ALBANY, NEW YORK

July 2, 1996

5:17 p.m.

REGULAR SESSION

SENATOR JOHN R. KUHL, JR., Acting President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

ACTING PRESIDENT KUHL: The Senate will come to order. Ask the members to find their places, the staff to find their places. I'd ask everybody in the chamber to rise and join me in saying the Pledge of Allegiance and please stay standing for the invocation.

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

We're joined by Reverend Peter G. Young of the Blessed Sacrament Church of Bolton Landing for the invocation.

Father Young.

REVEREND PETER G. YOUNG: Thank you, Senator.

While we prepare for the final countdown of the budget decisions, may we pray that the chamber will remember the hungry, the homeless and those who are denied dignity and those who have no hope, that this legislative body will improve their condition and that our compassionate efforts will remove the causes of

their suffering. We ask You this now in Your name forever and ever.

Thank you, Father Young.

Senator Skelos.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Rules Committee in the Majority Conference Room.

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

Reading of the Journal.

THE SECRETARY: In Senate, Monday, July 1st. The Senate met pursuant to adjournment, prayer by the Reverend Peter G. Young, Blessed Sacrament Church, Bolton Landing. The Journal of Sunday, June 30th, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT KUHL: Hearing no objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Mr. President, on behalf of you, I wish to call up Senator Kuhl's bill, Print Number 7755, recalled - which was recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The Secretary will read the title.

THE SECRETARY: By the Committee on Rules, Senate Print 7755, an act to authorize the conveyance of permanent and temporary easement.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: I now move to

reconsider the vote upon which this bill was passed.

ACTING PRESIDENT KUHL: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 37.

SENATOR FARLEY: I offer the following amendments.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

SENATOR FARLEY: On behalf of Senator Rath, I wish to call up her bill, Senate Print 1280, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: By Senator Rath, Senate Print 1280, an act to amend the General Municipal Law.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: I now move to

reconsider the vote.

ACTING PRESIDENT KUHL: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: I offer the following amendments.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

SENATOR FARLEY: On behalf of Senator Velella, Mr. President, I wish to call up his bill, 4714 which was recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: By Senator Velella, Senate Print 4714, an act to amend the Executive Law.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT KUHL: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: Senator Farley.

SENATOR FARLEY: I now offer the following amendments.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

The Chair recognizes Senator Tully.

SENATOR TULLY: Thank you, Mr. President.

On behalf of Senator DeFrancisco, I wish to call up his bill, Print Number 6052-A, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The

Secretary will read the title.

THE SECRETARY: By Senator DeFrancisco, Senate Print 6052-A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Yes, Mr. President. I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT KUHL: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Mr. President, I now offer the following amendments.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

Senator Tully.

SENATOR TULLY: Mr. President, on behalf of Senator Skelos, I wish to call up his

bill, Print Number 3450-A, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: By Senator Skelos, Senate Print 3450-A, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT KUHL: The Secretary call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Mr. President, I now offer the following amendments.

ACTING PRESIDENT KUHL: The amendments are received and adopted.

Senator Tully.

SENATOR TULLY: Mr. President, again on behalf of Senator Skelos, I wish to call up his bill, Print Number 7105, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: The Secretary will read the title.

THE SECRETARY: By Senator Skelos, Senate Print 7105, an act to amend the Penal Law.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT KUHL: The Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT KUHL: Senator Tully.

SENATOR TULLY: Mr. President, I

now move to recommit the bill to the Committee on Rules.

ACTING PRESIDENT KUHL: The bill is recommitted.

Senator Maziarz, we have one substitution we'd like to address at this time.

SENATOR MAZIARZ: Mr. President, make the substitution.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: On page 4, Senator Marcellino moves to discharge from the Committee on Rules Assembly Bill Number 11114-A and substitute it for the identical Senate Bill 7642-A.

ACTING PRESIDENT KUHL: The substitution is ordered.

Senator Maziarz, that brings us to the calendar.

SENATOR MAZIARZ: Mr. President, at this time may we please take up Calendar Number 1015.

ACTING PRESIDENT KUHL: The

Secretary will read Calendar Number 1015, by Senator Maziarz.

THE SECRETARY: Calendar Number 1015, by Senator Maziarz, Senate Print 7431-A, an act to authorize the construction of new school facilities in the city of Niagara Falls.

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

THE SECRETARY: Section 11. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Maziarz.

SENATOR MAZIARZ: Mr. President, at this time may we please take up Calendar Number 1617, please.

ACTING PRESIDENT KUHL: The Secretary will read the title to Calendar Number 1617, by Senator Marcellino.

THE SECRETARY: Calendar Number 1617, substituted earlier today by the Assembly Committee on Rules, Assembly Print 11114-A, an act to amend the Environmental Conservation Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Maziarz.

SENATOR MAZIARZ: Mr. President, is there any housekeeping at the desk?

ACTING PRESIDENT KUHL: We've taken care of everything that was at the desk, Senator Maziarz.

SENATOR MAZIARZ: At this time, Mr. President, we'll wait for the report of the Rules Committee.

ACTING PRESIDENT KUHL: The Senate will stand at ease awaiting the report of the Rules Committee.

(Whereupon, the Senate stood at ease from 5:33 p.m. until 5:40 p.m.)

