ALBANY, NEW YORK

March 11, 1997

3:05 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 with me in the Pledge of Allegiance.

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

The invocation today will be given by the Reverend Peter G. Young of the Blessed Sacrament Church in Bolton Landing.

Reverend Young.

REVEREND PETER G. YOUNG: Let us pray. We pray for all of our New York State people, that their wealth and power might become a force for peace rather than conflict, a source of hope rather than discontent, an agent to friendship rather than enmity. May the actions of this Senate then be that example. Amen.

THE PRESIDENT: Amen.

The reading of the Journal.

THE SECRETARY: In Senate, Monday, March 10th. The Senate met pursuant to adjournment. The Journal of Friday, March 7th, was read and approved. On motion, the 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 Alesi, from the Committee on Consumer Protection, offers up the following bills:

Senate Print 1923, by Senator Libous, an act to amend the General Business Law;

2639, by Senator Libous, an act to amend the General Business Law, in relation to prohibiting taxicabs;

2872-A, by Senator Alesi, an act to amend the General Business Law, the Civil Practice Law and Rules and the Banking Law.

Senator Lack, from the Committee on Judiciary, offers up the following bills:

Senate Print 1231, by Senator Libous, an act to amend the Uniform City Court Act;

2581, by Senator Marchi, an act

to amend the Real Property Tax Law, in relation to designation of the Secretary of State;

2859, by Senator Leibell, an act to amend the Real Property Law, in relation to certain mortgages;

2918, by Senator Lack, an act to amend the Family Court Act, in relation to appeals;

2997, by Senator Lack, proposing an amendment to Article VI of the Constitution.

Senator Padavan, from the Committee on Cities, offers up the following bills:

Senate Print 2226, by Senator Leibell, an act to amend the General Municipal Law, in relation to urban development;

2647, by Senator Cook, an act to amend the General City Law, the Town Law and the Village Law.

Senator Maziarz, from the Committee on Aging, offers up the follow bills:

Senate Print 1920, by Senator Libous, an act to amend the Vehicle and Traffic Law, in relation to authorizing senior citizens;

2338, by Senator Farley, an act

to amend the Education Law, in relation to authorizing the State University trustees.

Senator Volker, from the Committee on Codes, offers up the following bills:

Senate Print 365-A, by Senator Volker, an act to amend the Penal Law, in relation to possession;

1708, by Senator Volker, an act to amend the Criminal Procedure Law;

1717, by Senator Volker, an act to amend the Penal Law, in relation to aggravated harassment;

1915, by Senator Libous, an act to amend the Penal Law, in relation to parole for certain sex offenders;

1918, by Senator Libous, an act to amend the Penal Law, in relation to increasing the penalties for repeat convictions;

1924, by Senator Libous, an act to amend the Penal Law, in relation to authorizing an additional term of imprisonment;

1963, by Senator Maziarz, an act to amend the Criminal Procedure Law;

2011, by Senator Padavan, an act

to amend the Penal Law, in relation to making citizenship document fraud;

2016, by Senator Saland, an act to amend the Penal Law;

2074, by Senator Rath, an act to amend the Penal Law, in relation to repeat offender status;

2149, by Senator Meier, an act to amend the Criminal Procedure Law and the Education Law;

2223, by Senator Padavan, an act to amend the Penal Law, in relation to making unlawful immigration;

2402, by Senator Volker, an act to amend the Penal Law, in relation to drug-free school grounds;

2600, by Senator Velella, an act amend the Penal Law;

3069, by Senator Padavan, an act to amend the Criminal Procedure Law.

Senator Rath, from the Committee on Local Government, offers up the following bills:

Senate Print 563, by Senator Holland, an act to amend the General Municipal

Law;

1378, by Senator LaValle, an act to amend the General Municipal Law, in relation to creating the town of Southampton Community Development Agency;

1748, by Senator Seward, an act to repeal Section 4 of Chapter 668 of the Laws of 1977;

1862, by Senator Johnson, an act to amend the Real Property Tax Law;

2021, by Senator Leibell, an act to amend the General Municipal Law;

2202, by Senator Padavan, an act to amend the General Municipal Law, in relation to reporting information;

2309, by Senator Larkin, an act to amend the General Municipal Law;

2439, by Senator Farley, an act to amend the Real Property Tax Law, in relation to exemption from taxation;

2342, by Senator Leibell, an act to amend the General Municipal Law;

2378, by Senator Lack, an act to amend the County Law, in relation to permitting district attorneys;

2394, by Senator Rath, an act to amend the Real Property Tax Law, in relation to payment of taxes;

2396, by Senator Rath, an act to amend the Village Law;

2514-A, by Senator Johnson, an act to amend the Real Property Tax Law;

2669, by Senator LaValle, an act to amend the Town Law, in relation to expending from fire district revenues;

2753, by Senator Present, an agent to amend Chapter 557 of the Laws of 1992;

2858, by Senator Leibell, an act to amend the General Municipal Law, in relation to tax abatement.

Senator Present, from the Committee on Commerce, Economic Development and Small Business, reports:

Senate Print 1773, by Senator Present, an act to amend the Economic Development Law;

1890, by Senator Present, an act to amend the State Administrative Procedure Act;

2377, by Senator Lack, an act to amend the Economic Development Law;

2536, by Senator Present, an act to amend the Economic Development Law, in relation to directing a rural agri-business.

Senator Cook, from the Committee on Education, offers up the following bills:

2451, by the Committee on Rules, an act legalizing and validating the expenditure of certain bonds;

2577, by Senator Seward, an act to ratify, legalize and validate certain acts and proceedings.

Senator Saland, from the Committee on Children and Families, offers up the following bills:

Senate Print 493, by Senator Saland, an act to amend the Social Services Law;

1983, by Senator Skelos, an act to amend the Domestic Relations Law, in relation to any action or proceeding;

2584, by Senator Johnson, an act to amend the Family Court Act and the Vehicle and Traffic Law;

2726, by Senator Saland, an act to amend the Social Services Law and the Education Law.

All bills directly for third reading.

ACTING PRESIDENT KUHL: The motion by Senator Skelos is to accept the report of the standing committees. All those in favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The bill is reported directly to third reading.

Senator Skelos.

SENATOR SKELOS: Mr. President, at this time may we please adopt the Resolution Calendar.

