ALBANY, NEW YORK

July 10, 1996

11:50 p.m.

REGULAR SESSION

SENATOR ROBERT A. DiCARLO, Acting President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

ACTING PRESIDENT DiCARLO: The Senate will come to order. Will everyone please rise for the Pledge of Allegiance.

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

In the absence of clergy, will everyone please bow their heads in a moment of silence.

(A moment of silence was observed. )

Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, July 9th. The Senate met pursuant to adjournment, Senator Hoblock in the Chair. The Journal of Monday, July 8th, was read and approved. On motion, Senate adjourned.

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

Senator Bruno.

SENATOR BRUNO: Mr. President, can we ask for an immediate meeting of the Rules

Committee in Room 332.

ACTING PRESIDENT DiCARLO: There will be an immediate meeting of the Rules Committee in Room 332.

On the order of business:

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports from select committees.

Communication and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator DeFrancisco, I wish to call up his bill Print Number 7571 recalled from the Assembly which is now at the desk.

ACTING PRESIDENT DiCARLO: Secretary will read.

THE SECRETARY: By Senator

DeFrancisco, Senate Bill 7571, an act authorizing the extension of the Geddes Fire Protection District.

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

ACTING PRESIDENT DiCARLO: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration. )

THE SECRETARY: Ayes 41.

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

ACTING PRESIDENT DiCARLO: Amendments are received and adopted.

SENATOR LIBOUS: Mr. President, on behalf of Senator Alesi, I wish to call up his bill 6852, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT DiCARLO: So ordered. Secretary will read.

THE SECRETARY: By Senator Alesi, Senate Print 6852, an act to amend the Social

Services Law.

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

ACTING PRESIDENT DiCARLO: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration. )

THE SECRETARY: Ayes 41.

ACTING PRESIDENT DiCARLO: Amendments received and adopted.

SENATOR LIBOUS: Mr. President, on behalf of Senator Stafford, I wish to call up his bill, Senate Print 7749, recalled from the Assembly which is now at the desk.

THE SECRETARY: By Senator Stafford, Senate Print 7749, an act approving the exchange of certain lands.

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

ACTING PRESIDENT DiCARLO: Call the roll.

(The Secretary called the roll on reconsideration. )

THE SECRETARY: Ayes 41.

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

ACTING PRESIDENT DiCARLO: Amendments are received and adopted.

SENATOR LIBOUS: Mr. President, on behalf of Senator Johnson, I wish to call up his bill 1728, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT DiCARLO: Secretary will read.

THE SECRETARY: By Senator Johnson, Senate Print 1728, an act to amend the Penal Law.

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

ACTING PRESIDENT DiCARLO: Call the roll.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 41.

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

ACTING PRESIDENT DiCARLO: Amendments received and adopted.

The Senate will stand at ease.

Senator Bruno.

SENATOR BRUNO: Mr. President, we can stand at ease awaiting the Rules Committee's report.

ACTING PRESIDENT DiCARLO: The Senate will stand at ease.

(The Senate stood at ease briefly.)

ACTING PRESIDENT LIBOUS: Senator Bruno.

SENATOR BRUNO: Mr. President, can we return to reports of standing committees. I believe there's a report there from the Rules Committee. We might ask it be read at this time.

ACTING PRESIDENT LIBOUS: Secretary will read the report of the Rules

Committee.

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

By the Committee on Rules, Senate Print 7924, an act to amend Chapter 905 of the Laws of 1986.

SENATOR BRUNO: Move to accept.

ACTING PRESIDENT LIBOUS: All in favor of accepting the Rules report signify by saying aye.

(Response of "Aye.")

Nay, opposed.

(There was no response. )

The report is accepted.

Senator Bruno.

SENATOR BRUNO: Is there a message at the desk, Mr. President?

ACTING PRESIDENT LIBOUS: Secretary will read Calendar Number 1710.

THE SECRETARY: Calendar Number 1710, Senator Bruno moves to discharge from the Committee on Rules Assembly Bill Number 11298-A

and substitute it for the identical Senate Bill 7924.

ACTING PRESIDENT LIBOUS: Substitution ordered.

Secretary will read.

THE SECRETARY: Calendar Number 1710, by the Assembly Committee on Rules, Assembly Print Number 11298-A, an act to amend Chapter 905 of the Laws of 1986.

Senator Bruno.

SENATOR BRUNO: Is there a message at the desk, Mr. President?

ACTING PRESIDENT LIBOUS: Yes, there is.

SENATOR BRUNO: Move we accept the message.

ACTING PRESIDENT LIBOUS: All in favor of accepting the message of necessity say aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The message is accepted. Read

the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT LIBOUS: Call the roll.

(The Secretary called the roll. )

THE SECRETARY: Ayes 41.

ACTING PRESIDENT LIBOUS: The bill is passed.

Senator Bruno. Senator Bruno.

SENATOR BRUNO: Mr. President, I would like to inform our members that we will have a conference of the Majority in Room 332 tomorrow at 10:00 a.m. and there being no further business to come before the Senate, I would move that we stand adjourned subject to Senator Paterson, who is on his feet making a comment and an observation that I think we want to hear, Mr. President, before we conclude.

ACTING PRESIDENT LIBOUS: Senator Paterson, your comment and observation.

SENATOR PATERSON: Well, actually, Mr. President, I just wanted to make

any record of my remarks because my family does not believe that I'm here. They think I'm at a -

ACTING PRESIDENT LIBOUS: Senator Gold, why do you rise?

SENATOR GOLD: Thank you for mentioning my name too.

ACTING PRESIDENT LIBOUS: Senator Paterson, you have the floor, sir.

SENATOR PATERSON: Mr. President, there will be a meeting of the Minority in the Minority Conference Room tomorrow morning at 10:00 a.m.

ACTING PRESIDENT LIBOUS: There will be, tomorrow morning at 10:00 a.m., a meeting of the Senate Majority in the Majority Conference Room and tomorrow at 10:00 a.m., there will be a meeting of the Senate Minority in the Minority Conference Room.

Senator Bruno.

SENATOR BRUNO: And now, Mr. President, there being no further business to come before the Senate on this morning, we will

stand adjourned at the call of the Majority Leader.

ACTING PRESIDENT LIBOUS: The Senate stands adjourned at the call of the Majority Leader.

(Whereupon at 12:08 a.m., July 11, 1996, the Senate adjourned. )