ACTING PRESIDENT KUHL: The Senate will come to order. Members please take their places, the staff find their seats. Can we have a little order in the house. If you have to have a conversation, take it outside. It's such a nice day.

Senator Maziarz.

SENATOR MAZIARZ: Thank you, Mr. President.

May we please return to reports of standing committees. I believe there's a report from the Rules Committee at the desk.

ACTING PRESIDENT KUHL: There is a report of the Rules Committee at the desk, Senator Maziarz. We'll return to the order of reports of standing committees.

The Secretary will read the report of the Rules Committee.

THE SECRETARY: Senator Bruno, from the Committee on Rules, offers up the following bills directly for third reading: By Senator Leibell, Senate Print 2677, an act authorizing the town of Southeast, Putnam County;

By Senator Holland, Senate Print 6242-A, an act to amend the Social Services Law;

By Senator Maltese, Senate Print 6475, an act to amend the Administrative Code of the city of New York;

By Senator Leibell, Senate Print 3747, an act to amend the Criminal Procedure Law;

By Senator Skelos, Senate Print 7305, an act to amend the General Municipal Law;

By Senator Hannon, Senate Print 7557-A, an act to authorize the town of Hempstead Park;

By Senator Smith, Senate Print 7610, an act to authorize the city of New York to reconvey;

By Senator DiCarlo, Senate Print

7629, an act to amend the retirement and Social Security Law;

By Senator LaValle, Senate Print 7790, an act authorizing the sole assessor of the town of Brookhaven;

By Senator Present, 7882, act to amend Chapter 557 of the Laws of 1992;

By Senator Goodman, Senate Print 7635-B, an act to amend the Administrative Code of the city of New York;

By Senator Johnson, Senate Print 7795-B, an act to amend the General Municipal Law -- Business Law.

All bills directly for third reading.

ACTING PRESIDENT KUHL: Senator Maziarz.

SENATOR MAZIARZ: Mr. President, I move to accept the report of the Rules Committee.

ACTING PRESIDENT KUHL: The motion is to accept the report of the Rules Committee. All those in favor signify by saying

aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The Rules report is accepted.

Senator Maziarz.

SENATOR MAZIARZ: Mr. President, may we please take up the non-controversial reading of Supplemental Calendar Number 1.

ACTING PRESIDENT KUHL: The Secretary will read the non-controversial reading of Senate Supplemental Calendar Number 1 which is on your desk with the bills.

The Secretary will read.

THE SECRETARY: Calendar Number 524, by Senator Leibell, Senate Print 2677, an act authorizing the town of Southeast, Putnam County.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

THE SECRETARY: Section 5. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 769, by Senator Holland, Senate Print 6242-A, an act to amend the Social Services Law.

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

SENATOR PATERSON: Explanation.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1674, by Senator Maltese, Senate Print 6475, an act to amend the Administrative Code of the city of New York.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1687, by Senator Leibell, Senate Print 3747, an

act to amend the Criminal Procedure Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1688, by Senator Skelos, Senate Print 7305, an act to amend the General Municipal Law.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1689, by Senator Hannon -

SENATOR LEICHTER: Mr. President.

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

SENATOR LEICHTER: I'm sorry. Did we pass Senate 3747?

ACTING PRESIDENT KUHL: Yes.

SENATOR LEICHTER: Okay. May I have unanimous consent to be recorded in the negative on that bill, please.

ACTING PRESIDENT KUHL: Without objection, hearing no objection, Senator Leichter will be recorded in the negative on Calendar Number 1687.

The Secretary will continue to read the non-controversial calendar.

THE SECRETARY: Calendar Number 1689, by Senator Hannon, Senate Print 7557-A, an act to authorize the town of Hempstead Park District.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1690, Senator Smith moves to discharge from the Committee on Rules Assembly Bill Number 7405-A and substitute it for the identical Senate Bill 7610.

ACTING PRESIDENT KUHL: The substitution is ordered. The Secretary will read the title.

THE SECRETARY: Calendar Number 1690, by the Assembly Committee on Rules, Assembly Print 7405-A, an act authorizing the city of New York to reconvey its interest.

ACTING PRESIDENT KUHL: There's a home rule message at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1691, Senator DiCarlo moves to discharge from the Committee on Rules Assembly Print 10885 and substitute it for the identical Senate Bill 7629.

ACTING PRESIDENT KUHL: The substitution is ordered.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar 1691, by the Assembly Committee on Rules, Assembly Print 10885, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1692, by Senator LaValle, Senate Print 7790, an act authorizing the sole assessor of the town of Brookhaven.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1693, by Senator Present, Senate Print 7882, an act to amend Chapter 557 of the Laws of 1992.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1694, by Senator Goodman, Senate Print 7635-B, an act to amend the Administrative Code of the city of New York.

ACTING PRESIDENT KUHL: There's a local fiscal impact note at the desk. The Secretary will read the last section.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: 1695, Senator Johnson moves to discharge from the Committee on Rules Assembly Bill Number 10868-C and

substitute it for the identical Senate Bill 7795-B.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1695, by the Assembly Committee on Rules, Assembly Print 10868-C, an act to amend the General Municipal -- Business Law.