ACTING PRESIDENT KUHL: The motion is to accept the Resolution Calendar which is on the desks of the members. All those in favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The Resolution Calendar is adopted.

SENATOR SKELOS: Mr. President,

could you recognize Senator Lachman.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Lachman.

SENATOR LACHMAN: Thank you, Mr. Chairman.

Unfortunately, yesterday when we discussed the resolution, I believe it's 636 dealing with Professor Irwin Polishook's 20th anniversary as president of the Professional Staff Congress, I was outside the chamber being lobbied by some people on a much more controversial resolution that we took up later that afternoon. If I had been present, I would not only have voted yes since I'm a co-sponsor of the resolution but I would have spoken for a few minutes and, with your indulgence, I would like to say today what I would have said yesterday.

I have known Irwin Polishook since we were teenagers and freshman at Brooklyn College. We have, in this chamber, two individuals on both sides of the aisle, Professor Emeritus Leonard Stavisky and Professor Hugh Farley who have proven that you can both be good academics and outstanding

legislators.

Professor Irwin Polishook has proven that one can be a good academic and an outstanding union leader. In the 20 years that he has served as president of the Professional Staff Congress, the Union of City University Academics has grown dramatically. He has represented his members with distinction. He is a man of intelligence, integrity and I can attest to the fact as a former university administrator, a very screwed negotiator as well.

As both CUNY and SUNY face future problems and we hope opportunities as well, they are in need of more people such as Professor Irwin Polishook, and I hope that he will be around for many years and that I will be in this chamber when we celebrate his 25th anniversary as president of this university Union of Academics from the City University of New York.

Thank you, Mr. Chairman.

ACTING PRESIDENT KUHL: Thank you, Senator Lachman.

Senator Skelos.

SENATOR SKELOS: If we could take

up the non-controversial calendar.

ACTING PRESIDENT KUHL: Senator Skelos, we have a couple of motions. Can we take care of those first as a matter of housekeeping.

The Chair recognizes Senator Tully.

SENATOR TULLY: Thank you, Mr. President.

On behalf of Senator Wright, I move that the follow bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate 3221.

ACTING PRESIDENT KUHL: The enacting clause will be stricken. So ordered.

SENATOR TULLY: Thank you, Mr. President.

On behalf of Senator Libous, please place a sponsor's star on Calendar Number 237.

ACTING PRESIDENT KUHL: Calendar Number 237 will be starred at the request of the sponsor.

Any other motions?

(There was no response.)

Senator Skelos, we'll have the Secretary read the non-controversial calendar.

THE SECRETARY: Calendar Number 91, by Senator Cook, Senate Print 780, an act to amend the General Municipal Law, in relation to county planning boards and regional councils.

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

THE SECRETARY: Section 8. This act shall take effect on the first day of July.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 44.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 151, by Senator Present, Senate Print 1475, an act to adjust certain state aid payments.

SENATOR PATERSON: Lay it aside.

ACTING PRESIDENT KUHL: There is a local fiscal impact note at the desk. The bill will be laid aside at the request of Senator Paterson.

THE SECRETARY: Calendar Number 167, by Senator Kuhl, Senate Print 545-A, an act to amend the Agriculture and Markets Law and the Vehicle and Traffic Law, in relation to exempting farm vehicles.

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 179, by Senator Leibell, Senate Print 2228, an act to amend the Public Housing Law, in relation to the statute of limitations.

SENATOR PATERSON: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 185, by Senator Levy, Senate Print 605, an act to amend the Vehicle and Traffic Law.

SENATOR SKELOS: Lay it aside for the day.

ACTING PRESIDENT KUHL: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 186, by Senator Holland, Senate Print 732, an

act to amend the Highway Law, in relation to designating a portion of the state highway system.

ACTING PRESIDENT KUHL: 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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 205, by Senator Skelos, Senate Print 334, an act to amend the Education Law, in relation to notification of parents of an elementary school pupil's absence.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 229, by Senator Rath, Senate Print 2014, an act to amend the Education Law, in relation to displaying the Flag of the state of New York.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 245, by Senator Saland, Senate Print 1785, an act to amend Chapter 748 of the Laws of 1991.

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 47.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

248, by Senator Nozzolio, Senate Print 697-A, an act to authorize the New York State Urban Development Corporation to forgive a 1986 loan.

SENATOR LEICHTER: Lay it aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 250, by Senator Bruno, Senate Print 706, an act to amend the Vehicle and Traffic Law, in relation to the disqualification of a bus driver.

SENATOR SKELOS: Lay it aside temporarily.

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Skelos, that completes the non-controversial calendar.

SENATOR SKELOS: Could you please take up the controversial calendar.

ACTING PRESIDENT KUHL: The Secretary will read the controversial calendar, beginning with Calendar Number 151 by Senator Present.

THE SECRETARY: Calendar Number 151, by Senator Present, Senate Print 1475, an

act to adjust certain state aid payments.

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

Senator Paterson.

SENATOR PATERSON: Explanation.

ACTING PRESIDENT KUHL: Senator Present, an explanation of Calendar Number 151 has been requested by the Acting Minority Leader, Senator Paterson.

SENATOR PRESENT: Senator Paterson, the Salamanca City School District was audited and found that they were overpaid for previous years' vouchers and this bill would allow them to pay back that -- that amount will be taken from their school aid for the next five years rather than all at once.

SENATOR DOLLINGER: Mr. President, would the sponsor yield to a question?

ACTING PRESIDENT KUHL: Senator Present -- Senator Paterson, are you yielding the floor?

SENATOR PATERSON: Yes, Mr. President.

ACTING PRESIDENT KUHL: Okay.

Senator Dollinger, Senator Present has asked - the Senator yields to a question, Senator Dollinger.

SENATOR DOLLINGER: Senator, what is the current state policy with respect to the collection of debts which the school district owes money to the state of New York?

SENATOR PRESENT: I can't answer that.

SENATOR DOLLINGER: Okay. Again through you, Mr. President, if Senator Present will yield for one -

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

SENATOR PRESENT: Yes.

ACTING PRESIDENT KUHL: The Senator continues to yield.

SENATOR DOLLINGER: If this bill weren't passed, do you know how the Salamanca School District would repay the money?

SENATOR PRESENT: How they would what?

