596A, an act to amend Chapter 55 of the Laws of 1992 amending the Tax Law.

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 SECRETARY: Ayes 56.

THE PRESIDENT: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President, is there any other housekeeping at the desk?

THE PRESIDENT: No, there's none.

SENATOR SKELOS: The Senate will stand at ease subject to the call of the Majority Leader, and we would ask that the members stay in touch with their offices about when the Senate will reconvene this evening.

THE PRESIDENT: The Senate will stand at ease.

(Whereupon, at 3:52 p.m., the Senate was at ease.)

(Whereupon, at 8:30 p.m., the Senate reconvened.)

ACTING PRESIDENT LACK: Senate will come to order.

The Secretary will read.

THE SECRETARY: Senator Volker

moves to discharge from the Committee on Codes Assembly Bill Number 5707C and substitute it for the identical Third Reading Calendar 212.

ACTING PRESIDENT LACK: Substitution ordered.

SENATOR STACHOWSKI: Being no further business, I move we adjourn until tomorrow at 11:00 a.m.

Republican conference at 10:00.

ACTING PRESIDENT LACK: Republican conference at 10:00, for all those in -

On motion of Senator Stachowski to adjourn, all those in favor, aye.

(Response of "Aye.")

Contrary, nay.

(There was no response.)

Senate stands adjourned until 11:00 o'clock tomorrow morning. Republican Majority Conference Room, 332, tomorrow morning at 10:00 o'clock.

Senate stands adjourned.

(Whereupon, at 8:32 p.m., the

Senate adjourned.)