SENATOR PATERSON: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Maziarz.

SENATOR MAZIARZ: Thank you, Mr. President.

Now may we have the reading of the controversial supplemental calendar, please.

ACTING PRESIDENT KUHL: The Secretary will read the controversial calendar, Supplemental Calendar Number 1.

THE SECRETARY: Calendar Number 769, by Senator Holland, Senate Print 6242-A, an

act to amend the Social Services Law.

SENATOR LEICHTER: Explanation.

ACTING PRESIDENT KUHL: Senator Holland, an explanation of Calendar Number 769 has been requested by Senator Leichter.

SENATOR HOLLAND: Yes, Mr. President. This bill would allow social services districts to pay for the cost of child care for public assistance recipients directly as is currently done for all other low income families who qualify for child care subsidies.

It basically just allows them to, instead of paying the individual or having the individual pay first and then be reimbursed by Social Services at what may take up to two months, it says to Social Services, they pay the provider so we can get them into child care quicker and easier.

SENATOR LEICHTER: Mr. President, if Senator Holland would yield.

ACTING PRESIDENT KUHL: Senator Holland, do you yield to a question from Senator Leichter?

SENATOR HOLLAND: Yes.

ACTING PRESIDENT KUHL: The Senator yields.

SENATOR LEICHTER: Senator, I assume, obviously, that the Social Service Department has to approve the cost of the social service -- I mean of the day care services that are provided.

SENATOR HOLLAND: Yes, sir.

SENATOR LEICHTER: And as a consequence of that, is there any limitation or change as a result of this bill in a social service -- social service recipient's choice of day care?

SENATOR HOLLAND: They can still use the same day care they could use before, Senator. This is not to limit people. This is to encourage them to work their way off the system.

SENATOR LEICHTER: Okay. So you're saying that all that this bill does is authorize Social Service to pay it directly rather than to pay it to the recipient who then

pays to the day care provider.

SENATOR HOLLAND: To encourage them to use day care and go to work because sometimes they're not reimbursed for two months. Therefore, they don't want to send their children through the day care system.

SENATOR LEICHTER: Senator Holland, if you would be good enough to yield.

ACTING PRESIDENT KUHL: Senator Holland, do you continue to yield?

SENATOR HOLLAND: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR LEICHTER: You know, I've heard that explanation in the Rules Committee but, frankly, I have difficulty understanding.

I can certainly see it takes Social Service two months or even longer maybe to process, but why would they be able to process where the payment is made directly to the day care provider than they would to the recipient? I mean, it would be the same paperwork. So I -- I just have trouble

accepting that explanation.

SENATOR HOLLAND: That's a good question, Senator, and you may be correct. If it takes them two months to pay the recipient, it may take them two months to pay the provider, but if the provider knows that the money is coming from Social Services, maybe they have more trust in that fact. They know they're getting the money.

SENATOR LEICHTER: If you'll -

SENATOR HOLLAND: Go ahead.

SENATOR LEICHTER: If you'll continue to yield, Senator Holland -- and I appreciate your -

ACTING PRESIDENT KUHL: Senator Holland, do you continue to yield?

SENATOR HOLLAND: Yes, sir.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR LEICHTER: -- to put forth this bill in good faith in trying to achieve a purpose that I certainly endorse, but I just want to make sure that, you know, there's

no trick to this -- to this process. I'm not suggesting you would trick us, but maybe Social Service or somebody hasn't thought through all of the implications of it.

What I understand then is that the recipient would choose a day care provider and would go to the Department and the Department or the Social Service office would then advise the provider, the day care provider, Yes, we're going to cover that -- that service.

SENATOR HOLLAND: M-m h-m-m.

SENATOR LEICHTER: Now, the only -- but that must -- presently that must be the case, it would seem to me. The only difference is the day care provider may be a little nervous if the money goes to the recipient. The recipient may have other obligations, may use that money for other purposes. That, it would seem to me, is the only explanation that makes sense to me.

SENATOR HOLLAND: I'm sorry. I was talking to someone else, Senator. Try once more.

SENATOR LEICHTER: Well, the only way that I could see that this in some way may enhance recipients having day care services provided is that they go -- they choose a day care provider, then they go to the Social Service office and say, I've chosen day care provider X. The Social Service office says, Okay, and they give some piece of paper to the recipient which they take to the day care office. The day care provider says, Good. Enroll your kid, but how is that different than the system presently except the day care provider knows that the money is going to be paid directly to the provider and there's no risk that the recipient receiving the money may divert it to some other uses.

SENATOR HOLLAND: Sounds like a good answer to me.

SENATOR LEICHTER: Well, okay, but it's not the answer that we first had, and I'm just trying to understand the bill.

SENATOR HOLLAND: I think it is the answer that we first had, Senator. I might

also add that 29 different states already use this system and it proves to increase the number of people trying to work their way off the system. It's not a new idea.

SENATOR LEICHTER: Senator, that -- that possibly -- that I can understand, if that's the explanation, but the explanation that was given in the Rules Committee and that you initially gave was it's going to save a two-month period in which payments are going to be made, and that apparently, now that you and I have discussed it, is not the case. There seems to be another reason for it which may be perfectly legitimate.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

The Secretary will continue to read the controversial calendar.