SENATOR DOLLINGER: How the Salamanca School District would repay the money that it owes the state of New York?

SENATOR PRESENT: The money would be withheld from their current year's payment.

SENATOR DOLLINGER: Okay. On the bill, Mr. President.

ACTING PRESIDENT KUHL: Senator Dollinger, on the bill.

SENATOR DOLLINGER: Senator Present, your bill does something that we ought to do for every school district in this state, and that is change our current policy for the collection of audited debts that school districts owe the state of New York.

You properly point out that the current policy of the Division of Budget is that when these audits show that school districts owe money to the state of New York, they collect it in one lump sum out of the aid payments due in the current fiscal year, strapping the school district with the prospect of an enormous up front cost to cover the lost funds that they have lost to the state of New York.

If, however, audits show that a school district is owed money by the state of New York, they simply pay it back in the future over time. So the state of New York grabs the

money quickly right up front if they're owed the money. If they owe the money -- if we owe the money to the school districts, we pay it back slowly over time and in either event, the school districts are harmed.

Senator, I'm going to support this bill, but what I would hope is that if a bill comes out from this house that says that we will treat all school districts the same way that you're going to want to treat the Salamanca School District, that we'll pass that bill, that we'll in essence say to the school districts of this state, we'll treat you fairly. If you owe us money, you get five years to pay it back. If we owe you money, we'll pay it back within five years as well. That's the only fair way to do it, Senator.

This issue came up in my district. Two of my school districts are owed money by the state of New York. Unlike Salamanca, they're owed money by the state of New York. They're not going to get it back by several years when they should be paid it all up front.

So it just seems to me that

that's a terrible way for the state of New York to do business. We're clearly not treating them the way they would like to be treated and the way that we should treat them.

I'd just point out that one of my staff members has handed to me -- there are at least 17 school districts in the state in Monroe County that I represent which are owed $1.9 million by the state of New York that they're not going to get for five years. It's not fair. It's not evenhanded. It's just the kind of thing we do that shows to the school districts that we don't care.

Senator, I'm going to support this bill. I would like to see a bill, a prompt payment bill passed, and I would suggest that this year, when we've got a surplus of funds available, that one of the things I would recommend to those in this house who sit at the table and negotiate the next budget is that they take a small portion of it and repay the school districts that are owed money. What we're doing is simply requiring property taxes to pay for money that the state of New York owes them. It's just not fair.

I'll support this bill, Mr. President. I commend Senator Present for bringing it forward on behalf of his constituents. I think many of us have constituents who are dealing with the problem, the failure of the state of New York to treat the people it either owes money or collects money from in an evenhanded fashion.

I'll be producing such a bill in the future and I assume that I'll have the strong support of this house for it.

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

Senator Leichter.

SENATOR LEICHTER: Mr. President, on the bill.

ACTING PRESIDENT KUHL: Senator Leichter, on the bill.

SENATOR LEICHTER: Mr. President, I'm grateful to my good friend, Senator Dollinger, for making really a very important and a very excellent point, and that is how the state of New York treats school districts extremely unfairly.

Senator, your 17 districts may be

owed 1.9 million. My school district, the city of New York, is owed $900 million and the Governor in his munificence this year provided in his budget $9 million, 100 of that to repay.

I think everybody in this house knows the problems that we have in the school district in New York, the under-funding, the problems of deteriorated school buildings, insufficient, inadequate school buildings.

Senator Present, I believe at one time you were the Chair of the Education Committee, so you're certainly familiar with it, and I think it's perfectly fair that we ought to do for your school district what your bill provides and we're going to support it, but I hope that we could look to the other side of the aisle, to you, Senator Present, particularly with the knowledge that you have on education and the need of school districts and obviously those Senators on the other side of the aisle who come from the city of New York, to see that we are no longer cheated. If you owe us $900 million -- this is not a dispute. It's basically admitted, $900 million -- start repaying it, and I think, Senator Dollinger,

your bill makes eminent good sense and I would hope that on a bipartisan basis that we could have such a bill that places obligations on the state of New York to treat school districts fairly, not when the state is owed money, grab it right away and when the state owes money to the school districts, pay it -- well, we'll pay it whenever we get around to it. That's not the way to do business.

I'm going to support the bill.

ACTING PRESIDENT WRIGHT: Senator Dollinger, why do you rise?

SENATOR DOLLINGER: Just briefly, Mr. President. Senator Leichter is absolutely correct. I just want to emphasize that what this does is that this passes a cost that the state of New York should pay from either sales taxes or income taxes and tosses it on the property tax. That's all it does.

We're about to discuss, I assume some time during this session, a proposal by the Governor to reduce property taxes in this state. I've got a simple way to reduce property taxes in this state. Pay your bills on time.

ACTING PRESIDENT WRIGHT: Any

other Senator wishing to speak on the bill?

(There was no response.)

The Secretary will read the last section.

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

ACTING PRESIDENT WRIGHT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT WRIGHT: The bill is passed.

Senator Skelos -- the Secretary will read.

THE SECRETARY: Calendar Number 167, by Senator Kuhl, Senate Print 545-A, an act to amend the Agriculture and Markets Law, the Vehicle and Traffic Law, in relation to exempting farm vehicles.

SENATOR PATERSON: Explanation.

SENATOR LEICHTER: Explanation, Senator Paterson.

ACTING PRESIDENT WRIGHT: Senator Paterson.

SENATOR LEICHTER: I'm his echo.

ACTING PRESIDENT WRIGHT: Senator Paterson, Senator Kuhl.

SENATOR KUHL: Yes. Very simply put, this bill, if adopted, would remove a security insurance requirement that we placed on farm vehicles just a couple of years ago.

As part of the ISTEA provisions, we went through a major revision of the regulations dealing with requirements of some farm vehicles. At the same time, we also placed an additional requirement of insuring those farm vehicles on farmers, and what this does is simply remove that requirement. It's an additional financial obligation. It really wasn't required. There was no demand or no need perceived for it, and so this is an attempt to try to relieve the financial burden - unnecessary financial burden that we've placed on the farmers in this state from them.

ACTING PRESIDENT WRIGHT: Read the last section.

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

ACTING PRESIDENT WRIGHT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53, nays 1, Senator Kruger recorded in the negative.

ACTING PRESIDENT WRIGHT: The bill is passed.

THE SECRETARY: Calendar Number 179, by Senator Leibell, Senate Print 2228, an act to amend the Public Housing Law, in relation to the statute of limitations.

SENATOR PATERSON: Explanation.

SENATOR SKELOS: Lay it aside temporarily.

ACTING PRESIDENT WRIGHT: The bill is laid aside temporarily.

SENATOR SKELOS: Wait a minute. Senator Leibell just came in.

ACTING PRESIDENT WRIGHT: Senator Leibell, an explanation has been asked for on Calendar Number 179.

SENATOR LEIBELL: Yes, Mr. President. What we are trying to do with this legislation is to provide parity between public housing authorities and other municipalities.

As it is currently with other municipalities, when there's an action to be

commenced, there's basically two statutes of limitation, the first being the one for the notice of claim, which is a 90-day one and then within a year after that, a summons and complaint must be filed. The difference for housing authorities is that this public -- the notice of claim piece can be, in effect, tolled and you will not have any statute of limitations running on the one-year period.

What we are attempting to do with this legislation is to create that parity which says the Public Housing Authority would be treated the same way as other municipalities.

ACTING PRESIDENT WRIGHT: Senator Paterson.

SENATOR PATERSON: Mr. President, would Senator Leibell yield for a question?

ACTING PRESIDENT WRIGHT: Senator Leibell, will you yield to Senator Paterson for a question?

SENATOR LEIBELL: Yes, Mr. President.

ACTING PRESIDENT WRIGHT: Senator Paterson.

SENATOR PATERSON: Are there

provisions where the feasible extent of injury to the individual plaintiff is not known?

SENATOR LEIBELL: No, there's no provisional -

SENATOR PATERSON: Okay. One other question. I understand that you're trying to establish parity here, but the question is, we're talking about only the -- we're really talking about just 30 days. Is there documented that many instances where the 30-day period helped the plaintiff to-- that much that we need to pass a law even though it's not the same as it is in suing a municipality?

SENATOR LEIBELL: Senator, I'm sorry. I'm having a little trouble hearing me.

SENATOR PATERSON: No?

SENATOR LEIBELL: Yeah. The difference between the law as it is now for suing the Housing Authority and the law as it would be if we changed it would be 30 days. Do you think that's significant enough to pass a law at this time?

SENATOR LEIBELL: It could be any amount of time. It's not -- there's 30 days. Under the current situation, you could have a

situation where it would be almost tolled indefinitely, and this bill was brought to us by New York City which it requested, and I think part of your question that I believe I heard you ask was what incidents. I'm not aware of which incidents caused this for the City to request this, but it is requested by the city of New York.

SENATOR PATERSON: Okay. Thank you, Senator.

ACTING PRESIDENT WRIGHT: Any other Senator? Last section.

SENATOR LEICHTER: Yes, Mr. President.

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

SENATOR LEICHTER: Senator Leibell, I mean, generally statute of limitations from my viewpoint is something that since they deny the people the right to sue, unless there's really a compelling reason to impose a statute of limitations, I don't think we ought to limit people's right to sue.

Now, I understand you're trying to reach -- or the city of New York is trying to

achieve a certain parity between other municipal corporations but, you know, that as an argument, it seems to me, can be made about housing authorities where a lot of people live in these buildings. People come in, vendors, and so on, that maybe ought to be entitled to protection that is somewhat different than a municipal corporation has. If we want to equalize it, maybe the way to do it is extend the statute of limitations of municipal corporations.

SENATOR LEIBELL: Well, Senator, I was not able to determine, to be candid with you, why there was this historical -- or at least something of a historical difference between housing authorities and other municipal corporations. I think that, you know, it is - no question, with any statute of limitations, it is a strong position of law.

I think what we're attempting to do here -- I know what we're attempting to do here, though, is to say we wish to see people treated the same as they would be treated with any other municipality. We think under those circumstances that in other circumstances they're treated fairly by having these

provisions for the notice of claim and then the year additional to serve a summons and complaint and also the recognition that we live in an age of scarce housing dollars and, to the extent we can, we would wish to protect these to make sure the individuals are protected but, at the same time, to remove the possibilities of frivolous lawsuits, et cetera, and to get dollars into housing and provide the certain protections. I think we accomplished this and I agree with the City's position.

SENATOR LEICHTER: Senator, thank you for your answer.

I just want to say that, you know, I'm reading the memo to the city of New York. It says the New York City Housing Authority, therefore, requires -- requires the addition of a new section to provide equal treatment of public housing authorities before courts of law. I mean, as if there's now some inequality existing insofar as the Housing Authority is concerned. The Housing Authority is not a general municipal corporation. It has a different function, a different role. I don't know any compelling interest that requires it be

the same.

I think -- as you know, Senator Leibell, we pretty much limit the rights of people to sue municipal corporations. If you should have the misfortune of being involved in an accident, the statute of limitations is far longer than that for a municipal corporation. I'm not sure that municipal corporations ought to have that protection, but why extend it? Why limit people's right to sue?

I must say, I don't think a case has been made for infringing what is the - really such a basic right as to allow people who have been injured, who have been damaged, to sue and here the statute of limitations is extremely short, extremely brief.

I have problems with the bill, sir.

ACTING PRESIDENT WRIGHT: Any other Senator wishing to be heard?

(There was no response.)

Read the last section.

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

ACTING PRESIDENT WRIGHT: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 179, Senators Kruger, Lachman, Leichter, Onorato, Paterson and Sampson. Ayes 50, nays 6.

ACTING PRESIDENT WRIGHT: The bill is passed.

Senator Dollinger, why do you rise?

SENATOR DOLLINGER: Mr. President, could I ask for unanimous consent to be recorded in the negative on Calendar Number 167.

ACTING PRESIDENT WRIGHT: Without objection, the Senator will be recorded in the negative.

Senator Leichter, why do you rise?

SENATOR LEICHTER: Yes, Mr. President. I wanted to make the same motion for myself. I would like to be recorded in the negative on Calendar 167.

ACTING PRESIDENT WRIGHT: Without objection, reflected on number 167.

Senator Breslin.

SENATOR BRESLIN: I would also like -

ACTING PRESIDENT WRIGHT: Senator Breslin will also be recorded.

Senator Smith, why do you rise?