THE SECRETARY: Calendar Number 1674, by Senator Maltese, Senate Print 6475, an act to amend the Administrative Code of the city of New York.

SENATOR PATERSON: Explanation.

ACTING PRESIDENT KUHL: Senator Maltese, an explanation of Calendar Number 1674 has been requested by Senator Leichter.

SENATOR MALTESE: Mr. President, this bill would amend the Administrative Code of the city of New York in relation to providing supervisor of the detective squad and commander of the detective squad title to police sergeants and lieutenants assigned to the detective or Organized Crime Control Bureau and would - therefore, would provide the police sergeants and lieutenants who are assigned to these specific bureaus while designated as the acting commanders of these bureaus who would serve in

these positions for 18 months or more, they would automatically receive a new title and the pay of the higher position.

ACTING PRESIDENT KUHL: Senator Waldon.

SENATOR WALDON: Would the Senator yield to a question or two?

ACTING PRESIDENT KUHL: Senator Maltese, do you yield to a question from Senator Waldon?

SENATOR MALTESE: Sure.

ACTING PRESIDENT KUHL: The Senator yields.

SENATOR WALDON: Senator Maltese, when these officers are assigned to these two respective units, there is no restriction, to your knowledge, is there, that they have to be left there permanently?

SENATOR MALTESE: No.

SENATOR WALDON: Would the gentleman continue to yield?

ACTING PRESIDENT KUHL: Senator Maltese, do you continue to yield?

SENATOR MALTESE: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR WALDON: If that is true, Senator Maltese, then a scenario whereby if someone was not up to speed, was not a good supervisor, that person's supervisor could summarily remove this particular lieutenant or sergeant; is that not your understanding?

SENATOR MALTESE: Yes, Mr. President. That would be my understanding. At the same time, these are among the most difficult positions, and it would be my understanding that no one serving in this position for less than 18 months would be entitled to this change of title and new position. So it would seem to be that if you leave them there for 18 months, obviously they're doing a satisfactory job and, therefore, they would thus be entitled to the title that they have been, in fact, working under for 18 months, a year and a half.

ACTING PRESIDENT KUHL: Senator

Waldon.

SENATOR WALDON: Mr. President, may I please continue? Would the gentleman continue to yield?

ACTING PRESIDENT KUHL: Senator Maltese, do you continue to yield?

SENATOR MALTESE: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR WALDON: Thank you, Mr. President.

Senator, you're supposed to allow me to elicit that information.

SENATOR MALTESE: Oh, I see.

SENATOR WALDON: This is our drill now. Question: Is it your understanding that OCCB and the detective bureau, because of the types of criminals that they go after, may be in its own right the two most dangerous assignments in the New York City Police Department?

SENATOR MALTESE: Mr. President, I wouldn't hazard a guess for fear of alienating

or antagonizing the other people in other bureaus but certainly they are among the most hazardous.

SENATOR WALDON: If the gentleman would yield to one or two more questions.

ACTING PRESIDENT KUHL: Senator Maltese, do you continue to yield?

SENATOR MALTESE: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR WALDON: Senator Maltese, are you familiar with the case that was commonly known as the Statue of Liberty case which Frank Thomas worked on and which Detective Ray Wood became Detective Ray Wood from a uniformed officer who was working undercover and was promoted to first grade? Are you familiar with that case?

SENATOR MALTESE: I am not - obviously not as familiar as you are, Senator. Perhaps you can elaborate on it.

SENATOR WALDON: Well, that was a case whereby some dissident elements were going

to blow up the Statue of Liberty and the Liberty Bell and a whole host of other institutions and symbols of America's greatness, and this person undercover for a long period of time whom I grew up with and who I know intimately and knew intimately then in terms of our friendship from being little kids growing up in the City until our adulthood as police officers, did a heroic job in terms of discovering the criminality involved and helping and assisting the department in the arrest.

You are familiar, Senator Maltese, of the kinds of things which are reported in the newspapers -- if I may continue, Mr. President -- in regard to organized crime and to terrorists and the World Trade Center's bombing and a whole host of other issues, are you not?

SENATOR MALTESE: Yes.

SENATOR WALDON: Is it -- Mr. President, may I continue?

ACTING PRESIDENT KUHL: Senator Maltese, do you continue to yield?

SENATOR MALTESE: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR WALDON: Is it your understanding, Senator Maltese, that the people who are the supervisors for the most part of units assigned to those kinds of activities are the sergeants and lieutenants working in OCCB and in the detective bureau?

SENATOR MALTESE: That's correct, Senator.

SENATOR WALDON: Thank you very much, Senator Maltese.

Mr. President, if I may, on the bill.

ACTING PRESIDENT KUHL: Senator Waldon, on the bill.

SENATOR WALDON: I'm reluctant to interfere with administrative policy of any entity in City government. However, if you allow someone to remain in such important and for -- in many ways dangerous assignments as OCCB and the bureau as a superior, then you are

saying that they deserve, in my opinion, promotion because they've been there. They've done the job. They faced the dangerous situations. They've coordinated the efforts of their subordinates and, therefore, in my opinion after 18 months, what we're really doing is just admitting that this is a meritorious promotion.

So I see no reason that we should not pass this proposal by Senator Maltese. I see no reason that those who put their lives on the line on a daily basis in very difficult and dangerous situations should not be recognized. All too often we recognize them when we attend the funerals, and I think sometimes you ought to recognize people for a job well done by giving them some additional pay, especially in situations of regard -- in regard to OCCB and the detective bureau.

I applaud the good Senator for what he is doing. I recognize that this is a great and vital and valued effort and I support it, and I encourage my colleagues also to vote for this proposal.

ACTING PRESIDENT KUHL: Is there any other Senator wishing to speak on the little?

Senator Leichter.

SENATOR LEICHTER: Mr. President, with all due respect to the sponsor and my good friend, Al Waldon, I respect these people as much as you do, Senator Waldon, but, you know, there's a division of functions and of roles.

We have an executive. We have a Legislature. We have a judiciary, and you and I may feel particular times that we'd like to see something done by the executive. Sometimes we feel the judiciary shouldn't do something in a particular way, but that doesn't mean that we as legislators or as a Legislature take on a role and a function that isn't ours.

It may well be that if I were the mayor of the city of New York or the police commissioner or if you were the police commissioner -- and incidentally, you'd make a terrific police commissioner -- you would do this and as police commissioner, you would be

right in doing this, but I respectfully submit that as a legislator, you're really stepping into somebody else's jurisdiction, and we've seen this bill before, similar bills and sometimes I voted for it because, you know, certainly the -- the tug of emotions for these people is very strong, but when I voted for it I was wrong, and it's so much clearer to me now, and I really think that for us to say this is how the City should compensate people and somebody who's in a position for a certain number of years or a certain number of months, that as a matter of fairness and as a matter of right, this is what they have to do, I think that's intrusion into the jurisdiction, the powers, the authority of the city of New York.

You know, the one thing that -

ACTING PRESIDENT KUHL: Senator Leichter.

SENATOR LEICHTER: -- that always surprises me -

ACTING PRESIDENT KUHL: Senator Leichter, excuse me just a minute. One of your

colleagues wishes to be recognized.

Senator Waldon, why do you rise?

SENATOR WALDON: Mr. President, I would like to ask Senator Leichter one small question, if I may.

ACTING PRESIDENT KUHL: Do you yield to a question from Senator Waldon?

SENATOR LEICHTER: You can even ask a big one.

SENATOR WALDON: Well, it's a small one.

ACTING PRESIDENT KUHL: The Senator yields.

SENATOR WALDON: Mr. President, I thank you. My colleague, Senator Leichter, I thank you.

Senator, is there anything in this proposal or anything that you heard from our learned colleague, Senator Maltese, which states that someone who is in this position, if they don't warrant the promotion or if they are not qualified for the promotion or if they haven't paid their just dues and should be

promoted, that prior to the culmination of the 18 months, that they cannot be removed?

SENATOR LEICHTER: Senator Waldon, there's nothing in the bill that does that, but what it means is -- what you're saying is that you're putting the City in the position of the police department where they have to say to somebody who's holding a temporary assignment that go back on the beat. That person may be involved in an investigation that the police commissioner wants him or her to continue. I think you're forcing, frankly, a Hobson's choice on the city of New York.

Now, maybe it's the right thing to do, but I think that there are times that we as a Legislature have to step back and say, We are not the police commissioner. We are not the mayor of the city of New York and the point, Senator Waldon, that I was going to make to my good friend, Senator Maltese, is just the rampant, blatant inconsistency that I see.

You know, I hear from the other side of the aisle and sometimes from this side

of the aisle, Home rule. We believe in home rule, and that's expressed in so many different ways, and people get up and they say there's an intrusion by Albany into the affairs of a locality. What is a more blatant -- what is a more blatant interference than this particular bill? I mean, I have trouble conforming the actions that the Majority takes with the bills that I see before us.

I remember there was a bill earlier this year, I think a constitutional amendment, no unfunded mandate, and then Senator Cook comes in with a bill. It's the mother of all unfunded mandates. There doesn't seem to be any consistency at all. Somebody -- not me, but somebody would say, You guys are hypocritical. You talk home rule and then any chance that you get where you think it's to your political advantage or because of the way that you would run the police department, you take your big mitts and you put it into the city of New York and try to micro-manage the affairs of that city.

I just think it's wrong. I do penance for every time I vote for one of these bills. I'm not going to do it any longer because I think it's clearly wrong. You can't justify our telling the city of New York who they're going to promote, how they're going to serve temporary assignments and at what point that assignment becomes permanent and the pay that they're going to get. That's something that the mayor has to decide. It's something the police commissioner decides. It's not something, Senator Maltese, for you and me in our present position to decide.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Gold.

SENATOR GOLD: Thank you, Mr. President.

Mr. President, Senator Leichter indicated that this bill could put the City into a situation where it was a Hobson's choice was his phrase. Somebody could be working on an investigation and, if they let the person work on the investigation under this bill, a person

would get a permanent status so they may have to put the guy back out on the beat.

Senator Leichter, that makes no sense. If the person is in an investigation, I would hope, God willing, they're qualified to do that investigation. Otherwise, I don't know why they're doing that to begin with and, Senator, if the person is qualified to do the investigations and they're qualified to do the job, the city of New York ought to wake up.