SENATOR SMITH: I request unanimous consent to be recorded in the negative on Calendar Number 167.

SENATOR LACHMAN: Negative on 167.

ACTING PRESIDENT WRIGHT: Senator Lachman, 167, negative. Anyone else?

Senator Rosado in the negative on 167.

Senator Sampson.

SENATOR SAMPSON: Negative.

ACTING PRESIDENT WRIGHT: Without objection. Senator Abate, 167, without objection.

Is there anyone we missed on 167?

Senator Nanula on 167. Going once -

THE SECRETARY: Calendar Number

229, by Senator Rath, Senate Print 2014, an act to amend the Education Law, in relation to displaying the flag of the state of New York on the grounds of the State University.

SENATOR LEICHTER: Explanation.

ACTING PRESIDENT WRIGHT: Senator Rath, an explanation has been requested.

SENATOR RATH: Mr. President, it's a very simple piece of legislation in front of us requesting that SUNY campuses display the flag of the state of New York. Many of them do. I have observed some that don't. The American flag is usually flying. There's usually a second flagpole there and, in my opinion, the flag of the state of New York should be there.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: Yes, Mr. President, On The bill.

Senator Rath, I'm somewhat surprised and a little disappointed in this bill. When I saw we're going to have a bill on the State University of New York, I thought we

would have a bill that maybe would deal with the financial problems of the State University, maybe with the problem of deteriorating plants, maybe with the problem of increasing tuition, maybe with a problem that students can't graduate in five -- in four years if it takes five or six years because they can't get in the classes to take required courses, but maybe you would address the fact that the State University here in Albany has discontinued teaching German. I think the only university of that size claiming to be a world-class institution that doesn't teach German. Unbelievable.

So I thought, my goodness, we're going to finally address some of these problems. Instead, all you come forth with is that the State University should display the flag of the state of New York. Frankly, they can do it. I don't think it makes a great deal of difference, but is that all that we can do?

We have a system that's in terrible problems. I'm sorry that the distinguished Chairman of Higher Education for whom I have the greatest respect is not here, but I would like to see some bills come out of

his committee and come to the floor and get the attention of this body other than telling the State University how they ought to conduct their commencement, when they ought to say the Pledge of Allegiance, when we ought to sing the Star Spangled Banner, when we ought to display the flag of the state of New York. How about dealing with the fact that a great university system -- or which was a great university system at one time is becoming a second-rate institution, that it's seriously hurting the economy of the state of New York and depriving our young people of the opportunity to get the sort of education they need to be productive citizens, to be able to compete in a world economy. Everybody talks about education that's so important.

We have seen this university system starved for funds. We've seen this university system have a decline in student applications because the students realize they can no longer get a first-rate education. Take a look at the decline in applications.

I think it's a shame -- and I'm not putting the blame on the present

administration, although clearly it deserves some of the blame. I issued a report when Cuomo was governor saying, you're starving the system. In this state, at that particular time, we were 48th among all the states on what we spend on higher education and it hasn't gotten any better.

We raised tuition at the State University, as you know, two years ago by $750. The Governor wants to raise it again by $400. Those are the issues that we should be addressing, not how to conduct commencement, not what flags to display. I think it's time to get serious.

I don't mean to be critical of you as such, Senator Rath, because I'm sure you're concerned about this as all of us should be concerned about it, but I think the time for action has come and the time for cosmetic pieces of legislation is past.

I think we deserve much -- we have a much greater obligation to the students of the State University of New York than telling them to fly the flag of the state of New York.

ACTING PRESIDENT WRIGHT: Senator

Rath.

SENATOR RATH: I was about to respond to you in German but I've forgotten a few words. I'm sure you will be more than glad to fill in for me privately outside. We'll go through how this might have been in German -- in Deutsch.

However, I'm glad we afforded you the opportunity, Senator Leichter, to vent some of your concerns. Let me advise you they are my concerns also. I'm a graduate of the State University of New York. The covers on the books that I carried had that symbol on them. Every day that I went to class, I opened up a book that had the symbol of the State University of New York on it. I knew where I came from, and I think it's an important thing for all students to recognize that there are places that they need to remember and a place that they need to remember, in my opinion, is New York State. I think the flag symbolizes that and it's purely a symbolic gesture.

SENATOR LEICHTER: Mr. President.

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

SENATOR LEICHTER: Mr. President, on the bill. Senator Rath -

ACTING PRESIDENT WRIGHT: On the bill.

SENATOR LEICHTER: -- I wanted to remember a state university that they're going to say, I got a wonderful education that really prepared me to go out in the world. It prepared me to become a state Senator, as you were prepared to become a state Senator and to be successful as you certainly have been. That's what I want them to remember. I don't want them to remember, Gee, it took me six years to graduate because I couldn't get the courses that I needed.

All I'm suggesting, Senator Rath, is -- and I know that expresses your viewpoint -- I want to give the present generation of school, of university and college students the same opportunity that you had because you attended that university at the time when it was a great university. I want to give them the same opportunity that I had some years before you did when I could have gone to CUNY, and so on, and would have gotten a first-class

education.

What I'm saying -- and I think we all have to be aware of -- that opportunity doesn't exist now and that's really what we need to address. I don't want to belittle your concerns. I'm not belittling your bill as such, but I think that we have to do more than pass these sorts of bills. We have an obligation to give them the same opportunity that Senator Mary Lou Rath had. That's what I want to do.

ACTING PRESIDENT WRIGHT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day.

ACTING PRESIDENT WRIGHT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT WRIGHT: The bill is passed.

If I may at this time, I have been advised by the Secretary of the Senate that the Legislative Office Building is again open and staff can return to the LOB at this point in time.

The Secretary will read.

THE SECRETARY: Calendar Number 248, by Senator Nozzolio, Senate Print 697-A, an act to authorize New York State Urban Development Corporation to forgive a 1986 loan to Rochester Community Baseball.

SENATOR LEICHTER: Explanation.

ACTING PRESIDENT WRIGHT: Senator Nozzolio, an explanation has been requested.

SENATOR NOZZOLIO: Thank you, Mr. President.

It's a measure we passed last June or July, which, as its title implies, forgives a loan granted in 1986 of $1.5 million from the Urban Development Corporation to Rochester Community Baseball.