Now, I understand what you said, Senator Leichter, about micro-managing the City and I appreciate that, and you've made a very good case for that, but every once in a while we have to send a message. We send a message on 9 millimeter guns, and I think thanks to the law we passed, we woke up the City and we protected police officers.

Now, this bill has passed a number of times and yet the City doesn't wake up. They shouldn't be taking people and putting them in positions and keeping them there for long periods of time hanging out on a rope, and

it seems to me that all we're doing is saying to the City, you know, give a little justice to these people.

On the other hand, if they give somebody a chance and they're there for a year, 9 months, 12, 15 months and it's not working out, they can replace them with someone who ought to be able to be there permanently.

I see nothing wrong with this legislation. I think that the instances where we try to, quotes, "micro-manage" the City are pretty limited and, Senator Leichter, as a matter of philosophy, I think you're probably directly on point most of the time, but I think this is a situation where I think we could have a little rachmunas for the individuals that have the job -- I'll spell that later -- and I'm going to support the legislation.

ACTING PRESIDENT KUHL: Senator Padavan.

SENATOR PADAVAN: Would Senator Maltese yield to a question?

SENATOR MALTESE: Yes.

SENATOR PADAVAN: Senator, you have the memo in opposition from the city of New York, I assume.

SENATOR MALTESE: No, I do not. I have a memo in opposition from the New York State Conference of Mayors.

SENATOR PADAVAN: All right. Let me share with you then one part of the City's memo that I would like you to respond to. It's a question of equity as far as they seem to outline here and I'll read it.

It says, "The other sergeants and lieutenants within the police department are supervised and more than 22,000 police officers are on patrol. In emergency service units, in highway and traffic units and other similar units would not be subject to the automatic promotions contained in this bill." So they're drawing attention to the fact that we produce an inequity. Do you agree with that?

SENATOR MALTESE: Mr. President, obviously if there are those who feel that these other supervisors should be in the same role,

then they should put legislation in to that effect.

I felt that at the advice of people who work in these positions and after consulting with them, that they merited this special treatment and, therefore, the legislation only includes those specific supervisory officers.

SENATOR PADAVAN: Well, Senator, the issue here that I'm trying to address with regard to the City's position is that you -- and I'm sure you would agree -- that there are many, many situations within the police department, particularly in certain parts of the City, where those out on patrol in very hazardous areas are just as in jeopardy, perhaps in some cases even more so than those who fill the ranks of detectives, and if that is the case -- and I believe it to be so -- we'll all have a quarrel with the basic goal here.

I think if we're going to do it, we should do it for all of those in that position and not segregate one part of the NYPD

for special acknowledgment and at the same time saying to the others, Well, you don't count. I think that's unfair, and I think it should be addressed.

ACTING PRESIDENT KUHL: Is there any other Senator wishing to speak on the bill?

Senator DiCarlo.

SENATOR DiCARLO: Thank you, Mr. President.

I have been agonizing over this bill in the last ten minutes because I wasn't aware this was coming out, and I wasn't sure which way I was going to vote on this bill.

I had a very difficult time on the PERB bill a few months ago, and I voted against that and I voted against it, I think for the right reasons, and I was leaning towards voting against this bill also until I heard some of the debate. So I was trying to hear my colleagues speaking on this, and let me say that based on comments made here today and the fact that I think that the city of New York and the police department should be fair to its

employees in the police department, I have been won over to the position of voting in support of this legislation because I think there are two different things, Senator Leichter, and you and I were both in agreement on that other piece of legislation, but I agree with Senator Gold on this. This is different than the PERB bill. This is something I think that is crying out for justice and doing the right thing, and I support this bill and I'll vote yes for this bill.

ACTING PRESIDENT KUHL: Is there any other speak... or Senator wishing to speak on the bill?

(There was no response.)

Hearing none, the Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

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

(The Secretary called the roll.)

Announce the results when

tabulated.

THE SECRETARY: Those recorded in the negative on Calendar Number 1674, Senators Leichter and Padavan. Ayes 54, nays 2.

ACTING PRESIDENT KUHL: The bill is -

THE SECRETARY: Also, Senator Goodman.

ACTING PRESIDENT KUHL: The bill is passed.

The Secretary will continue to call the controversial calendar.

THE SECRETARY: Calendar Number 1691, by the Assembly Committee on Rules, Assembly Print 10885, an act to amend the Retirement and Social Security Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1694, by Senator Goodman, Senate Print 7635-B, an act to amend the Administrative Code of the city of New York.

ACTING PRESIDENT KUHL: There's a local fiscal impact note at the desk.

SENATOR LEICHTER: Explanation.

ACTING PRESIDENT KUHL: Senator Goodman, an explanation has been requested by Senator Leichter of Calendar Number 1694, Senate Print 7635-B.

SENATOR GOODMAN: Thank you, Mr. President.

Senator Leichter, this is a complex piece of tax legislation, but I'll try to outline to you the broad thrust of it, and we'll work on any details you care to with encyclopedic relevance. Do you wish to say something?

Let me just tell you what the

bill purports to do. I'll be done in a moment and then you can pick it up from there, unless your question be so narrow that it might save the time of the members for me not to do this. Is that your thought?