As part of the agreement, when the former Silver Stadium became Frontier Field, the stadiums were expanded and programs statewide that this Legislature entered into negotiations with the Assembly and then Governor Cuomo and that this was part of the result of those negotiations that this loan be forgiven to -- as part of the total package of assistance that kept professional baseball in Rochester.

It's a measure sponsored by the entire Senate delegation to Monroe County. Both sides of the aisle are represented on the bill, and I'm very pleased, it is an example of interparty cooperation among our Senate colleagues representing Monroe.

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: Yeah. Mr. President, if Senator Nozzolio would yield, please.

ACTING PRESIDENT WRIGHT: Senator Nozzolio, will you yield to a question?

SENATOR NOZZOLIO: Yes, Mr. President.

ACTING PRESIDENT WRIGHT: The Senator yields.

Senator Leichter.

SENATOR LEICHTER: Senator, I understood you to say there was some agreement that this would be done. Is that in writing?

SENATOR NOZZOLIO: No, Senator Leichter, it's not.

SENATOR LEICHTER: Who is the agreement with?

SENATOR NOZZOLIO: It was part of the discussions between whether or not local participation is going to be accepted and the degree to which local participation, which was one of the requirements for the stadium's construction during that omnibus act that we had built stadiums across the state, that would be local governments, the county of Monroe, the city of Rochester, along with the Urban Development Corporation mentioned this would be part of a local share supported by part of the agreement of the Urban Development Corporation to provide assistance here as part of the total package.

Senator -- Senator -- let me - in conclusion, this is the same measure that you and I discussed, the same identical bill that you and I stood up on last June or July. I'll probably hear the same questions that I heard then. I don't have the transcript with me, but you -- if you recall, you got up on this measure. At that time Senator Dollinger asked -- answered some of your questions, but I thought at that time -- there has been no change in this legislation since the last time you

asked a number of questions about it.

SENATOR LEICHTER: Senator -

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: Well, Senator Nozzolio, you're putting the bill forth again.

ACTING PRESIDENT WRIGHT: Senator, do you continue to yield?

SENATOR LEICHTER: Is it your view that once a bill is before the house and is acted on and passed, that -- and it comes up again, that it's improper to have a discussion on it or debate on it? I would assume that's not your view.

In any event, yes, we discussed it and, frankly, I found much more favor in the bill now than it had in July. I'm still trying to understand it. I asked you who the agreement was made with. I'm not sure I got a very clear answer. When -- Senator Nozzolio, when was that agreement made?

SENATOR NOZZOLIO: During the - Senator, Mr. President, it was made during the discussions on stadium financing that took place throughout this state -- at projects throughout

this state during the period, I believe it was 1994 and early '95.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: If Senator Nozzolio would be good enough to continue to yield.

ACTING PRESIDENT WRIGHT: Senator, do you continue to yield?

SENATOR NOZZOLIO: Yes, Mr. President.

ACTING PRESIDENT WRIGHT: The Senator continues to yield.

Senator Leichter.

SENATOR LEICHTER: Senator, is it your view that state officials, bureaucrats as they're sometimes referred to, can bind the state of New York and this Legislature to fiscal commitments without action from the Legislature?

SENATOR NOZZOLIO: Is that a - Senator, I'm not going to answer that question. It's too broad, too hypothetical, too theoretical. If you would like me to respond to

a particular component of this measure, I would be glad to. If you like to ask me a question on general philosophy, I would be glad to. That question is much too broad to give you an answer that would be concise enough for this debate.

SENATOR LEICHTER: Well, Mr. President, if -

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: Senator Nozzolio, I want to make it as easy for you as possible. I don't want to, you know, give you any questions that you consider are very hard or difficult to answer. So let me see if I can put it in terms that will allow you to respond.

My question is whether commitments that become obligations of the state of New York should be acted on by the Legislature.

SENATOR NOZZOLIO: I think certainly, Mr. President, under many circumstances, this Legislature has the duty and responsibility, the legal obligation to make fiscal decisions that certainly -- that's the reason why this bill is before us today, that we

have a fiscal decision to make, a decision that is a decision that has been enacted by the Assembly and that I'm hopeful that the Senate will follow suit.

SENATOR LEICHTER: All right. Then -

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: If you'll continue to yield.

ACTING PRESIDENT WRIGHT: Senator Nozzolio, do you continue to yield?

SENATOR NOZZOLIO: Yes, Mr. President.

ACTING PRESIDENT WRIGHT: The Senator continues to yield.

Senator Leichter.

SENATOR LEICHTER: Then you agree that it's a matter that the Legislature has to look at de novo because it is, indeed, the act of the Legislature and we are not bound by what seems to me a somewhat uncertain amorphous agreement that was entered into apparently through the UDC that doesn't buy this and we ought to take a look at it on the basis of the

merits. You presented an argument that was predicated on the fact that this was agreed to and that's why I asked you those questions as to the extent to which that binds the Legislature and should bind the Legislature.

SENATOR NOZZOLIO: Mr. President, if I could respond to this general statement.

ACTING PRESIDENT WRIGHT: Senator Nozzolio.

SENATOR NOZZOLIO: Senator Leichter, this was part of an entire package of stadium construction that reached every corner of the state, virtually and that we, as a Legislature, established certain parameters, one of which was that local participation was certainly something that was to be achieved, that local commitment to building stadiums was going to be part and parcel of the policy that this Legislature endorsed.

The measure before us reflects the implementation of the policy that we put in motion in 1994 and again in 1995 because we had to pass this measure twice -- not this measure before us but the measure which established stadium construction policy. We passed that

policy question twice. This Legislature voted on two separate occasions, two different legislatures voted to support stadium construction, other athletic facility construction across the state of New York. Within each of those projects, there were a series of discussions, some longer than others, depending upon the scope of the project. There may have been nuances that required an additional look because each project was similar but each was also - had different characteristics.

The Monroe County project that built -- constructed Frontier Field had with it a number of characteristics unique to Monroe County but still complied with the general framework established by the policies of two successively elected legislatures that required local participation in the construction and acceptance of the construction by the Urban Development Corporation of these stadium facilities.

Monroe County had in its discussions an item that, as you read the bill, Senator, 1986 there was a loan of $1.5 million to renovate the then stadium which was

constructed, that, as the county of Monroe, city of Rochester, Monroe Community Baseball entered into negotiations with the Urban Development Corporation for their percentages of responsibility in the construction of Frontier Field, this was put on the table.

So, Senator, to answer your questions, I believe that these discussions between the parties mentioned and referenced in the bill were discussions to implement the policy that this Legislature decided not once but twice in the construction of stadiums across the state.

SENATOR LEICHTER: Mr. President, if Senator Nozzolio -

ACTING PRESIDENT WRIGHT: Senator Leichter, Senator Nozzolio, do you continue to yield?

SENATOR NOZZOLIO: Yes, Mr. President.

ACTING PRESIDENT WRIGHT: The Senator yields.

SENATOR LEICHTER: Senator, am I correct in understanding that the Urban Development Corporation made a loan of $1500,

which was -- which was public monies, is that right?

SENATOR NOZZOLIO: No, Senator, it's not correct.

SENATOR LEICHTER: Well, isn't what we're forgiving here a 1986 loan of $1500 from the New York State Urban Development Corporation to Rochester Community Baseball?

SENATOR NOZZOLIO: No, Senator, that's not correct.

SENATOR LEICHTER: Well, what are we forgiving?

SENATOR NOZZOLIO: You're leaving out a few zeros.

SENATOR LEICHTER: Excuse me?

SENATOR NOZZOLIO: You're leaving out a few zeros, Senator. It's not $1500, Senator Leichter. It's 1.5 million.

SENATOR LEICHTER: I believe I said one million-five.

SENATOR NOZZOLIO: No, Senator.

SENATOR LEICHTER: I said 1500? I'm sorry. I abbreviated it. It's $1.500 million, $1,500,000, right? That was the loan that was given, is that correct?

SENATOR NOZZOLIO: Mr. President, this bill deals with a loan that was granted in 1986 for $1.5 million.

SENATOR LEICHTER: Right. And there was a mortgage that was given, a security for this loan, is that correct?

SENATOR NOZZOLIO: Under whatever the principal of security interest that the Urban Development Corporation extends or establishes in these types of situations, I think were the norm, Senator, yes.

SENATOR LEICHTER: Was there anything in those documents which said that that loan was going to be forgiven?

SENATOR NOZZOLIO: Probably not, Senator. I have not seen the documents, Senator. I would have to say probably not. My best guess would be probably not.

SENATOR LEICHTER: Thank you very much, Senator Nozzolio.

The problem -

ACTING PRESIDENT WRIGHT: Senator Leichter, on the bill.

SENATOR LEICHTER: The problem I have with the bill -- I want to be as generous

to Rochester and I want to be generous to every community in the state of New York. I just want to make sure that everybody is being treated equally now.

I appreciate this is a bipartisan measure and you have enlisted the aid and put the name on of Senator Dollinger. It's rare that, frankly, I see his name on these sort - on bills, but I guess a bill of this sort, where forgetting a loan, in effect, giving up monies that belong to the people of the state of New York, maybe that's the time you want to make something bipartisan.

I've had a problem all along with the Urban Development Corporation, with the ESD because I think it often acts like a fourth branch of government. It engages in financial and economic activities that are outside of the structure that we've set up in this state.

Now we're told that here they made a loan. They got a mortgage, but then somewhere along the line somebody promised that that loan and mortgage would be forgiven. I don't know who it was. I don't know what documents it is. Apparently it's not in

writing. Is this something that we should do? Is this something that we owe the people of the good city of Rochester? Is this good policy? I don't know because, frankly, I have not been given any reason that I can see to justify taking an action. It's $1,500,000 that is still some sum of money. It belongs to the people of the state of New York. We are the stewards of the monies that belong to the people of the state of New York. We spend a lot of money. We expend monies for a lot of purposes but at least we're given some reason, some justification.

I, frankly, have not heard that justification.

SENATOR DOLLINGER: Mr. President.

ACTING PRESIDENT WRIGHT: Senator Dollinger.

SENATOR DOLLINGER: Mr. President, on this bill.

First of all, I want to thank Senator Nozzolio. He was up running with the football and perhaps I should have been up blocking for him, but this is a bill that confirms a deal that was made between the state

of New York and the people of the Rochester community. Is it in writing? No, it isn't in writing, but I can tell you that I sat in meetings with Lee Webb right in that hallway with Senator Nozzolio which we had the following discussion. We're going to take less money than our proportionate share for the building of our stadium than we would otherwise get. We're going to take a million and a half dollars less. Why? Because we need forgiveness of the loan on the Silver Stadium site in order to be able to convert the site to an economic development use, otherwise we're going to have the mortgage left on the property, and I don't know what Senator Nozzolio heard but I'll tell you what I heard. Lee Webb told me that at that point he thought UDC could forgive the loan unilaterally, that it didn't need the authority of the state Legislature to give away -- to forgive the million-and-a-half-dollar loan which would, when added to the principal of cash that we got, bring us up to a level equal to the stadium funding that Buffalo got and Auburn got and Geneva got and all the other places the New York State stadium got.

It was represented to us that the loan could be released unilaterally. Subsequent to that there were extensive discussions with the Assembly and I believe the Senate Majority counsel about whether there was a bill needed to forgive the loan. They decided in order to clear the title to allow this property on the northeast side of Rochester, one of our poorest communities in a site that's just waiting for redevelopment, in fact, has a company willing to buy half of it right off the bat to turn into profitable use and turn into a business enterprise.

We have pushed this bill, Senator Nozzolio, Senator Alesi and Senator Maziarz had picked it up and moved it, I appreciate that, but this is a bill that will simply confirm the final terms of a deal that every member of the Monroe County Delegation has understood.

Senator, I'll agree it isn't in writing. I'll agree it may not be the best public policy not to have these things in writing but this was in June of 1994. We were out in the hall finishing off the stadium funding. The question was how much Rochester

would get versus how much Buffalo and the other communities got. We got our fair share. If we don't forgive this loan, we'll end up with less than what we negotiated, less than the deal called for and less than what we anticipated.

It was a time of hurry up and get the legislation done but throughout the discussions, the forgiveness of the loan to make way for development in northeast Rochester to bring jobs to the poorest part of Monroe County, this was always part of the deal.

ACTING PRESIDENT WRIGHT: Read the last section.

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

ACTING PRESIDENT WRIGHT: Call the roll.

(The Secretary called the roll.)