ACTING PRESIDENT KUHL: Senator Leichter.

SENATOR GOODMAN: I yield to Senator Leichter.

SENATOR LEICHTER: If Senator Goodman would yield. Senator, just when you said it was such a complex bill -- and there was only one aspect of it that I wanted to address. So to save you and our colleagues the complexity of the Tax Law, I thought I would just focus on that one issue with your permission.

SENATOR GOODMAN: I would be happy to have you do that.

SENATOR LEICHTER: All right. My concern is about that portion of the bill that deals with -

SENATOR GOODMAN: Mr. President, I'm having difficulty hearing the Senator.

Could we have a little order, please?

ACTING PRESIDENT KUHL: If you wait just a minute, we'll see if we can stare the perpetrators of the noise down.

SENATOR GOODMAN: I would not imply for a moment that the presiding justice of the Court of Claims is in any way culpable in this matter, Mr. President.

ACTING PRESIDENT KUHL: Can you hear now, Senator Goodman?

SENATOR GOODMAN: I think so, Mr. President.

ACTING PRESIDENT KUHL: Senator Leichter, would you like to raise your question, please.

SENATOR LEICHTER: Our president has a powerful stare, indeed. One can almost hear a pin drop.

SENATOR GOODMAN: It's a LASER like disciplinary tool.

SENATOR LEICHTER: And I thank you, Mr. President, because this is an important issue that I know will have the interest of our

colleagues.

I'm concerned about the income plus compensation alternative tax base of the general corporation taxes. As I understand, the nature of the so-called reform is to permit unlimited deductions for corporate salaries for distributions to shareholders, and so on. Am I correct in that understanding?

SENATOR GOODMAN: Substantially, yes.

SENATOR LEICHTER: All right. Senator, would you agree with me that some of the corporate compensation that we see these days is exceedingly high?

SENATOR GOODMAN: Do you mean in absolute terms or in relative terms, Senator?

SENATOR LEICHTER: Well, let's take the absolute first. Then we can take the rel...

SENATOR GOODMAN: The numbers appear to be very high, unless one analyzes the basis on which they're arrived at, and I cannot generalize. In some cases, yes. In some cases,

no.

SENATOR LEICHTER: All right. So you would agree with me that in some instances where we see corporate salaries of $100 million or so -

SENATOR GOODMAN: No. I don't think we've seen anything of that magnitude, Senator. Actually, my last recollection is that -- now, are you including stock options as part of the compensation package?

SENATOR LEICHTER: Right.

SENATOR GOODMAN: It's certainly nothing like 100 million. It might approach half that with an option package which is still a substantial number.

SENATOR LEICHTER: Right. And I remember just, oh, maybe a month ago the New York Times in their Sunday business section had an article about corporations, relatively small corporations losing money when, nevertheless, the compensation -- the CEO seemed extremely high. So there are certainly some cases.

My concern is that we will be

sanctifying those high salaries, in some instances, unreasonable salaries by permitting full deduction irrespective of the business justification for these high salaries.

I have no problem allowing deductions if, indeed, there's a business reason for it. If it's sheer greed and gluttony, I don't know why the city of New York has to - has to subsidize it in a sense or to confirm it by allowing these unlimited deductions which will now occur as a consequence of your bill.

SENATOR GOODMAN: Senator, let me just see if I can address that in this fashion. The bill, first of all, seeks to address a curiosity which has arisen in recent days in corporate compensation and titles. That is a number of titles are essentially honorary and do not bear any relationship to the actual corporate responsibilities of those with the titles.

I'm sure it's no news to you that many people now have the stentorian title of vice-president when, in fact, their duties do

not remotely resemble those of someone in direct line of succession with the presidency.

So that the bill tries to eliminate from the compensation package those people who have these titles that are largely honorary in nature or semantic for the purpose of impressing clients.

Now, as to the question of whether there are -- is gluttony and greed, that is a matter on which honest men could disagree. I suspect that it may be a factor in all of this, but I do not think that the taxing authority in the City over which I presided for some years, as you know, as Finance Commissioner of the City, could be responsible for determining which compensation is based on greed and which is based upon merit, and I don't think any construct that we could put together at the legislative level could possibly ask a taxing authority to do that.

So I'm not quite sure what your thought is. Granting that a certain amount of the money paid to executives maybe is excessive,

we will have the question which is a very real one of how to determine what proportion of that is, in fact, excessive and what proportion is legitimate from corporation to corporation.

SENATOR LEICHTER: Senator Goodman, if you'll continue to yield, please.

SENATOR GOODMAN: Yes, I will.

ACTING PRESIDENT KUHL: The Senator yields.

SENATOR LEICHTER: When you were Commissioner of Finance, I believe the law is as it is presently and as you're trying to change it now; is that correct?

SENATOR GOODMAN: That's my best recollection, yes.

SENATOR LEICHTER: And did you administer it fairly?

SENATOR GOODMAN: One would hope so, but needless to say that since we're dealing with about $15 billion of other people's money, I would not venture to say to you without the need for a chiropractor to adjust my arm after self-congratulatory pats on the back, that in

all cases I did so with complete fairness. I try.

SENATOR LEICHTER: Senator, I want to say that I never heard any complaint whatsoever on the decisions that you had to make as you apply the income plus compensation alternative tax base.

My point is that fair-minded people like yourself and people of ability like yourself can, indeed, administer that law fairly, as I think you did.

SENATOR GOODMAN: I'm not certainly going to argue with that proposition, Senator. All I can do is compliment you on your perspicacity.

SENATOR LEICHTER: Mr. President, on the bill.

ACTING PRESIDENT KUHL: Senator Leichter, on the bill.

SENATOR LEICHTER: It just seems to me that maybe with all the tax reform that we could do in the city of New York, the last one that I would touch is the one which says that

irrespective of the amount that's paid in executive compensation that may be paid to shareholders and distributions, and so on, that you will not let the taxing authorities question that to see whether it was a justified business expense.

Now, all other business expenses are subject to that test. I mean, you can't, for instance, when you file your tax return say, Well, I've spent $20 million because I took everybody on the board of directors on a trip to Monaco and then we went on to Italy and this and that. I mean, you've got to justify this, and taxing authorities and commissioners, such as Roy Goodman was at one time, make that determin ation. Sometimes they may make mistakes. Sometimes they may be too harsh, but you can go to the court, but now we're saying on corporate compensation that that cannot be questioned, that irrespective how much of a deduction is taken for corporate compensation, that the taxing authority must allow that.

Now, if that issue had risen 20

years ago, it might not have been such a glaring mistake as I believe it is now because I think all of us are well aware that corporate compensation in some instances -- not every instance, some instances -- are just unreasonable. I mean, the papers are full of it every day and Senator Goodman very honestly said, Yes. There may be some corporate compensations that are unreasonable, but no matter how unreasonable, under this bill, you're going to be able to take a deduction.

So when the city of New York says in its memo that this is going to save taxpayers 7 million in 1997 and 57 million by the year 2000, it isn't going to save taxpayers. It's going to hurt taxpayers because those taxes are going to have to be paid by the common person. They're going to have to be paid by the guy who carries a lunch pail or works in an office building that doesn't carry a large corporate title and doesn't get a large corporate salary.

I just think that that's -- that that is an inexcusable gift and grant that we're

making to corporations.

I would strongly urge that this bill be defeated, at least that section of it. There are other parts of it that I have no problems with, but I think this is just an unreasonable provision.

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

THE SECRETARY: Section 13. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

Announce the results when tabulated.

THE SECRETARY: Those recorded in the negative on Calendar Number 1694, Senator Leichter and Markowitz. Ayes 54, nays 2.

ACTING PRESIDENT KUHL: The bill is passed.

The Secretary will continue to read.

THE SECRETARY: Calendar Number

1695, substituted earlier today, by the Assembly Committee on Rules, Assembly Print 10868-C, an act to amend the General Business Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Lachman, why do you rise?

SENATOR LACHMAN: I would like to have an explanation on the bill.

ACTING PRESIDENT KUHL: You want an explanation of -

SENATOR LACHMAN: 1695.

ACTING PRESIDENT KUHL: - Calendar Number 1695. The motion is to reconsider the vote by which the bill passed the

house.

The Secretary will call the roll.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is before the house.

Senator Johnson, Senator Lachman has requested an explanation of Calendar Number 1695.

SENATOR JOHNSON: Mr. President, this bill raises the cap on the maximum charge for dating services. It also includes a consumer bill of rights, many other protections for people who use these services.

It's very necessary to raise this cap, Mr. President, because businesses have been moving out of New York City and moving across to New Jersey where there is no cap, providing the same services, putting people out of business in our fair city, and we would like to keep some of those jobs and some of those businesses functioning in our city and in our state, and I

think it's a salutary bill. It's been gone over more than once by the Assembly sponsors and ourselves, and we think we have a very good bill here.

ACTING PRESIDENT KUHL: Senator Lachman.

SENATOR LACHMAN: Mr. President, on the bill.

When this bill appeared before the Consumer Protection Committee, it was a bill without a cap. It had eliminated the $500 cap and had not inserted a cap, and I'm delighted to see there is an improvement in the bill, not perfect, but an improvement. There is now a cap of $1,000. There's an allowance for a prorated refund, and it also allows New York City to have enforcement powers and business fees.

I, therefore, unlike my vote in the committee, will support this bill and commend the Senator for allowing these changes for improvement to take place, along with his colleagues in the Assembly.

ACTING PRESIDENT KUHL: The

Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Maziarz, that completes the reading of the controversial calendar on Senate Supplemental Calendar Number 1. What's your pleasure?

SENATOR MAZIARZ: Thank you, Mr. President.

Is there any housekeeping at the desk?

ACTING PRESIDENT KUHL: No. All the housekeeping has been taken care of, Senator Maziarz.

SENATOR MAZIARZ: There being no further business, Mr. President, I move that we adjourn until 10:00 a.m., Wednesday, July the

3rd.

ACTING PRESIDENT KUHL: The time again, Senator Maziarz.

SENATOR MAZIARZ: 10:00 a.m.

ACTING PRESIDENT KUHL: The Senate -- without objection, the Senate stands adjourned until tomorrow, July 3rd, Wednesday, at 10:00 a.m. Catch the time change. 10:00 a.m..

(Whereupon, at 6:25 p.m., the Senate adjourned.)