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT WRIGHT: Senator Leichter.

SENATOR LEICHTER: Explain my vote. I'm going to change my vote from last year because the explanation of Senator Dollinger was clear. I accept his word that

that representation was made. Certainly it was made to him, but I must say it's a poor way - it's a poor way to do business, and I just really caution everyone here, as I have over the years, that we need to rein in the UDC and the ESD. I don't know why Webb can say, well, we'll forgive a million-five, and so on. It's just not the way that we ought to be conducting the business of the state of New York and certainly not the monies of the state of New York to be disbursed and dispensed in this way.

You say the promise was made. You say that, if you don't get it, you're going to be shortchanged. You say it's necessary to a poor community in Rochester. I'll accept that. I'll vote to it. Next time, though, put it in writing.

ACTING PRESIDENT WRIGHT: Results?

THE SECRETARY: Ayes 58.

ACTING PRESIDENT WRIGHT: The bill is passed.

Senator Montgomery.

SENATOR MONTGOMERY: Mr. President, I would like unanimous consent to be

recorded in the negative on Calendars 179 and 205.

ACTING PRESIDENT WRIGHT: Without objection, Senator Montgomery will be recorded in the negative on Calendars 179 and 205.

SENATOR MONTGOMERY: Thank you.

ACTING PRESIDENT WRIGHT: Senator Stavisky.

SENATOR STAVISKY: Mr. President, I would like to be recorded in the negative on Calendar 205.

ACTING PRESIDENT WRIGHT: Without objection, Calendar 205 in the negative.

SENATOR STAVISKY: 250, I'm sorry. Have we disposed of that already?

ACTING PRESIDENT WRIGHT: Senator, 250 has not been taken up yet.

SENATOR STAVISKY: Withdraw the request.

ACTING PRESIDENT WRIGHT: Thank you.

The Secretary will read.

THE SECRETARY: Calendar Number 250, by Senator Bruno, Senate Print 706, an act to amend the Vehicle and Traffic Law.

SENATOR MAZIARZ: Mr. President.

ACTING PRESIDENT WRIGHT: Senator Maziarz.

SENATOR MAZIARZ: Mr. President, at the request of the sponsor, can we lay Calendar Number 250 aside for the day, please.

ACTING PRESIDENT WRIGHT: Calendar Number 250 will be laid aside for the day.

Senator Maziarz, that completes the controversial calendar. We would like to return to standing committees reports.

SENATOR MAZIARZ: Yes, Mr. President. There is an immediate meeting - immediately following session, I should say -- a meeting of the Committee on Racing, Wagering and Gaming in Room 332.

ACTING PRESIDENT WRIGHT: Senator Maziarz, there will be an immediate meeting of the Racing Committee after session in Room 332.

ACTING PRESIDENT WRIGHT: We'll return to reports of -- Senator Maziarz.

SENATOR MAZIARZ: Mr. President, I would like to -- regarding the resolution commemorating National Employer -- National

Employ Older Workers Week, March 9th to 15th, to be opened up for any other member that would like to sign on.

ACTING PRESIDENT WRIGHT: The resolution will be open to any member of the Senate who wishes to sign on, please indicate.

Senator Maziarz, could we place everyone on that resolution unless they -

SENATOR MAZIARZ: Yes.

ACTING PRESIDENT WRIGHT: So ordered.

Senator Maziarz.

SENATOR MAZIARZ: Yes, Mr. President. At this time could we return to reports of standing committees.

ACTING PRESIDENT WRIGHT: The Secretary will read.

THE SECRETARY: Senator Levy, from the Committee on Transportation, reports the following bills:

Senate Print 507, by Senator Maziarz, an act to amend the Vehicle and Traffic Law;

606, by Senator Levy, an act to amend the Vehicle and Traffic Law, in relation

to operation of vehicles;

749, by Senator Present, an act to amend the Vehicle and Traffic Law, in relation to snowmobile dealer registrations;

809, by Senator Johnson, an act to amend the Vehicle and Traffic Law, in relation to motorcycle accident reporting;

924, by Senator Levy, an act to amend the Vehicle and Traffic Law;

927-A, by Senator Levy, an act to amend the Vehicle and Traffic Law and the Public Authorities Law;

928-A, by Senator Levy, an act to amend the Railroad Law and the Penal Law;

1775, by Senator Levy, an act to amend the Transportation Law;

1930, by Senator Libous, an act to amend the Vehicle and Traffic Law, in relation to the expiration of parking violations.

Senator Meier, from the Committee on Veterans and Military Affairs, reports:

Senate Print 2497, with amendments, by Senator Meier, an act to amend the Real Property Tax Law;

2573, by Senator Meier, an act to amend the Education Law and the Public Health Law.

Senator DeFrancisco, from the Committee on Tourism, Recreation and Sports Development, reports:

Senate Print 1939, by Senator DeFrancisco, an act to amend the Parks, Recreation and Historic Preservation Law;

2970, by Senator DeFrancisco, an act to amend the Navigation Law.

Senator Goodman, from the Committee on Investigations, Taxation and Government Operations, reports:

Senate Print 1477, by Senator Cook, an act to amend the Tax Law, in relation to extending authorization granted to the county of Ulster;

1747, by Senator Seward, an act to amend the Tax Law;

1858, by Senator Cook, an act to amend the Tax Law, in relation to extending the authorization granted to the county of Greene.

Senator Holland, from the Committee on Social Services, offers up the

following report:

Senate Print 231, by Senator Holland, an act to amend the Social Service Law and the Workmen's Compensation Law;

322, by Senator Holland, an agent to repeal Section 147 of the Social Services Law;

480, by Senator DeFrancisco, an act to amend the Social Services Law;

2625, by Senator Tully, an act to amend Chapter 693 of the Laws of 1996.

All bills directly for third reading.

ACTING PRESIDENT WRIGHT: All reports directly to third reading.

Senator Maziarz.

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

ACTING PRESIDENT WRIGHT: There is no housekeeping.

SENATOR MAZIARZ: There being no further business, I move we adjourn until Wednesday, March the 12th, at 11:00 a.m.

ACTING PRESIDENT WRIGHT: Motion to adjourn. The Senate is adjourned until

Wednesday, March 12th, at 11:00 a.m.

(Whereupon, at 4:07 p.m., the Senate adjourned.)